

Fill in this information to identify the case:

Debtor 1

Fox Ortega Enterprises Inc.

Debtor 2

(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

FILED

2016 FEB -9 AM 10:44

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CAL.
OAKLAND, CA.

Official Form 410

Proof of Claim

12/15

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Jonathan Cosby

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

☒ No

☐ Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Jonathan Cosby

Name

105 Arbor Court

Number Street

Woodside CA 94062

City

State

ZIP Code

Contact phone 650-543-1629

Contact email jon@maproyalty.com
maproyalty.com

Where should payments to the creditor be sent? (if different)

Name

Number

Street

City

State

ZIP Code

Contact phone _____

Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

☒ No

☐ Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☒ No

☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 5,518.48 Does this amount include interest or other charges?
☐ No
☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

Payments made for pre-arrival wine

9. Is all or part of the claim secured? ☒ No
☐ Yes. The claim is secured by a lien on property.
- Nature of property:**
- ☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
- ☐ Motor vehicle
- ☐ Other. Describe: _____
- Basis for perfection:** _____
- Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
- Value of property:** \$ _____
- Amount of the claim that is secured:** \$ _____
- Amount of the claim that is unsecured:** \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)
- Amount necessary to cure any default as of the date of the petition:** \$ _____
- Annual Interest Rate** (when case was filed) _____ %
- ☐ Fixed
- ☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☐ No

☒ Yes. Check all that apply:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☒ Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ 2,775

☐ Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/16 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☒ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 02 04 2016
MM / DD / YYYY

Signature

Print the name of the person who is completing and signing this claim:

Name

Jonathan Wilson Benjamin Cosby
First name Middle name Last name

Title

Company

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address

105 Arbor Court
Number Street

Woodside
City

CA
State

94062
ZIP Code

Contact phone

650-543-1629

Email

jon@maproyalty.com

Proof of Claim of Jonathan Cosby
RE: Debtor Fox Ortega Enterprises, Inc.
Case # 16-40050 WJL 7

Item #7--Statement of Interest, Fees, Expenses or other charges required by
Bankruptcy Rule 3001 (c) (2) (A)

Total Claim: \$5,518.48

Consisting of:

Product (Wine) \$5,039.70

Sales Tax (@9.5%) \$ 478.78

Total \$5,518.48

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000482695

Order Date: 6/30/2015

Web Order No: 179235

Salesperson: KR

Customer: 46478

Customer PO:

Sold To

Jonathan Cosby
105 Arbor Court
Woodside, CA 94062 USA

Ship To

Jonathan Cosby
105 Arbor Court
Woodside, CA 94062 USA

Contact: Jonathan Cosby
Phone: (650) 543-1629

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52224 2014 Vieux Chateau Certan	12.00	0.00	124.99	1,499.88

Payments: 1,642.37

Net Order: 1,499.88

Freight: 0.00

Sales Tax: 142.49

6/30/2015 AS0AD30DF4A3 *****7224 1,642.37

USD 1,642.37

My Account Hi Jonathan Log Out Shopping Cart *wine, region, varietal, producer* **SEA**

ORDER DETAILS

Order No.: SO-0000482695
 Order Date.: Jun 30, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Vieux Chateau Certan, 750 ml	12	0	12	0	\$124.99	\$1,499.88
Subtotal:						\$1,499.88
Tax:						\$142.49
Total:						\$1,642.37

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
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PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1
Order Number: 0000482596
Order Date: 6/29/2015
Web Order No: 179156
Salesperson: JJ
Customer: 46478
Customer PO:

Sold To

Jonathan Cosby
105 Arbor Court
Woodside, CA 94062 USA

Ship To

Jonathan Cosby
105 Arbor Court
Woodside, CA 94062 USA

Contact: Jonathan Cosby
Phone: (650) 543-1629

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
52223	2014 Trotanoy	12.00	0.00	124.99	1,499.88

Payments: 1,642.37

Net Order: 1,499.88

Freight: 0.00

Sales Tax: 142.49

6/29/2015	AT0AD4FB0EB9	*****7224	1,642.37
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My Account Hi Jonathan Log Out Shopping Cart *wine, region, varietal, producer* **SEM**

ORDER DETAILS

Order No.: SO-0000482596
 Order Date.: Jun 29, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Trotanoy, 750 ml	12	0	12	0	\$124.99	\$1,499.88
Subtotal:						\$1,499.88
Tax:						\$142.49
Total:						\$1,642.37

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
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PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000479792

Order Date: 5/28/2015

Salesperson: SA

Customer: 46478

Customer PO:

Sold To

Jon Cosby
105 Arbor Court
Woodside, CA 94062 USA

Ship To

Jon Cosby
105 Arbor Court
Woodside, CA 94062 USA

Contact: Jon Cosby
Phone: (650) 543-1629

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
44201	2010 Troatanoy	3.00	0.00	339.99	1,019.97

Payments: 1,116.87

Net Order: 1,019.97

5/28/2015 AT0AD34CA4A3 *****7224 1,116.87

Freight: 0.00
Sales Tax: 96.90

USD 1,116.87

My Account Hi Jonathan Log Out Shopping Cart *wine, region, varietal, producer* **SEAL**

ORDER DETAILS

Order No.: SO-00000479792

Order Date: May 28, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Trotanoy, 750 ml	3	0	3	0	\$339.99	\$1,019.97

Subtotal: \$1,019.97

Tax: \$96.90

Total: \$1,116.87

SHIPPING DETAILS

Wine

Ordered

Shipped

Remain

PREMIER CF

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000479829

Order Date: 5/29/2015

Web Order No: 177027

Salesperson:

Customer: 46478

Customer PO:

Sold To

Jonathan Cosby
105 Arbor Court
Woodside, CA 94062 USA

Ship To

Jonathan Cosby
105 Arbor Court
Woodside, CA 94062 USA

Contact: Jonathan Cosby
Phone: (650) 543-1629

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
44201	2010 Trotanoy	3.00	0.00	339.99	1,019.97
41587	09 Feytit Clinet	4.00	0.00	69.99	279.96

$$123.49 \div 1299.93 = .095$$

$$\begin{array}{r} 1019.97 \\ \times .095 \\ \hline = 96.90 \\ + 1019.97 \\ \hline 1,116.87 \end{array}$$

Trotanoy →

Payments: 1,423.42

Net Order: 1,299.93

5/29/2015 AS0AD15F06BA *****7224 1,423.42

Freight: 0.00
Sales Tax: 123.49

USD 1,423.42

My Account Hi Jonathan Log Out Shopping Cart *wine, region, varietal, producer* **SEAL**

ORDER DETAILS

Order No.: SO-0000479829

Order Date: May 29, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Feytit Cline, 750 ml	4	4	0	0	\$69.99	\$279.96
2010 Trotanoy, 750 ml	3	0	3	0	\$339.99	\$1,019.97

Subtotal: \$1,299.93

Tax: \$123.49

Total: \$1,423.42

SHIPPING DETAILS