

Fill in this information to identify the case:

Debtor 1 FOX ORTEGA ENTERPRISES INC.
Debtor 2 DBA PREMIER CRU
(Spouse, if filing) NORTHERN CALIFORNIA
United States Bankruptcy Court for the: _____ District of _____
Case number 16-40050 WJL7

LM 10:45AM
FILED
FEB 11 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

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?	<u>ALBERT C. EHRSINE III</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor <u>ALBERT EHRSINE, CHUCK EHRSINE</u>	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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? <u>A.C. EHRSINE III</u> Name <u>20 MAJESTIC OAKS</u> Number Street <u>SPRING BORO, OHIO 45066</u> City State ZIP Code Contact phone <u>937-212-5653</u> Contact email <u>CHUCK.EHRSINE@LEXISNEXIS.COM</u> (no space) → Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different) Name _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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? \$ 1731.75 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.

Goods Purchased and never received
Images from DEBTON'S WEBSITE

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).

\$ 1731.75

☐ 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 02/05/2016

MM / DD / YYYY

Albert C. Ehrstine III

Signature

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

Name

ALBERT CHARLES EHRSTINE III

First name

Middle name

Last name

Title

Company

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

Address

20 MAJESTIC OAKS

Number

Street

SPRINGBROOK

City

OHIO

State

45066

ZIP Code

Contact phone

937-212-5653

Email

CHUCK.EHRSTINE@BRANEXIS.COM

Ehrstine, Chuck (LNG-DAY)

To: chuck-ehrstine@woh.rr.com; Chris Ehrstine
Subject: Captured My Account documentation from the Premier Cru website on 01-19-2016

ORDER HISTORY

All Time Sort By Order No

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
<u>SO-0000494819 (Open)</u>	\$131.99	2	0	(2)	0	11/18/15
<u>SO-0000492818 (Open)</u>	\$150.00	2	0	(2)	0	10/23/15
<u>SO-0000491658 (Open)</u>	\$92.39	2	0	(2)	0	10/5/15
<u>SO-0000491206 (Open)</u>	\$92.39	2	0	(2)	0	9/28/15
<u>SO-0000488837 (Open)</u>	\$142.99	2	0	(2)	0	8/30/15
<u>SO-0000488311 (Open)</u>	\$100.09	2	0	(2)	0	8/24/15
<u>SO-0000484395 (Open)</u>	\$263.97	3	0	(3)	0	7/18/15
<u>SO-0000446821 (Open)</u>	\$272.98	4	2	(2)	0	6/8/14
<u>SO-0000443304 (Open)</u>	\$239.97	3	0	(3)	0	4/23/14
<u>SO-0000432582 (Open)</u>	\$319.98	6	4	(2)	0	12/29/13
<u>SO-0000417535 (Open)</u>	\$399.93	7	4	(3)	0	7/8/13

[ACE]] snippets below are ordered the same as in the History snippet above.

25 Bottles

#

1731.75

ORDER DETAILS

Order No.: SO-0000494819
 Order Date.: Nov 18, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Corton Charlemagne, Bouchard, 750 ml	2	0	2	0	\$65.99	\$131.99

Subtotal: \$131.99

Tax: \$0.00

Total: \$131.99

ORDER DETAILS

Order No.: SO-0000492818
 Order Date.: Oct 23, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2006 Ducru Beaucaillon, 750 ml	2	0	2	0	\$75.00	\$150.00

Subtotal: \$150.00

Tax: \$0.00

Total: \$150.00

ORDER DETAILS

Order No.: SO-0000491658
 Order Date.: Oct 5, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Pichon Baron, 750 ml	2	0	2	0	\$46.19	\$92.39

Subtotal: \$92.39
 Tax: \$0.00
 Total: \$92.39

ORDER DETAILS

Order No.: SO-0000491206
 Order Date.: Sep 28, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Pichon Baron, 750 ml	2	0	2	0	\$46.19	\$92.39

Subtotal: \$92.39
 Tax: \$0.00
 Total: \$92.39

ORDER DETAILS

Order No.: SO-0000488837
 Order Date.: Aug 30, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Leoville las Cases, 750 ml	2	0	2	0	\$71.49	\$142.99

Subtotal: \$142.99
 Tax: \$0.00
 Total: \$142.99

ORDER DETAILS

Order No.: SO-0000488911
 Order Date.: Aug 24, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Pichon Baron, 750 ml	2	0	2	0	\$50.04	\$100.09

Subtotal: \$100.09
 Tax: \$0.00
 Total: \$100.09

ORDER DETAILS

Order No.: SO-0000484395

Order Date.: Jul 18, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Leoville las Cases, 750 ml	3	0	3	0	\$87.99	\$263.97

Subtotal: \$263.97

Tax: \$0.00

Total: \$263.97

ORDER DETAILS

Order No.: SO-0000446821

Order Date.: Jun 8, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Leoville las Cases, 750 ml	2	0	2	0	\$83.99	\$167.99
2012 Chassagne Chenevortes, Jadot, 750 ml	2	2	0	0	\$52.49	\$104.99

Subtotal: \$272.98

Tax: \$0.00

Total: \$272.98

ORDER DETAILS

Order No.: SO-0000443304

Order Date.: Apr 23, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Leoville las Cases, 750 ml	3	0	3	0	\$79.99	\$239.97

Subtotal: \$239.97

Tax: \$0.00

Total: \$239.97

Order No.: SO-0000432582

Order Date.: Dec 29, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Puligny Montrachet, Sauzet, 750 ml	2	2	0	0	\$45.00	\$90.00
2007 Corton Charlemagne, Louis Latour, 750 ml	2	2	0	0	\$59.99	\$119.98
2011 Chassagne Boudriottes, Ramonet, 750 ml	2	0	2	0	\$55.00	\$110.00

Subtotal: \$319.98

Tax: \$0.00

Total: \$319.98

ORDER DETAILS

Order No.: SO-0000417535

Order Date.: Jul 8, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Chassagne Morgeot Duc de Magenta, Jadot, 750 ml	4	4	0	0	\$39.99	\$159.96
2012 Leoville Las Cases, 750 ml	3	0	3	0	\$79.99	\$239.97

Subtotal: \$399.93

Tax: \$0.00

Total: \$399.93

Last order

Chuck Ehrstine

Teradata Certified Master

GBS Database Administration Team Lead

Global Business & Content Systems

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Miamisburg, OH 45342

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