

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

OP

FILED

2016 FEB 16 AM 10:44

U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CAL.  
SAN LEANDRO, 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?

David Schulz  
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?

David Schulz  
Name  
P.O. Box 4105  
Number Street  
Bellevue WA 98009  
City State ZIP Code  
Contact phone 425-451-0743  
Contact email dpsco@comcast.net

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

(same)  
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? \$ 2,131.75 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.

Sales Orders / credit Memo (see attached)

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).

\$ 2,131.75

☐ 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

02/09/2016  
MM / DD / YYYY

Signature

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

Name

David

Paul

Schulz

First name

Middle name

Last name

Title

Company

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

Address

1311 100th Ave. NE (P.O. Box 4105... 98009)

Number

Street

Bellvue

City

WA

State

98004

ZIP Code

Contact phone

206-947-6772

Email

dpSCO@comcast.net

374.93 +  
179.94 +  
311.96 +  
272.96 +  
191.99 +  
271.99 +  
201.19 +  
319.01 +  
2,131.95 +

110.00

110.00

From: **Premier Cru** sales@premiercru.net  
Subject: Invoice From Premier Cru at Premier Cru  
Date: November 5, 2015 at 2:26 PM  
To: David P. Schulz dpsco@comcast.net

THIS DOCUMENT WAS SENT WITH:



## INVOICE

**From:**  
Premier Cru  
Premier Cru

**To:** David P. Schulz  
**Date:** 11/5/2015

To view the attached Invoice, you need the free Adobe Acrobat Reader, which is available from [www.adobe.com](http://www.adobe.com).

-Regards,

Premier Cru  
Premier Cru

To view certain attachments to this email, you need Adobe's Acrobat Reader software, which can be downloaded for free by clicking the following link:

[ [Download Acrobat Reader Now](#) ]

# PREMIER CRU

## Credit Memo

1011 University Avenue  
Berkeley, CA 94710  
510) 644-9463 FAX (510) 547-5405

Page: 1  
\*\*\*\*Reprint\*\*\*\*

Number: 0000339803  
Date: 11/5/2015

Salesperson:  
Customer: 40131

Bill To	Ship To
David Schulz PO Box 4105 Bellevue, WA 98009 USA	David Schulz PO Box 4105 Bellevue, WA 98009 USA

Customer P.O.	Ship Via	F.O.B.	Terms	
	TBD	PRE		
Item	Description	Qty Shipped	Price	Amount
	04 Brunello Castelg,Frescobaldi so344478	6.00	39.99	299.94
	Upgrade	1.00	74.99	74.99
Payment/Credit from Document:				



## Credit Memo

1011 University Avenue  
Berkeley, CA 94710  
(510) 644-9463 FAX (510) 547-5405

Page: 1  
\*\*\*\*Reprint\*\*\*\*

Number: 0000339803

Date: 11/5/2015

Salesperson:

Customer: 40131

Sold To	Ship To
David Schulz PO Box 4105 Bellevue, WA 98009 USA	David Schulz PO Box 4105 Bellevue, WA 98009 USA

Customer P.O.	Ship Via	F.O.B	Terms
	TBD	PRE	

Item	Description	Qty Shipped	Price	Amount
	04 Brunello Castelg,Frescobaldi so344478	6.00	49.99	299.94
	Upgrade	1.00	74.99	74.99
Payment/Credit from Document: CM339803 -CR	(374.93)			

Subtotal 374.93

Freight 0.00

Sales Tax 0.00

Trade Discount 0.00

Payment/Credit Amount -374.93

Balance 0.00

# Sales Order

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

Page: 1

Order Number: 0000482470

Order Date: 6/28/2015

Web Order No: 179059

Salesperson:

Customer: 40131

Customer PO:

Sold To	Ship To
David Schulz PO Box 4105 Bellevue, WA 98009 USA	David Schulz PO Box 4105 Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

Item	Ordered	Quantity Shipped	Unit Price	Amount
51671 2010 Brunello di Montalcino, Campogiovanni	6.00	0.00	29.99	179.94

Payments: 179.94

Net Order: 179.94

Freight: 0.00

Sales Tax: 0.00

6/28/2015	AP0AC1F528C5	*****4735	179.94
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USD 179.94

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000485997

Order Date: 8/3/2015

Web Order No: 181973

Salesperson: WJ

Customer: 40131

Customer PO:

### Sold To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

### Ship To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

Discount applied.  
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49569 2010 Barolo Pajana, Clerico	6.00	0.00	51.99	311.96

Payments: 311.96

Net Order: 311.96

Freight: 0.00

Sales Tax: 0.00

8/3/2015	AQ0AC559869B	*****4735	311.96
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USD 311.96

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000491873

Order Date: 10/9/2015

Web Order No: 186670

Salesperson: TN

Customer: 40131

Customer PO:

### Sold To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

### Ship To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

35% discount applied  
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52618 2012 Tignanello, Antinori	6.00	0.00	45.49	272.96

Payments: 272.96

Net Order: 272.96

Freight: 0.00

Sales Tax: 0.00

10/10/2015 AR0AC9684C2F \*\*\*\*\*6759 272.96

USD 272.96

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000489745

Order Date: 9/9/2015

Web Order No: 185035

Salesperson: TN

Customer: 40131

Customer PO:

Sold To	Ship To
David Schulz PO Box 4105 Bellevue, WA 98009 USA	David Schulz PO Box 4105 Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

40% discount applied!

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51790 2012 Sassicaia, Tenuta San Guido	2.00	0.00	95.99	191.99

Payments:	191.99	Net Order:	191.99
9/9/2015	AP0AC5FD93B0	*****4735	191.99
		Freight:	0.00
		Sales Tax:	0.00
		USD	191.99

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000461086

Order Date: 11/12/2014

Salesperson: PB

Customer: 40131

Customer PO:

Sold To	Ship To
David Schulz PO Box 4105 Bellevue, WA 98009 USA	David Schulz PO Box 4105 Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

\$66.99 store credit applied

Item	Ordered	Quantity Shipped	Unit Price	Amount
47657 2012 Mouton Rothschild	1.00	0.00	271.99	271.99

Payments:	271.99	Net Order:	271.99
11/12/2014 461086	66.99	Freight:	0.00
11/12/2014 VXJAC791CE15 *****4735	205.00	Sales Tax:	0.00
USD			271.99

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000467905  
Order Date: 1/25/2015  
Web Order No: 167582  
Salesperson: PB  
Customer: 40131  
Customer PO:

### Sold To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

### Ship To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

Item		Ordered	Quantity Shipped	Unit Price	Amount
51235	2013 Mouton Rothschild	1.00	0.00	207.99	207.99

Payments: 207.99

Net Order: 207.99

Freight: 0.00  
Sales Tax: 0.00

1/25/2015 VSJACA754CF7 \*\*\*\*\*4735 207.99

USD 207.99

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000478829

Order Date: 5/16/2015

Web Order No: 176216

Salesperson: JJ

Customer: 40131

Customer PO:

### Sold To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

### Ship To

David Schulz  
PO Box 4105  
Bellevue, WA 98009 USA

Contact: David P. Schulz  
Phone: (206) 947-6772

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52115 2014 Mouton Rothschild	1.00	0.00	319.99	319.99

Payments: 319.99

Net Order: 319.99

Freight: 0.00

Sales Tax: 0.00

5/16/2015 AQ0AC11EE7CA \*\*\*\*\*4735 319.99

USD 319.99