

Fill in this in	formation to identify the case:					
Debtor 1	Fox Ortega Enterprises, Inc. (Premier Cru)					
Debtor 2 (Spouse, if filing)						
United States Bankruptcy Court for the: Northern District of California						
Case number	16-40050 WJL 7					

U.S. DANKBUPTOY CARRY KURTHEAR DIST, OF CA. PAKLAKE, 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.

F	art 1: Identify the C	laim									
1.	Who is the current creditor?	CHAN, Wayne Holt Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor Wayne CHAN									
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? LEE, Scott Name 13209 NE Sacramento Drive Number Street Portland OR 97230 City State ZIP Code Contact phone 503 475 5110 Contact email Sclee1973@gmail.com Uniform claim identifier for electronic payments in chapter 13 (if you us			CHAN, Way Name Flat A, Flr 1 Number St Wanchai, H City Contact phone	4, Blk 4, Phoenix Crt,	Kennedy Rd ZIP Code				
4.	Does this claim amend one already filed?	— 110									
5.	Do you know if anyone else has filed a proof of claim for this claim?	☑ No ☐ Yes. Who made t	he earlier filing?								

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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?	\$
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 sold and not delivered
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:

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Proof of Claim

page 2

				No.				
12. Is all or part of the claim entitled to priority under	☑ No							
11 U.S.C. § 507(a)?	Yes. Check				Amount entitled to priority			
A claim may be partly priority and partly nonpriority. For example,		ic support obligations (in C. § 507(a)(1)(A) or (a)(1	cluding alimony and child s)(B).	support) under	\$			
in some categories, the law limits the amount entitled to priority.	Up to \$2 persona	\$						
onlined to promy.	bankrup		s (up to \$12,475*) earned v debtor's business ends, w		\$			
	Taxes o	r penalties owed to gove	rnmental units. 11 U.S.C.	§ 507(a)(8).	\$			
	\$							
	Other. S	Specify subsection of 11 to	Ս.S.C. § 507(a)() that aբ	oplies.	\$			
	* Amounts a	re subject to adjustment on	4/01/16 and every 3 years afte	er that for cases begun on or a	fter the date of adjustment.			
Part 3: Sign Below								
The person completing	Check the appro	nriate hox:						
this proof of claim must sign and date it.	I am the cre	•						
FRBP 9011(b).		ditor's attorney or author	ized agent.					
If you file this claim electronically, FRBP		stee, or the debtor, or the	eir authorized agent. Bankr	uptcy Rule 3004.				
5005(a)(2) authorizes courts	I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.							
to establish local rules specifying what a signature	I understand that an authorized signature on this <i>Proof of Claim</i> serves as an acknowledgment that when calculating the							
is.	amount of the claim, the creditor gave the debtor credit for any payments received toward the							
A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5	I have examined and correct.	formation is true						
years, or both. 18 U.S.C. §§ 152, 157, and	I declare under penalty of perjury that the foregoing is true and correct.							
3571.	Executed on dat	e 01/23/2016 MM / DD / YYYY	-					
		и о.						
	<u>~~</u>	age H.						
	Signature							
	Print the name	of the person who is co	empleting and signing th	s claim:				
	Name	Wayne	Holt	CHAN				
		First name	Middle name	Last name				
	Title	Executive Directo						
	Company		onal Asset Managem vicer as the company if the aut					
	Address	Flat A, Flr 14, Blk	4, Phoenix Crt, Kenn	edy Rd				
		Number Street						
		Wanchai, Hong K	ong	State ZIP Code				
	Contact phone	+852 6012 6727		Email Waynechan@	hotmail.com			
	Couract hunte	OUL COIL CILI		Lines Wayiioonana	, TO GITTAIN OUT			

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PREMIER CRU

5890 CHRISTIE AVENUE EMERYVILLE, CA 94608 (510)655-6691 FAX(510)547-5405

Sales Order

Page: 1

Order Number: 0000344715 Order Date: 10/29/2010

Change Order: 0 Confirm No: 73746 Salesperson: JG Customer: 40161

Customer PO:

Sold To

Wayne Chan Flat A, Floor 14, Block 4

Phoenix Court, 39 Kennedy Road

Hong Kong, HK

Ship To

Wayne Chan Flat A, Floor 14, Block 4

Phoenix Court, 39 Kennedy Road

Hong Kong, HK

Contact: CHAN WAYNE HOLT

Phone: 85260126727

wants OWC

This order has been paid by American Express - Thank You!

	Item "Haut Brion" delivered only	Ordered	Quantity Shipped	Unit Price	Amount
41706 41772	09 Haut Brion 09 Margaux	12.00 12.00	0.00	899.99 899.99	10,799.88
	Lo Not delivered	•	'	•	Paid

Out standing US\$ 10,799.88

Payments:	21,599.76			Net Order: Discount: Freight:	21,599.76 0.00 0.00
10/30/2010	VUHE5FEE3785	5FEE3785 *********1001	***********1001 21,599,76	Sales Tax:	0.00
				USD	21,599.76

PREMIER CRU

5890 CHRISTIE AVENUE EMERYVILLE, CA 94608 (510)655-6691 FAX(510)547-5405

Sales Order

Page: 1

Order Number: 0000345010 Order Date: 11/4/2010

Change Order: 0 Confirm No: 73918 Salesperson: PB Customer: 40161

Customer PO:

Sold To Ship To

Wayne Chan Flat A, Floor 14, Block 4 Phoenix Court, 39 Kennedy Road WANTS OWC Wayne Chan Flat A, Floor 14, Block 4 Phoenix Court, 39 Kennedy Road WANTS OWC Hong Kong, HK

Contact: CHAN WAYNE HOLT

Phone: 85260126727

Hong Kong, HK

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
41766 O9 Lafite Rothschild	12.00	0.00	1,475.00	17,700.00
Not delivered				Paid.

Outstanding US# 17,700.00

Payments:	17,700.00			Net Order: Discount: Freight:	17,700.00 0.00 0.00
11/8/2010	VSGE5F77E7A7	********3740	17,700.00	Sales Tax:	0.00
				USD	17,700.00

Email Chain 1 of 2

From: Stuart McCulloch (S.McCulloch@hillebrandgroup.com) This sender is in your contact list

Sent: Monday, August 04, 2014 8:42:24 PM

Wayne Chan (waynechan@hotmail.com); kevin00@gmail.com (kevin00@gmail.com)

cases on a door to door transport The rate of GBP 270.00 was quoted on the basis of organising the movement of 3

At no point did you indicate that the 3 cases were to move on separate movements. If you had then we have quoted accordingly for this

why was the other 2 cases not ready? turn carried out the deliveryaccordingly. The question that should be getting asked is international driver that collected from LCB quoted the load reference supplied and in processed. As far as we were concerned we should have been collecting 3 cases. The We send bond approval to LCB for 3 cases and we then received ok that order was

Best regards,

JF Hillebrand Scotland Limited

Stuart McCulloch

Logistics Manager

T +44 141 885 9095

T +44 141 885 9154 (direct)

F +44 141 885 1634

s.mcculloch@hillebrandgroup.com

www.jfhillebrand.com

Sent: 04 August 2014 13:27 From: Wayne Chan [mailto:waynechan@hotmail.com]

To: Stuart McCulloch; kevin00@gmail.com

Subject: RE: UK Wine Pickup for Wayne Chan

Stuart,

This really is unacceptable.

the price of GBP270.00. 1) Throughout our communication I had indicated to you that it's for three cases at

pallet, i.e. one delivery only. Please refer to email below. 2) Never in our communication have you indicated to me that GBP270.00 was for one

2) It was clear from Jame's email below, that "Currently 1 case is available for regardless of its contents. be delivered, and you have taken the liberty to ship ONE case as a whole pallet pickup, soon 2 more will be available as well". I have requested THREE CASES to

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3) Even if the price of GBP270.00 was for ONE pallet, you should have CHECKED AND EXAMINED the contents were what I had mentioned in my previous email requested (i.e. 2009 Haut Brion 750ml x12, 2009 Margaux 750ml x12, 2009 Lafite Rothschild 750mlx12).

Please advise how this should be rectify.

Wayne

From: S.McCulloch@hillebrandgroup.com

To: waynechan@hohnail.com

Subject: RE: UK Wine Pickup for Wayne Chan

Date: Mon, 4 Aug 2014 12:04:07 +0000

Hi Wayne

Unfortunately the £270 was for the 3 cases on 1 pallet.

Best regards,

JF Hillebrand Scotland Limited

Stuart McCulloch

Logistics Manager

T +44 141 885 9095

T +44 141 885 9154 (direct)

F +44 141 885 1634

s.mcculloch@hillebrandgroup.com

www.jfhillebrand.com

From: Wayne Chan [mailto:waynechan@hotmail.com]

Sent: 04 August 2014 10:12

To: Stuart McCulloch; james@premiercru.net

Cc: Tomasz Karolak; kevin00@gmail.com

Subject: RE: UK Wine Pickup for Wayne Chan

Hi James,

Brion, and per James' email below, the other two should be available soon. Grateful if you could please follow up with these remaining two cases. I have just confirmed that the case shipped over to Blanquefort was only 1 case of Haut

Hi Stuart,

within the GBP270.00. For the two remaining cases, as advised by you in the email below, shall be inclusive

Regards,

Wayne

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From: S.McCulloch@hillebrandgroup.com

To: james@premiercru.net

CC: waynechan@hotmail.com; T.Karolak@hillebrandgroup.com

Date: Sun, 6 Jul 2014 07:04:09 +0000 Subject: RE: UK Wine Pickup for Wayne Chan

Hi James / Wayne.

For this order of 3 cases over to Blanquefort, the cost including our MGN will be GBP 270.00

After discussing with LCB they advised that the use of our MGN is required

Attached is details of bank account and company details etc.

Can you please send over the above funds so we can start to arrange your shipment.

Best regards

JF Hillebrand Scotland Limited

Stuart McCulloch

Logistics Manager

T +44 141 885 9095

T +44 141 885 9154 (direct)

F +44 141 885 1634

s.mcculloch@hillebrandgroup.com

www.jfhillebrand.com

From: james@premiercru.net [mailto:james@premiercru.net]

Sent: 01 July 2014 17:25

To: Stuart McCulloch

Cc: waynechan@hotmail.com

Subject: UK Wine Pickup for Wayne Chan

Hello Stuart,

well. Please promptly contact vine@lcb.co.uk to make arrangements for the London. Currently 1 case is available for pickup, soon 2 more will be available as Chan. These will need to be picked up in bond from the VINE warehouse in pickup. Note that the reference number you will need for the pickup is I understand you will be picking up a few cases in total for our mutual client Wayne 27191. Our contact for this at Vine has been:

Claire Houlahan | Senior Client Executive

DD: +44 (0)20 7062 8761

claire@liv-ex.com

Skype: claire4livex

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they do not collect speedily, we will have to land the wines back into your account." Hillebrand and ask them to contact vine@lcb.co.uk in order to make the collection. If And her last e-mail to us this morning stated: "please give the reference 27191 to

Please let us know if there are any issues.

Regards

James Gillerman

Berkeley, CA 94710 USA PREMIER CRU James Gillerman 1011 University Avenue

Ph: 510-644-WINE (510-644-9463) Email: janues@premiercru.net Fax: 510-647-3833

Web: <u>www.premiercru.net</u>

From: Wayne Chan (waynechan@hotmail.com)

Sent: Saturday, June 14, 2014 12:50:57 AM

To: Premier Cru (sales@premiercru.net)

asap. I understand that no contact has been made with Stuart yet. Can you please advise

Thanks, Wayne

From: waynechan@hotmail.com

To: sales@premiercru.net

Subject: RE: Your Premier Cru Order 344715

Date: Wed, 11 Jun 2014 21:04:56 +0800

Hi James, have you managed to get in touch with Stuart McCulloch?

Thanks, Wayne

From: waynechan@hotmail.com

To: sales@premiercru.net

Subject: RE: Your Premier Cru Order 344715

Date: Sun, 8 Jun 2014 21:28:56 +0800

James,

required. I do not have an exercise number and/or warehouse ID (given that your Please kindly find the info in blue below. Pls let me know if there's anything else that's warehouse in the UK will contact my agent)

address, e-mail, postal code of your UK agent or shipping company for pickup. + We need the complete contact name, company (if appropriate), telephone,

Contact name: Stuart McCulloch (Logistics Manager) Company: JF Hillebrand Group

Contact details:

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T +44 141 885 9095 T +44 141 885 9154 (direct) M+44 794 326 4617 F +44 141 885 1634 s.mcculloch@hillebrandgroup.com

+ We need to know whether you will be picking these up in bond, or paying duty In bond

+ If you have an Excise number and/or Warehouse ID number, please provide it.

Date: Sat, 7 Jun 2014 10:50:39 -0700 Subject: RE: Your Premier Cru Order 344715

To: waynechan@hotmail.com From: sales@premiercru.net

Wayne,

warehouse contact them. information for your UK agent and all other relevant details and we will have our These will likely be at an alternate export warehouse. Again please give us the contact

Regards

James Gillerman

PREMIER CRU James Gillerman

Ph: 510-644-WINE (510-644-9463) Berkeley, CA 94710 USA 1011 University Avenue

Email: james@premiercru.net Web: www.premiercru.net Fax: 510-647-3833

Sent: Friday, June 06, 2014 10:30 PM From: Wayne Chan [mailto:waynechan@hotmail.com] To: Premier Cru

Subject: RE: Your Premier Cru Order 344715

so that I could arrange and give you all the necessary info you've requested so far. dated 17 Mar 2012. Is this still the case? Grateful if you could please confirm that also the wines, I recall you use Seabrook (http://www.seabrookexports.com/) per email Thanks a lot for confirming James. For the UK warehouse where my agent will pick up

Look forward to hearing from you

Wayne

Date: Fri, 6 Jun 2014 17:02:18 -0700 Subject: RE: Your Premier Cru Order 344715

From: sales@premiercru.net To: waynechan@hotmail.com

Hi again Wayne,

shipped to the UK. negociant in France. No these have not come to the US, or anywhere else, and been France. The Lafite and Margaux that will be there shortly will also come directly from a The Haut Brion already at the warehouse in LCB came directly from our negociant in

will be in original packaging. pack OWC or 2×6 -pack OWC, but they will be original packaging. It is a lot more common for these to be in 12-pack. We cannot guaranty the size of the box, but these Yes all 3 will be in original cases. I honestly do not know whether these will be in 12-

We await your information to pass along to the warehouse, in order to schedule your pickup as appropriate.

Regards,

James Gillerman

James Gillerman

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PREMIER CRU
1011 University Avenue
Berkeley, CA 94710 USA
Ph: 510-644-WINE (510-644-9463)
Fax: 510-647-3833
Email: james@premiercru.net
Web: www.premiercru.net

From: Wayne Chan [mailto:waynechan@hotmail.com]

Sent: Friday, June 06, 2014 4:01 PM

To: Premier Cru

Subject: RE: Your Premier Cru Order 344715

Hı James,

Grateful if you could confirm whatever has arrived in the UK (i.e. Haut Brion), or will be arriving in the UK (i.e. Lafite and Margaux), had been or will be shipped, directly from France, and not the USA or any other countries.

In avoidance of doubt, this means that none of the goods in original wood cases had been or will be exported to any countries other than within France or the UK.

To summarize, can you please confirm to following:

- 1) The Haut Brion (ready for pickup in the UK per email below), has not been exported to any other countries, and had directly arrived UK from France;
- The Lafite and Margaux (will be ready for pickup in the UK in coming weeks per email below), is currently in France and had not been exported to any other countries, and shall directly arrive in the UK;
- 3) All three of the cases above are in original wood cases

I shall provide all the necessary info requested (i.e. pickup details/warehouse etc) once the above three questions have been confirmed.

Thanks and regards, Wayne

Subject: RE: Your Premier Cru Order 344715
Date: Fri, 6 Jun 2014 11:03:53 -0700

From: sales@premiercru.net To: waynechan@hotmail.com

Hello Wayne,

apologize if I have not communicated clearly enough.

Yes we have long expected that you would be picking these 3 cases up in the UK, in London City Bond. This is clearly indicated in the thread below, in great detail. You initially requested shipment to Hong Kong, which is also fine. However at some point, after purchase, you requested getting the wines in UK. We agreed that we could provide these bottles to you or your agent as a PICK UP from our London warehouse.

As indicated in my last e-mail, the Haut Brion is there for you right now, and can be picked up whenever you wish. The Lafite and Margaux will be available for pickup in the coming weeks. If you want to pick everything up together, you may wish to wait a couple weeks or so for all 3 cases to be available. However if you want the Haut Brion sooner, there is no problem. We can have that case released to you soon, with the additional cases to follow in the coming weeks.

However to release anything to you for pickup, I do need the information requested in my previous e-mail. Please provide the contact information for your UK agent or shipping company, and any other details you have. We will then give instructions to our warehouse to release the wines to that agent.

Regards,

James Gillerman

James Gillerman
PREMIER CRU
1011 University Avenue
Berkeley, CA 94710 USA
Ph: 510-644-WINE (510-644-9463)
Fax: 510-647-3833
Email: james@premiercru.net
Web: www.premiercru.net

From: Wayne Chan [mailto:waynechan@hotmail.com] Sent: Thursday, June 05, 2014 7:15 PM

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To: Premier Cru

Subject: RE: Your Premier Cru Order 344715

Hi James

from the USA and its related import labels will affect the prices severely. Please advise and NOT from the USA to UK. You have responded that this could be done. Importing responded "9 Jan 2013 12:26:12") that these should be shipped from France to UK, how these can be shipped from France to the UK per conversation below. have in my previous emails stated (refer to "January 08, 2013 10:40 PM", and you've

l feel awfully discriminated for this delay, and I have already begun engaging my lawyer

Either 1) this is shipped from France to the UK, or 2) I demand a full refund (also the to review this matter.

related rights to its years of interest herein)

that these orders could have been done elsewhere and could have arrived by latest If ordering 3 cases isn't a priority for Premier Cru, please state so at the beginning, so

Wayne

Date: Thu, 5 Jun 2014 12:08:44 -0700 Subject: RE: Your Premier Cru Order 344715

To: waynechan@hotmail.com From: sales@premiercru.net

Hello Wayne

California back to the UK if you prefer, or to Hong Kong for that matter. However you London City Bond in the UK. Please confirm. Certainly we can ship them from here in My understanding is that you wanted to pick these up at our export warehouse in had requested UK pickup, and that is what we expected to provide for you

You have the following wines currently on order here:

12 x 09 Haut Brion 12 x 09 Lafite Rothschild 12 x 09 Margaux

up whenever you wish, with suitable advance arrangements. I am told both the Lafite Currently, the Haut Brion is at the export warehouse waiting for you, and can be picked and Margaux will be available for pickup there by the end of this month. Thanks for

> other cases in the next few weeks, or wait and get all 3 cases by the end of the month your patience on these bottles. You are welcome to get the Haut Brion soon and the

We need all the following information from you to release any bottles to you for UK

- e-mail, postal code of your UK agent or shipping company for pickup + We need the complete contact name, company (if appropriate), telephone, address
- + We need to know whether you will be picking these up in bond, or paying duty on
- + If you have an Excise number and/or Warehouse ID number, please provide it.

make suitable arrangmements to release the wines for pickup information for your UK agent and we will have our UK warehouse contact them to Thank you for your business. Please provide the appropriate contact and other

Regards

James Gillerman

James Gillerman

PREMIER CRU

Berkeley, CA 94710 USA 1011 University Avenue

Ph: 510-644-WINE (510-644-9463) Fax: 510-647-3833

Web: www.premiercru.net Email: james@premiercru.net

Sent: Monday, June 02, 2014 6:46 AM From: Wayne Chan [mailto:waynechan@hotmail.com]

To: james@premiercru.net; Premier Cru; Premier Cru Subject: RE: Your Premier Cru Order 344715 James, pls advise when my orders in original wood cases can be shipped to the UK near a reasonable delivery date I shall take legal action against Premiercru. This has been five years and had gone way beyond my patience and if I don't

Regards

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Subject: RE: Your Premier Cru Order 344715 To: waynechan@hotmail.com From: james@premiercru.net

Date: Fri, 18 Oct 2013 14:10:35 -0700

Hi Wayne,

sent yet another reminder to the international shipping coordinator to hold these for available presently, and we will get you your bottles once they are available. I have pickup in the UK. Again thanks for your patience. These are still pre-arrivals. Thanks for your continued patience. All of these 09s will be

Regards

PREMIER CRU James Gillerman James Gillerman

Berkeley, CA 94710 USA Fax: 510-647-3833 Ph: 510-644-WhiE (510-644-9463) 1011 University Avenue

Web: www.premieraru.net Email: james@premiercru.net

Sent: Friday, October 18, 2013 8:52 AM From: Wayne Chan [mailto:waynechan@hotmail.com]

Subject: RE: Your Premier Cru Order 344715

To: james@premiercru.net

James

Any updates on this front?

Wayne Thanks

> Sent: Wednesday, April 10, 2013 4:12 AM From: Wayne Chan [mailto:waynechan@hotmail.com]

To: james@premiercru.net; shipping@premiercru.net; sales@premiercru.net

Subject: RE: Your Premier Cru Order 344715

ready to ship, is there anything that's going on which I should be aware of? Any updates on my order yet? The wines should have been well bottled globally and Dear James and team

Wayne Thanks Date: Wed, 10 Apr 2013 09:28:07 -0700 Subject: RE: Your Premier Cru Order 344715 To: waynechan@hotmail.com From: james@premiercru.net

Hello Wayne,

quite yet. We will indeed get you these presently. Thanks for your continued patience staggeringly large quantities. I have once again querried our international shipping and your business. able to get these to you in UK, just not immediately. Again thank you for your patience coordinator to ask about UK pickup of your 3 cases. Again please bear in mind that on these very, very young wines. All are bottles we too have purchased, and in Nothing is going on, it is just that we are not up to your place in the queue for these pickups are usually coordinated for 10-100 cases, not for only 3. However we will be

Regards

James Gillerman

James Gillerman

PREMIER CRU 1011 University Avenue

Berkeley, CA 94710 USA

Ph: 510-644-WINE (510-644-9463) Fax: 510-647-3833

Web: www.premiercru.net Email: james@premiercru.net

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From: waynechan@hotmail.com

To: james@premiercru.net

Date: Sun, 7 Apr 2013 10:58:41 +0800 Subject: RE: Your Premier Cru Order 344715

Hi James

Any news on my order yet?

Thanks, Wayne

To: waynechan@hotmail.com From: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715

Date: Thu, 10 Jan 2013 09:57:18 -0800

Hi Wayne,

those instructions when we are close to your place in the queue. Thanks for your instructions to hold your specific cases for you. We will provide you and Seabrook with patience, and your business. have a little way to go down the queue yet before we can provide Seabrook with

the wines coming into Seabrook roughly in the order they were purchased from us. We We have thousands of cases coming through Seabrook. However we need to allocate

Regards

James Gillerman 1011 University Avenue

Ph: 510-644-WINE (510-644-9463) Berkeley, CA 94710 USA

Web: www.premiercru.net

James Gillerman

PREMIER CRU

Fax: 510-647-3833

Email: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715 Sent: Wednesday, January 09, 2013 5:25 PM From: Wayne Chan [mailto:waynechan@hotmail.com] To: james@premiercru.net

which will pick up the goods from seabrook) when they request. Please send details of delivery number or older number? Seabrook needs this for holding the wines. Pls see Wayne, Yes, we can hold these wines and then release to "Hillebrand" (the logistics co caption below: have suggested me to provide details of the goods ie three cases. do you have a Thanks James. I have contacted Seabrook your uk export warehouse below, and they

account on your behalf.

the wines to expect and your full name, address and contact details so we can open an

James, grateful if u can provide any "to be received" info of such wines. Thanks.

From: james@premiercru.net

Го: waynechan@hotmail.com

Subject: RE: Your Premier Cru Order 344715

Date: Wed, 9 Jan 2013 12:26:12 -0800

Hi Wayne

export warehouse. Yes this request has already been forwarded to the shipping arrivals at this point. Thanks for your patience. It should not be too much longer of a all paperwork and arrangements for onward transport. However they are still preto pick them up at the warehouse. Again it will be your responsibility at that point to do coordinator. Once all your cases are available in the UK, we will e-mail you instructions I apologize I did not notice that you were one of our customers for UK pickup at our

Regards

James Gillerman

James Gillerman

Berkeley, CA 94710 USA PREMIER CRU 1011 University Avenue

Ph: 510-644-WINE (510-644-9463) Fax: 510-647-3833

Web: www.premiercru.net Email: james@premiercru.net

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Sent: Tuesday, January 08, 2013 10:40 PM From: Wayne Chan [mailto:waynechan@hotmail.com]

To: james@premiercru.net Subject: RE: Your Premier Cru Order 344715

below), and not to be picked up from the USA (which is my understanding per your wines to be shipped directly from France to the UK (per email dated Sat, 17 Mar 2012 recent email below dated 8 Jan 2013). Thanks James. Per our previous conversation below, please note that I will need these

France so that we can work on the logistics in the UK as previously agreed Please kindly take note, and let me know once these are ready to be shipped out of

Regards Thanks!

Wayne

From: james@premiercru.net

To: waynechan@hotmail.com

Subject: RE: Your Premier Cru Order 344715

Date: Tue, 8 Jan 2013 10:21:39 -0800

Hi Wayne

again I can assure you that you will get these. It should not be too much longer of a get all of it transferred here. However our prices are excellent, as you no doubt sell more of these wines than almost anyone else in the US, and it just takes a while to presently. These are all bodies WE have purchased, just as you have. We probably these, but we are not there yet. Of course all of the bottles will get here the arriving wine in the order purchased. We started selling this wine about 6 months staggeringly large quantities, and it takes a while to get all the bottles here. We allocate migrate here presently, and we will get them to you. We purchase these bottles in before you purchased yours. We are getting close to your position in the queue for wait. Once again thank you for your business, and your patience. Your cases are still pre-arrivals here. Thanks for your patience. All of these bottles will . We have been delivering Bordeaux futures for well over 3 decades now, and

James Gillennan

Web: www.premiercru.net Email: james@premiercru.net Fax: 510-647-3833 Ph: 510-644-WINE (510-644-9463) Berkeley, CA 94710 USA 1011 University Avenue PREMIER CRU James Gillerman

From: Wayne Chan [mailto:waynechan@hotmail.com] Sent: Saturday, January 05, 2013 5:12 PM

To: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715

to be delivered to the UK, please let me know as soon as possible. already received theirs two weeks ago. As I will need to arrange logistics for the wines What's the status of the bottling of the wines? Some of my personal contacts have

Thanks in advance.

Subject: RE: Your Premier Cru Order 344715 Date: Mon, 16 Jul 2012 09:51:26 -0700 Го: waynechan@hotmail.com -rom: james@premiercru.net

Hello Wayne,

ship upon arrival here. We will try to e-mail you once these come in for you, and/or you pre-arrivals, and thanks for your patience. Remember we NEVER just automatically at <u>www.premiercru.net</u> under your account. These are still very young wines, just released, and we will get them to you presently. Thanks again for your patience. can always check your orders and their arrival status on the website $^{\mathrm{A}}$ gain my best guess is that we are still looking at arrival LATE this year. These are still

Regards

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James Gillerman

PREMIER CRU James Gillerman

Fax: 510-647-3833 Ph: 510-644-WINE (510-644-9463) Berkeley, CA 94710 USA 1011 University Avenue

Subject: RE: Your Premier Cru Order 344715 Sent: Sunday, July 15, 2012 6:38 AM Email: james@premiercru.net Web: www.premiercru.net To: james@premiercru.net

From: Wayne Chan [mailto:waynechan@hotmail.com]

Hi James

arrange the logistics accordingly with Premier Cru. Any updates on the timing of the order? Please let me know around when so I can

Wayne Thanks a lott

From: james@premiercru.net

To: waynechan@hotmail.com

Subject: RE: Your Premier Cru Order 344715

Date: Sat, 24 Mar 2012 11:08:36 -0700

Wayne,

guess. We will let you know as things get closer. My best guess is that we are looking at an arrival late this year. At this point it is just a

Regards,

James Gillerman

PREMIER CRU James Gillerman

> Web: www.premiercru.net Email: james@premiercru.net Ph: 510-644-WINE (510-644-9463) Berkeley, CA 94710 USA Fax: 510-647-3833 1011 University Avenue

Sent: Friday, March 23, 2012 5:45 PM From: Wayne Chan [mailto:waynechan@hotmail.com]

Fo: james@premiercru.net; Cheng Kevin

Subject: RE: Your Premier Cru Order 344715

Hi James,

shipped out of France), as I'm not hearing from Seabrook per below. Can you please let me know the estimated time arrival (i.e. deadline that needs to be

Wayne Thank you

From: waynechan@hotmail.com To: james@premiercru.net

Date: Tue, 20 Mar 2012 16:14:37 +0800 Subject: RE: Your Premier Cru Order 344715

Just to make us on the same page, can you pls make sure: The three cases arrive at the same time

Great James. I shall contact them and arrange the logistics

- The three cases will arrive in Original Wood Cases, with all the original papers
- All cases will be under the delivery to the attention of CHAN, Wayne Holt (per sales

quickly move forward. Thanks for your kind help this far! Pls kindly confirm the above and I believe we can

Wayne Best regards,

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Subject: RE: Your Premier Cru Order 344715 To: waynechan@hotmail.com From: james@premiercru.net Date: Mon, 19 Mar 2012 11:45:44 -0700

Hi Wayne,

Yes that is the company alright!

Regards

Berkelay, CA 94710 USA 1011 University Avenue PREMIER ORU James Gillerman Janues Gillerman

Ph: 510-644-WinE (510-644-9463) Web: www.premiercru.net Email: james@premiercru.net Fax: 510-347-3833

Sent: Monday, March 19, 2012 12:21 AM From: Wayne Chan [mailto:waynechan@hotmail.com]

To: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715

talking about the same Company? Thanks James, to clarify: I'll contact Seabrooks to arrange - but can u pls confirm we're

directly to work on the 3 cases. (website:hitp://www.seabrookwarehousing.com/contact.html)? If it is, I'll ask to them

Please let me know. Thank you!

From: james@premiercru.net To: waynechan@hotmail.com

Date: Sat, 17 Mar 2012 12:54:04 -0700 Subject: RE: Your Premier Cru Order 344715

cooperate with you as best we can if you obtain such licenseses and deal with the options for getting the wine to you. However we do not have offices in Europe, nor shipping. We cannot really help you with that. The reality is that 99.9% of what we do requisite paperwork. licenses to operate from there (other than importing to the US). We will be happy to from Europe is import wines to the US. From here in the US, we have many different YOU are solely responsible for any and all requisite paperwork and onward reasons we do not SHIP from there. We can allow PICKUPS from there, but only if We do not have an account at London City Bond either. That is one of the many

from that warehouse, any onward shipments are really up to you. can work something out with them. But other than making the wine available to you The above being said, our export warehouse in the UK is Seabrooks. It is possible you

Thanks for your business, and your understanding.

Regards

James Gillerman

James Gillerman

PREMIER CRU

Berkeley, CA 94710 USA 1011 University Avenue

Ph: 510-644-WINE (510-644-9463)

Fax: 510-647-3833

Email: james@premiercru.net Web: www.premiercru.net

From: Wayne Chan [mailto:waynechan@hotmail.com] Sent: Friday, March 16, 2012 10:07 PM

To: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715

Thanks a lot James

think this can be resolved now:

(which does all the papers etc) to pick them up from London City Bond (under account three arrive around the same time / at the same time), I can arrange the logistics Co don't need to go under my account (doesn't exist). So when these 3 cases arrive (if all Assuming Premier Cru has an account at London City Bond, that means the 3 cases

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name Premier Cru) for me. Is this ok?

From: james@premiercru.net To: waynechan@hotmail.com Subject: RE: Your Premier Cru Order 344715 Date: Fri, 16 Mar 2012 10:51:50 -0700

Wayne

I will deal with point #2 first as this really is the gating factor. It is also most likely why most customers have many more than just a few cases when arranging for such a pickup, as just a few cases is not usually cost effective for either you or us.

The reality is that arranging for a pickup from our warehouse in London City Bond is the ONLY way we can arrange to get you the bottles in Europe, other than importing them to the US and shipping them back to Europe. Just as you, we would need different kinds of licensing and logistics to ship from the export warehouse. If you cannot make your own arrangements to PICK UP from that warehouse, and deal with all the requisite paperwork, then we will just need to import the bottles here. Once here, there are many more options available for shipment (or pick up).

If you cannot arrange for pick up with your point #2, then point #1 becomes irrelevant. However it probably is possible to coordinate all the cases being at the London warehouse at the same time. This will mean you will need to wait for the last of the cases to get there, and presumably there will still be supplies of the other wines at the warehouse. I am nearly certain we can arrange this for you if you can solve the problems of pick up more generally.

eyaius,

PREMIER CRU
1011 University Avenue
Berkeley, CA 94710 USA
Ph: 510-644-WINE (510-644-9463)
Fax: 510-647-3833

Email: james@premiercru.net Web: www.premiercru.net

Subject: RE: Your Premier Cru Order 344715 Sent: Friday, March 16, 2012 1:52 AM While I do that, grateful if you could please help with 2 more questions? Thanks James. I'm now speaking to various wine logstics companies to arrange a pick To: james@premiercru.net; Cheng Kevin

From: Wayne Chan [mailto:waynechan@hotmail.com]

1) Why must the the cases arrive in London City Bond at different times, and not at the same time? The reason is the wine companies can't help me deliver these separately (i.e. London City Bond or any other destinations cannot hold wines and must export them instantly due to customs). Can you pls let me know if these 3 cases can be delivered to a UK destination all at once?

 Instead of London City Bond, are there any other destinations which you can send to?
 I have spoken to London City Bond, and they told me that I must open an account with them (which costs way too much!).

Grateful and much appreciate your advice and accommodation Thank you.

/ayne

From: james@premiercru.net
To: waynechan@hotmail.com
Subject: RE: Your Premier Cru Order 344715
Date: Mon, 12 Mar 2012 16:50:20 -0700

Hi again Wayne,

We basically have 2 choices for you.

We can offer to let you PICK UP the wines from London city bond. That can only happen with full cases (which you do have). Normally this happens with many more than just 3 cases, but I suppose it is possible for this few cases as well if you wish. You would be solely resonsible for any onward documentation, and getting the wines out of London city bond to whatever destination you wish. You are solely responsible for any and all duties, taxes or customs fees that may be incurred. We do have customers who arrange their own shipments from our export warehouse, but we just cannot do shipping arrangments from that warehouse on our end. We do need to know well in advance to arrange this pick up. There is no guaranty all 3 of your cases will arrive at the export warehouse at the same time.

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when more is shipped. service called Fedex Great Rates that is quite reasonable. We have been shipping to time. It is just a standard UPS/Fedex/DHL shipment. We have recently been using a Hong Kong at about \$170 per 12-bottle box or thereabouts. Prices tend to go down you as well. We have many, many customers in Hong Kong, and we ship there all the have us ship wine from our store in the US. It is much easier for us, and probably for Of course most of our customers that are not dealing with pallets of wine choose to just

pick up at the London warehouse Still it is your choice. You just need to let us know well in advance if you DO want to

Regards

Email: james@premiercru.net Ph: 510-644-W/IHE (510-644-9463) Berkeley, CA 94710 USA 1011 University Avenue PREMIER CRU Fax: 510-647-3833 James Gillerman James Gillerman

Web: www.premiercru.net

From: Wayne Chan [mailto:waynechan@hotmail.com] Sent: Saturday, March 10, 2012 9:18 PM

To: james@premiercru.net; shipping@premiercru.net

Subject: RE: Your Premier Cru Order 344715

and would appreciate your help: Since the 2009 cases should be bottled in the upcoming month, I have a few questions

Brion, 09 Margaux) (Please find attached two sales order receipts for 3 cases: 09 Lafite Rothschild, 09 Haut

can ship to the UK (London)? Once these 3 cases are shipped to the UK, I would like to 1) What is the process for shipment? I understand per previous queries that Premiercru

> 2) Offnerwise, is it even possible to directly go Bordeaux City Bond (shouldn't incur any arrange it to be shipped back to Bordeaux City Bond in France. What should I do? taxes etc for Premiercru)?

3) Pls kindly tell me what other things I need to do now to make the above 1) or 2) happen? Any documents required, what's the required timelines etc?

Thanks a lot, and I look forward to hearing from you.

Wayne Regards

Subject: RE: Your Premier Cru Order 344715

Date: Wed, 3 Nov 2010 10:41:13 -0800

To: waynechan@hotmail.com From: james@premiercru.net

out as we find out delivery schedules in future. different wines will be available at the same time, but again we can work these details you a few bottles here and there. We can work out the details as things get closer in a you pick them up from there. Again we cannot do this in France, but it must be in the It is likely that we WILL be able to ship these to our export warehouse in the UK, and let year or 2, and we see how much you have. Of course there is no guaranty that all the This will be limited to full case lots, as we cannot easily take cases apart and give

orders (and include the last 4 digits of the card to use). information of file, you can either order on the website, or you can e-mail me your different cards when you place an order on the website. Now that we have all your Yes you can easily add a new default card in your web profile. You can also specify

Thank you for your business.

James Gillerman

5890 Christie Avenue

James Gillermar

Emeryville, CA 94608 USA

Email: james@premiercru.net Web: www.premiercru.net

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--Original Message--

From: Wayne Chan [mailto:waynechan@hotmail.com] Sent: Tuesday, November 02, 2010 5:16 PM

To: james@premiercru.net
Subject: RE: Your Premier Cru Order 344715

see whether shipping to Europe is possible? Thanks a lot. Let me see whether I can wines need to travel much more. I will be a repeated customer if things go well, please add an additional card to my account for the Latour. Thank you James, I really hope it could be shipped to Europe instead of the USA as the

Best regards,

Date: Tue, 2 Nov 2010 16:08:56 -0800 Subject: RE: Your Premier Cru Order 344715

From: james@premiercru.net To: waynechan@hotmail.com

will change. currently allow this. We are talking years into the future, so it is certainly possible things case lots of wine in our UK export warehouse. Our French warehouse does not possible. I cannot promise that though. In past, we have often allowed pickup of multipickup for a few cases or less of individual wines. I will check, and it MAY be only do this for large amounts of wine, as it is really difficult to guaranty European

cards on file, and you are welcome to charge any given order to any given credit card. complicated to combine shipments/pickups in future. Many people have multiple credi You should not open a second account under your name. That will make it more

Thanks for your business

James Gillerman

Emeryville, CA 94608 USA

First, we may or may not be able to provide these to you in Europe. Normally we will Hello Wayne,

James Gillerman

PREMIER CRU 5890 Christie Avenue

satisfaction of the California State Board of Equalisation that the shipment goes done business before, that can be a big problem. We need to be able to prove to the be no issues or problems at all. If you use a well known exporter such as JF Hillebrand that will also be no problem. However if you use somebody with whom we have never DIRECTLY from our warehouse to an address outside the state of CA (it does not That really depends on the shipping company. If you use Fedex, UPS or DHL, there wil

Email: james@premiercru.net Web: www.premiercru.net

---Original Message----

From: Wayne Chan [mailto:waynechan@hotmail.com]

Sent: Tuesday, November 02, 2010 5:05 PM

To: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715

with a different credit card. Can you please advise whether I should open a new online account for this? James, further to my email below, I may want to get 1 more case of 2009 Latour, but

Thanks again,

From: waynechan@hotmail.com

To: james@premiercru.net

Subject: RE: Your Premier Cru Order 344715

Date: Tue, 2 Nov 2010 10:56:02 +0000

Hi James.

warehouses for my DHL to pickup?) warehouse in bordeaux). If not, can they be shipped to London instead (one of your One more request: can the 2 cases be bottled and stay in France? (i.e. shipped to a

Many thanks!!

Subject: RE: Your Premier Cru Order 344715

Date: Mon, 1 Nov 2010 08:33:58 -0800 From: james@premiercru.net

To: waynechan@hotmail.com

Hello Wayne,

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matter if it is international, it just matters that it is outside CA). Many shipping companies do not provide adequite documentation to prove this to THEIR satisfaction. It does not matter what WE think, it is the state of CA that makes this determination. Again all the major carriers above are appropriate, and provide documentation the state will accept. Thank you again for your business.

₹egards,

Email: james@premiercru.net Web: www.premiercru.net

Emeryville, CA 94608 USA Ph: 510 655 6691 Fx: 510 547 5405

---Original Message----

From: Wayne Chan [mailto:waynechan@hotmail.com]
Sent: Saturday, October 30, 2010 7:04 PM
To: james@premiercru.net
Subject: RE: Your Premier Cru Order 344715

Thanks again James. Very helpful. You mentioned that there will be "no sales tax in future either, unless in future you decide to...pick the wines up at our store here". If a shipping company picks it up from your warehouse and sends it to a wine warehouse in Hong Kong, there won't be any tax issues right (i.e. no tax would incur)? I am going to send it to Crown Wine Storage here in Hong Kong.

Regards

Subject: RE: Your Premier Cru Order 344715
Date: Sat, 30 Oct 2010 13:49:23 -0700
From: james@premiercru.net

To: waynechan@hotmail.com

Hi again Wayne,

Thank you for your order, billed now and e-mailed to you under separate cover

Please note that the 73746 number is a temporary web order number. You final confirmed Sales Order number is 344715. Both numbers reference each other in our files, but again 344715 is the confirmed order number.

I have indeed made notes in your file and on the order that you want the OWC for the wines. However please also specifically request this at the time of future shipment and we will be happy to send the wood along separately.

Note that there is no CA sales tax charged on the order. There will be no sales tax in future either, unless in future you decide to ship to an address in the state of CA, or pick the wines up at our store here.

You have been billed for the wine but not yet for any shipping costs, and will not be charged for shipping until these actually ship out. At that time, your shipping costs will be determined by the measured weight of the box(es) to be shipped, as well as the ship to address, etc.

Thanks for your business!

Regards,

James Gillerman

James Gillerman

PREMIER CRU

5890 Christie Avenue
Emeryville, CA 94608 USA
Ph: 510 655 6691 Fx: 510 547 5405
Email: James@premiercru.net Web: www.premiercru.net
---Original Message---From: Wayne Chan [mailto:waynechan@hotmail.com]
Sent: Friday, October 29, 2010 6:48 PM
To: James@premiercru.net
Subject: RE: Your Premier Cru Order 344715

Hi James,

I confirm the order of the following:

- 1.) 12x bottles of 2009 Margaux (pre-arrival) 750ml each
- 2.) 12x bottles of 2009 Haut Brion (pre-arrival) 750ml each

Kong), at a total price of US\$21,599.76. May I also have the confirmation number? I was given "73746" online, while from email (as subject of this email), I was given "344715".

I also confirm the above includes 2x OWC, and excludes tax (to be shipped to Hong

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confirmation number. Thanks! Please bill me once the above is confirmed, along with the return of the valid

Best regards,

Date: Fri, 29 Oct 2010 11:44:09 -0700 Subject: Your Premier Cru Order 344715 From: james@premiercru.net

Hello again Wayne,

To: waynechan@hotmail.com

does not include any sales tax. I cannot hold these bottles very long for you without billing. Your payment ensures you will get the wine once it arrives here, and at the price billing you, per your request on the order. The total on the order is \$21,599.76. This information. I have temporarily held these bottles on the Sales Order above without yet already paid. Thank you for your web order. I see you finally did figure out how to enter all the

outside the state of CA. charge sales tax in future as long as you ship directly from our store to an address We do not bill for shipping costs until the time you arrange for shipment. We will not

the time of shipment future. However you can also guaranty that you will get the OWC just by asking for it at remind us to ask you about the wood whenever we arrange shipment in I have placed a note in your file as promised that you want the OWC. This should

provided. I await this confirmation. Thanks for your business Again please get back to me soon to confirm that I should bill this to the card you

Regards,

James Gillerman

PREMIER CRU James Gillerman

5890 Christie Avenue Emeryville, CA 94608 USA

Email: james@premiercru.net Web: www.premiercru.net

Ordering of Wines

Order #1

Sunday, October 31, 2010 4:48:37 AM

Received email with the attached receipt for

1) 09 Haut Brion (12 bottles in wooden case) at US\$10,799.88

09 Margaux (12 bottles in wooden case) at US\$10,799.88



Order #2

Tuesday, November 09, 2010 1:34:26 AM

Received email with the attached receipt for

3) 09 Lafite (12 bottles in wooden case) at US\$17,700



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