

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 WJL7

LM
 FILED 11:20 a.m.
 FEB 17 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?

Geoffrey W Luce
 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?

Geoffrey W Luce
 Name
111 Ridge Lane
 Number Street
Lake Forest, IL 60045
 City State ZIP Code

Contact phone

847 997 5236

Contact email

geoffrey@lucsite.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: EIN 0341
Fox Ortega Enterprises Inc Case 16-40050

7. How much is the claim? \$ 5183.55 Does this amount include interest or other charges? ☒ No BUT REPLACEMENT COST IS MUCH HIGHER
☐ 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 SOLD BUT NOT DELIVERED (SEE ATTACHED DOCUMENTS)

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:

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).

☐ 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.

Amount entitled to priority

\$ _____

\$ 2775

\$ _____

\$ _____

\$ _____

\$ _____

* 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

02/07/2016
MM / DD / YYYY

Signature

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

Name

Geoffrey

William

Luce

First name

Middle name

Last name

Title

Company

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

Address

111 Ridge Lane

Number

Street

Lake Forest

City

IL

State

60045

ZIP Code

Contact phone

847 997 5236

Email

geoffrey@lucsite.com

Customer
for Geoffrey Luce

My Account

Hi Geoffrey

Log Out

Shopping Cart

wine, region, varietal, producer

SEARCH

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

ORDER HISTORY

All Time

Sort By

Order No

Never Received

GO

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000476153 (Closed)	\$1,049.88	14	14	0	0	4/15/15
SO-0000449633 (Open)	\$389.97	3	0	3	0	7/14/14 #1
SO-0000437290 (Open)	\$749.90	10	0	10	0	2/12/14 #2
SO-0000434437 (Closed)	\$469.94	6	6	0	0	1/18/14
SO-0000433182 (Open)	\$299.99	1	0	1	0	1/5/14 #3
SO-0000422848 (Open)	\$239.94	6	0	6	0	9/14/13 #4
SO-0000386006 (Closed)	\$319.96	4	4	0	0	7/9/12
SO-0000386005 (Closed)	\$579.99	1	1	0	0	7/9/12
SO-0000369673 (Open)	\$2,324.98	3	0	3	0	12/17/11 #5
SO-0000358357 (Open)	\$551.88	12	0	12	0	6/23/11 #6
SO-0000358197 (Closed)	\$959.94	0	0	0	0	6/21/11
SO-0000349314 (Closed)	\$399.96	4	4	0	0	1/22/11
SO-0000349288 (Closed)	\$347.94	6	6	0	0	1/22/11
SO-0000347425 (Closed)	\$231.96	4	4	0	0	12/23/10
SO-0000339099 (Open)	\$1,629.77	23	12	11	0	6/18/10 #7
SO-0000332914 (Closed)	\$314.91	9	9	0	0	2/11/10
SO-0000331802 (Closed)	\$379.98	2	2	0	0	1/17/10
SO-0000324443 (Closed)	\$149.97	3	3	0	0	9/22/09
SO-0000324392 (Closed)	\$49.99	1	1	0	0	9/21/09
SO-0000317314 (Closed)	\$647.40	12	12	0	0	5/7/09
SO-0000306291 (Closed)	\$259.90	2	2	0	0	11/3/08
SO-0000243806 (Closed)	\$359.40	12	12	0	0	11/14/06
SO-0000243414 (Closed)	\$359.40	12	12	0	0	11/10/06
SO-0000232259 (Closed)	\$682.95	2	2	0	0	7/13/06
SO-0000231808 (Closed)	\$1,038.00	6	6	0	0	7/6/06
SO-0000185151 (Closed)	\$959.30	14	14	0	0	4/15/05
SO-0000184394 (Closed)	\$259.90	2	2	0	0	4/8/05

Sub total NOT RECEIVED \$5,183.55 Deposit Toward Purchase
Case 16-40050 Claim 951 Filed 02/17/16 Desc Main Document Page 4 of 17

This is receipt of purchase

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000449633

Order Date: 7/14/2014

Web Order No: 153822

Salesperson: SA

Customer: gluc

Customer PO:

#1

Sold To

Geoffrey Luce
540 Pine Lane
WANTS OWC!
Lake Forest, IL 60045 USA

Ship To

Geoffrey Luce
540 Pine Lane
WANTS OWC!
Lake Forest, IL 60045 USA

Contact: Geoffrey W Luce
Phone: (847) 234-5062

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49501 2012 Clos Vougeot, Chateau de La Tour	3.00	0.00	129.99	389.97

Payments: 389.97

Net Order: 389.97

Freight: 0.00

Sales Tax: 0.00

7/14/2014	VSJABEF7C173	*****2204	389.97
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USD 389.97

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This shows same order and verifies it was never delivered to me

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ORDER DETAILS

Order No.: SO-0000449633

Order Date.: Jul 14, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Clos Vougeot, Chateau de La Tour, 750 ml	3	0	3	0	\$129.99	\$389.97

Subtotal: \$389.97

Tax: \$0.00

Total: \$389.97

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Clos Vougeot, Chateau de La Tour, 750 ml	3	0	3

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101 University Ave
Berkeley, CA 94710
[click here for directions](#)

Store Hours
Tuesday-Friday: 10am-6pm
Saturday: 10am-5pm
Sunday: Closed

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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: 0000437290

Order Date: 2/12/2014

Web Order No: 144539

Salesperson: JG

Customer: gluc

Customer PO:

#2

Sold To

Geoffrey Luce
540 Pine Lane
WANTS OWC!
Lake Forest, IL 60045 USA

Ship To

Geoffrey Luce
540 Pine Lane
WANTS OWC!
Lake Forest, IL 60045 USA

Contact: Geoffrey W Luce
Phone: (847) 234-5062

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
43880 2010 Calon Segur	10.00	0.00	74.99	749.90

Net Order: 749.90

Payments: 749.90

Freight: 0.00

Sales Tax: 0.00

2/13/2014	VSHEB5F62322	*****2204	749.90
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USD 749.90

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ORDER DETAILS

Order No.: SO-0000437290

Order Date.: Feb 12, 2014

Status: Open

2

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Calon Segur, 750 ml	10	0	10	0	\$74.99	\$749.90

Subtotal: \$749.90

Tax: \$0.00

Total: \$749.90

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Calon Segur, 750 ml	10	0	10

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ORDER DETAILS

Order No.: SO-0000433182

Order Date.: Jan 5, 2014

Status: Open

3

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Sassicaia Magnum, 1.5 L	1	0	1	0	\$299.99	\$299.99

Subtotal: \$299.99

Tax: \$0.00

Total: \$299.99

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Sassicaia Magnum, 1.5 L	1	0	1

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Subject: Premier Cru Order Acknowledgement
From: Premier Cru (shipping@premiercru.net)
To: geoffrey@lucosite.com;
Date: Saturday, September 14, 2013 1:31 PM

#4

Thank you for your order!

We have received your order request SO-0000422848-133221.

qty	item	Wine	price	ext	status
6	48365	2011 Giusto di Notri, Tua Rita	39.99	239.94	pre-arrival

Bottles : 6

Subtotal: 239.94
Shipping: 0.00
Tax : 0.00
Total : 239.94

Please note:

We do not ship automatically upon order.

If you wish to arrange shipping, please contact us after receiving your order confirmation and we will schedule it.

We do not charge for shipping until your bottles ship out.

If you have any questions, please email us at info@premiercru.net or call us at 510-644-9463.

Premier Cru
1011 University Avenue
Berkeley, CA 94710
(510) 644-9463

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ORDER DETAILS

Order No.: SO-0000422848

Order Date.: Sep 14, 2013

Status: Open

#4

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Giusto di Notri, Tua Rita, 750 ml	6	0	6	0	\$39.99	\$239.94

Subtotal: \$239.94

Tax: \$0.00

Total: \$239.94

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Giusto di Notri, Tua Rita, 750 ml	6	0	6

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Sunday: Closed

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000369673
Order Date: 12/17/2011
Salesperson: JG
Customer: gluc
Customer PO:

HS

Sold To

Geoffrey Luce
540 Pine Lane
WANTS OWC!
Lake Forest, IL 60045 USA

Ship To

Geoffrey Luce
540 Pine Lane
WANTS OWC!
Lake Forest, IL 60045 USA

Contact: Geoffrey W Luce
Phone: (847) 234-5062

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
44065	2010 Ducru Beaucaillou 3 Liter	1.00	0.00	625.00	625.00
44113	2010 Leoville las Cases 3 Liter	1.00	0.00	699.99	699.99
44118	2010 l'Eglise Clinet 3 Liter	1.00	0.00	999.99	999.99

Payments: 2,324.98

Net Order: 2,324.98

Freight: 0.00
Sales Tax: 0.00

12/17/2011	VTYE8B1A4E14	*****2204	2,324.98
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USD 2,324.98

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ORDER DETAILS

Order No.: SO-0000369673

Order Date.: Dec 17, 2011

Status: Open

#5

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Ducru Beaucaillou 3 Liter, 3 L	1	0	1	0	\$625.00	\$625.00
2010 Leoville Las Cases 3 Liter, 3 L	1	0	1	0	\$699.99	\$699.99
2010 l'Eglise Clinet 3 Liter, 3 L	1	0	1	0	\$999.99	\$999.99

Subtotal: \$2,324.98

Tax: \$0.00

Total: \$2,324.98

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Ducru Beaucaillou 3 Liter, 3 L	1	0	1
2010 Leoville Las Cases 3 Liter, 3 L	1	0	1
2010 l'Eglise Clinet 3 Liter, 3 L	1	0	1

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PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

#6

Sales Order

Page: 1

Order Number: 0000358357

Order Date: 6/23/2011

Web Order No: 81852

Salesperson: JG

Customer: gluc

Customer PO:

Sold To

Geoffrey Luce
540 Pine Lane
Lake Forest, IL 60045 USA

Ship To

Geoffrey Luce
540 Pine Lane
Lake Forest, IL 60045 USA

Contact: Geoffrey W Luce

Phone: (847) 234-5062

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
43915 2010 Grand Puy Lacoste 1/2	12.00	0.00	45.99	551.88

Payments: 551.88

Net Order: 551.88

Freight: 0.00

Sales Tax: 0.00

6/23/2011 VUJE7A9E761F *****2204 551.88

USD 551.88

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ORDER DETAILS

Order No.: SO-0000358357

Order Date.: Jun 23, 2011

Status: Open

Ab

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Grand Puy Lacoste 1/2, 375 ml	12	0	12	0	\$45.99	\$551.88

Subtotal: \$551.88

Tax: \$0.00

Total: \$551.88

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Grand Puy Lacoste 1/2, 375 ml	12	0	12

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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: 0000339099
Order Date: 6/18/2010
Change Order: 0
Confirm No: 69655
Salesperson: JG
Customer: gluc
Customer PO:

Sold To

Geoffrey Luce
540 Pine Lane
Lake Forest, IL 60045 USA

Ship To

Geoffrey Luce
540 Pine Lane
Lake Forest, IL 60045 USA

Contact: Geoffrey W Luce
Phone: (847) 234-5062

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
41570	09 Malescot St Exupery	11.00	0.00	85.99	945.89
41476	09 Gruaud Larose — <i>Revised ①</i>	12.00	0.00	56.99	683.88

Payments: 1,629.77

Net Order: 1,629.77
Discount: 0.00
Freight: 0.00
Sales Tax: 0.00

6/18/2010	VPEE5BF29F17	*****2204	1,629.77
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USD 1,629.77

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ORDER DETAILS

Order No.: SO-0000339099

Order Date.: Jun 18, 2010

Status: Open

7

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Gruaud Larose, 750 ml	12	1	11	0	\$56.99	\$683.88
2009 Malescot St Exupery, 750 ml	11	11	0	0	\$85.99	\$945.89

Subtotal: \$1,629.77

Tax: \$0.00

Total: \$1,629.77

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Gruaud Larose, 750 ml	12	1	11
2009 Malescot St Exupery, 750 ml	11	11	0

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We source the world's finest wines at extremely competitive prices to provide exceptional experiences for collectors, connoisseurs, and everyday wine lovers.

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Store Hours

Tuesday-Friday: 10am-6pm

Saturday: 10am-5pm

Sunday: Closed