

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc., d/b/a Premier Cru

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

LM 3:14 PM

FILED

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?	<u>Allan E. Bulley, Jr.</u> 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?	<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>Allan E. Bulley, Jr.</u> Name <u>1755 West Armitage Avenue</u> Number Street <u>Chicago</u> <u>IL</u> <u>60622</u> City State ZIP Code Contact phone <u>773-235-2433</u> Contact email <u>abulley@bulley.com</u>	Where should payments to the creditor be sent? (if different) <u>Same</u> 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?	<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: 0 3 4 1

7. How much is the claim? \$ 12,757.91 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.
Collector wine purchased from debtor

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: Collector Wine
Basis for perfection: See supporting documents. Cost to purchase collector wine in today's market based on pricing obtained from on-line retailers.
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: \$ 12,757.91
Amount of the claim that is secured: \$ 0.00
Amount of the claim that is unsecured: \$ 12,757.91 (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: \$ 12,757.91
Annual Interest Rate (when case was filed) 8.00 %
☐ 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).

\$ _____

☐ 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

Allen E. Bulley, Jr.
Signature

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

Name Allen E. Bulley, Jr.
First name Middle name Last name

Title _____

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

Address 1755 West Armitage Avenue
Number Street

Chicago IL 60622
City State ZIP Code

Contact phone 773-235-2433 Email abulley@bulley.com

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MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION						
ORDER DETAILS Order No.: SO-0000335996 Order Date.: Apr 20, 2010 Status: Open						
PURCHASE DETAILS						
Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2008 Chambertin, Rousseau, 750 ml	6	0	6	0	\$399.99	\$2,399.94
Subtotal:						\$2,399.94
Tax:						\$0.00
Total:						\$2,399.94
SHIPPING DETAILS						
Wine	Ordered	Shipped	Remain			
2008 Chambertin, Rousseau, 750 ml	6	0	6			

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1011 University Ave
Berkeley, CA 94710
Click here for directions

Store Hours

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

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Allan E. Bulley, Jr.
1755 West Armitage Avenue
Chicago, IL 60622
773-235-2433
abulley@bulley.com

Case No. 16-40050 WJL 7

Order Number: SO-0000335996
Order Date: April 20, 2010

6 Bottles 2008 Chambertin Armand Rousseau, 750 ml

COST: \$2,399.94

Value as of February 9, 2016 per Santa Rosa Fine Wine \$985.00 Bottle

VALUE: \$5,910.00

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Order No.: SO-0000318411

Order Date.: May 26, 2009

Status: Open

11. 24. 2015

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2005 Bourgogne Blanc, Meo Camuzet Freres, 750 ml	21	21	0	0	\$24.99	\$524.79
2007 Chambertin, Rousseau, 750 ml	1	1	0	0	\$399.99	\$399.99
2007 Gevrey Clos St Jacques, Rousseau, 750 ml	8	0	8	0	\$225.00	\$1,800.00

Subtotal: \$2,724.78

Tax: \$51.17

Total: \$2,775.95

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2005 Bourgogne Blanc, Meo Camuzet Freres, 750 ml	21	21	0
2007 Chambertin, Rousseau, 750 ml	1	1	0
2007 Gevrey Clos St Jacques, Rousseau, 750 ml	8	0	8

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abulley@bulley.com

Case No. 16-40050 WJL 7

Order Number: SO-0000318411
Order Date: May 26, 2009

8 Bottles 2007 Gevrey Chambertin Clos St-Jacques, Rousseau, 750 ml

COST: \$1,800.00

Value as of February 9, 2016 per LeDu's Wines \$575.00 Bottle

VALUE: \$4,600.00

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Order No.: SO-0000420764

Order Date.: Aug 14, 2013

Status: Open

11. 24. 2015

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Gevrey Clos St Jacques, Rousseau, 750 ml	2	0	2	0	\$375.00	\$750.00

Subtotal: \$750.00

Tax: \$0.00

Total: \$750.00

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Gevrey Clos St Jacques, Rousseau, 750 ml	2	0	2

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1755 West Armitage Avenue
Chicago, IL 60622
773-235-2433
abulley@bulley.com

Case No. 16-40050 WJL 7

Order Number: SO-0000420764
Order Date: August 14, 2013

2 Bottles 2011 Gevrey Chambertin Clos St-Jacques, Rousseau, 750 ml

COST: \$750.00

Value as of February 9, 2016 per Ultimate Wine Shop \$449.00 Bottle

VALUE: \$898.00

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ORDER DETAILS

11. 24. 2015

Order No.: SO-0000458809

Order Date.: Oct 23, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Barolo Brunate, Vietti, 750 ml	3	0	3	0	\$169.99	\$509.97
2010 Barolo Vigna Cicala, Aldo Conterno, 750 ml	3	0	3	0	\$125.00	\$375.00
2010 Barolo Vigna Colonnello, Aldo Conterno, 750 ml	3	0	3	0	\$115.00	\$345.00

Subtotal: \$1,229.97

Tax: \$0.00

Total: \$1,229.97

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Barolo Brunate, Vietti, 750 ml	3	0	3
2010 Barolo Vigna Cicala, Aldo Conterno, 750 ml	3	0	3
2010 Barolo Vigna Colonnello, Aldo Conterno, 750 ml	3	0	3

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abulley@bulley.com

Case No. 16-40050 WJL 7

Order Number: SO-0000458809
Order Date: October 23, 2014

3 Bottles 2010 Barolo Brunate, Vietti, 750 ml

COST: \$509.97

Value as of February 9, 2016 per Manchester Wines \$154.99/Bottle

VALUE: \$464.97

3 Bottles 2010 Barolo Vigna Cicala, Aldo Conterno, 750 ml

COST: \$375.00

Value as of February 9, 2016 per Grand Vine Wine Merchants \$165.00/Bottle

VALUE: \$495.00

3 Bottles 2010 Barolo Vigna Colonnello, Aldo Conterno, 750 ml

COST: \$345.00

Value as of February 9, 2016 per Vintage Wine Merchants \$129.98/Bottle

VALUE: \$389.94

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abulley@bulley.com

Case No. 16-40050 WJL 7

SUMMARY OF COLLECTOR WINE CURRENT VALUE

<i>Premier Cru Order #</i>	<i># of Bottles</i>	<i>Description</i>	<i>Size</i>	<i>Cost</i>	<i>Value</i>
SO-0000335996	6	2008 Chambertin Armand Rousseau	750 ml	2,399.94	5,910.00
SO-0000318411	8	2007 Gevrey Chambertin Clos St-Jacques	750 ml	1,800.00	4,600.00
SO-0000420764	2	2011 Gevrey Chambertin Clos St-Jacques	750 ml	750.00	898.00
SO-0000458809	3	2010 Barolo Brunate, Vietti	750 ml	509.97	464.97
SO-0000458809	3	2010 Barolo Vigna Cicala, Aldo Conterno	750 ml	375.00	495.00
SO-0000458809	3	2010 Barolo Vigna Colonnello, Aldo Conterno	750 ml	345.00	389.94
		TOTAL CURRENT VALUE			12,757.91