

Fill in this information to identify the case:

Debtor 1 FOX ORTEGA ENTERPRISES, INC
Debtor 2 DBA PREMIER CRU
(Spouse, if filing)
United States Bankruptcy Court for the NORTHERN District of CALIFORNIA
Case number 16-40050 WJL 7

FILED
FEB 18 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

Official Form 410

12/15

Proof of Claim

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?

RICHARD EHRLMAN
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?

RICHARD EHRLMAN
Name
1250 SAN MATEO DR.
Number Street
MENLO PARK, CA 94025
City State ZIP Code

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

Name
Number Street
City State ZIP Code

Contact phone 650-224-2202
Contact email rehrlman@thoits.com

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?

\$ ~~4,064.70~~
2,056.30
RE

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.

Return of Pre-arrival orders for wine resulting in store credit of \$4,064.70 and not receiving all of subsequent wine orders 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:

☐ 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

\$ _____

\$ 2,056.30 ~~2775~~ RE

\$ _____

\$ _____

\$ _____

\$ _____

* 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

RICHARD L. EHRMAN

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

Name RICHARD L. EHRMAN
First name Middle name Last name

Title _____

Company _____

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

Address 1250 SAN MATEO DR

Number Street

MENLO PARK CA 94025
City State ZIP Code

Contact phone 650-224-2202 Email _____



Credit Memo

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

Page: 1

Number: 0000341541
Date: 11/17/2015
Salesperson:
Customer: 46110

| Sold To | Ship To |
|--|---|
| Richard Ehrman 1250 San Mateo Drive Menlo Park, CA 94025 USA | Richard Ehrman 174 Church St. Ashland, OR 97520 USA |

| Customer P.O. | Ship Via | F.O.B | Terms | |
|---------------|-------------------------------------|-------------|-----------------------|--------|
| | TBD | PRE | | |
| Item | Description | Qty Shipped | Price | Amount |
| | 2010 Beychevelle so438835 | 2.00 | 69.99 | 139.98 |
| | 2010 Clinet so438835 | 1.00 | 127.99 | 127.99 |
| | 09 Larcis Ducasse so438835 | 1.00 | 79.99 | 79.99 |
| | 2010 Larcis Ducasse so438835 | 2.00 | 114.99 | 229.98 |
| | 2010 Lascombes so438835 | 2.00 | 89.99 | 179.98 |
| | 2010 Pape Clement so438835 | 1.00 | 179.99 | 179.99 |
| | 2011 Pape Clement so438835 | 1.00 | 79.99 | 79.99 |
| | 2010 Pichon Baron so438835 | 1.00 | 179.99 | 179.99 |
| | 2010 Pichon Lalande so438835 | 1.00 | 189.99 | 189.99 |
| | 2010 Clinet so442680 | 3.00 | 139.99 | 419.97 |
| | 2010 Duhart Milon so442680 | 2.00 | 119.99 | 239.98 |
| | 2010 La Conseillante so442680 | 2.00 | 219.99 | 439.98 |
| | 2010 Lynch Bages so442680 | 2.00 | 145.00 | 290.00 |
| | 09 Malescot St Exupery 1/2 so442680 | 1.00 | 51.99 | 51.99 |
| | 2010 Montrose so438844 | 1.00 | 195.00 | 195.00 |
| | 09 Duhart Milon Rothschild so438844 | 2.00 | 139.99 | 279.98 |
| | 2010 Duhart Milon so438844 | 1.00 | 119.99 | 119.99 |
| | 05 d'Yquem 1/2 so438844 | 2.00 | 189.99 | 379.98 |
| | 09 Malescot St Exupery 1/2 so442684 | 5.00 | 51.99 | 259.95 |
| | | | Subtotal | ***** |
| | | | Freight | ***** |
| | | | Sales Tax | ***** |
| | | | Trade Discount | ***** |
| | | | Payment/Credit Amount | ***** |
| | | | Balance | |

Contact: Richard Ehrman

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000495027

Order Date: 11/21/2015

Salesperson: YW

Customer: 46110

Customer PO:

Sold To

Richard Ehrman
1250 San Mateo Drive
Menlo Park, CA 94025 USA

Ship To

Richard Ehrman
174 Church St.
Ashland, OR 97520 USA

Contact: Richard Ehrman
Phone: (650) 224-2202

Paid using store credit! \$463.38 remaining

| Item | | Ordered | Quantity Shipped | Unit Price | Amount |
|---------|--|---------|---------------------|------------|----------|
| 45756 | 09 Beaune 1er Cru 150th Anniversary Cuvee, Jadot | 3.00 | 0.00 | 55.00 | 165.00 |
| 41247 | 08 Corton Charlemagne, Bouchard | 15.00 | 0.00 | 119.99 | 1,799.85 |
| ✓ 26706 | 2000 Lagrange, St. Julien | 7.00 | 0.00 | 109.99 | 769.93 |
| ✓ C1787 | 95 La Gomerie | 1.00 | 0.00 | 99.99 | 99.99 |
| ✓ 43455 | 09 Morlet Family Pinot Noir Joli Coeur | 1.00 | 0.00 | 125.00 | 125.00 |
| ✓ 43454 | 09 Morlet Family Pinot Noir En Famille | 4.00 | 0.00 | 99.99 | 399.96 |

Payments: 3,359.73

Net Order: 3,359.73

11/21/2015 495027 3,359.73

Freight: 0.00

Sales Tax: 0.00

USD 3,359.73

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000495036

Order Date: 11/21/2015

Salesperson: YW

Customer: 46110

Customer PO:

Sold To

Richard Ehrman
1250 San Mateo Drive
Menlo Park, CA 94025 USA

Ship To

Richard Ehrman
174 Church St.
Ashland, OR 97520 USA

Contact: Richard Ehrman
Phone: (650) 224-2202

Paid using store credit! \$91.45

| | Item | Ordered | Quantity Shipped | Unit Price | Amount |
|---|---|---------|---------------------|------------|--------|
| ✓ | 52744 2011 Iron Horse Wedding Cuvee Rose Sonoma | 3.00 | 0.00 | 32.99 | 98.97 |
| ✓ | 52806 2013 Gevrey-Chambertin 'Mes Favorites', Alain Burguet | 2.00 | 0.00 | 72.99 | 145.98 |
| ✓ | 52736 2011 Barolo Bricco delle Viole, G.D. Vajra | 1.00 | 0.00 | 77.99 | 77.99 |
| ✓ | 49886 2012 Shafer Chardonnay Red Shoulder Ranch | 1.00 | 0.00 | 48.99 | 48.99 |

Payments: 371.93

Net Order: 371.93

11/21/2015 495036 371.93

Freight: 0.00

Sales Tax: 0.00

USD 371.93