

Fill in this information to identify the case.

Debtor 1 Fox Ortega Enterprises

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: _____ District of _____

Case number 16-40050

FILED
2017 FEB 22 AM 11:13
U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CAL.
OAKLAND, CA.

Official Form 410

Proof of Claim

12/15

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Gina Guerra
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?

Gina Guerra
Name
5200 Alta Canyon Rd.
Number Street
La Canada, CA 91011
City State ZIP Code
Contact phone 818790 4292
Contact email roddy.g.4027@aol.com

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

Same
Name
Number Street
City State ZIP Code
Contact phone _____
Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

☒ No
☐ Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☒ No
☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 517.14 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.

Never received wine purchased with credit card

9. Is all or part of the claim secured? ☒ No
☐ Yes. The claim is secured by a lien on property.

Nature of property:

☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

☐ Motor vehicle

☐ Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____

Amount of the claim that is secured: \$ _____

Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %

☐ Fixed

☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☒ No

☐ Yes. Check all that apply:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☐ Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ 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 02/15/2016
MM / DD / YYYY

Gina Guerra
Signature

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

Name

Gina
First name

Guerra
Middle name

Guerra
Last name

Title

Company

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

Address

5200 Alta Canyon Rd.
Number Street

La Canada, CA
City State

91011
ZIP Code

Contact phone

818 790 4292

Email

reddy.g.1027@

adl.com

From: Premier Cru rob@premiercru.net
Subject: Sales Order From Premier Cru at Premier Cru
Date: June 25, 2010 at 11:06 AM
To: Gina Guerra roddy4027@aol.com



SALES ORDER

From:
Premier Cru
Premier Cru

To: Gina Guerra
Date: 6/25/2010

To view the attached Sales Order, you need the free Adobe Acrobat Reader, which is available from www.adobe.com.

-Regards,

Rob Youngren
Premier Cru

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

[[Download Acrobat Reader Now](#)]



3896 CHRISTIE AVENUE
EMERYVILLE, CA 94608
(510)655-6691 FAX (510)547-5005

Sales Order

Page: 1

Order Number: 0000319843
Order Date: 6/25/2010
Change Order: 0
Confirm No: 70118
Salesperson: RY
Customer: ague
Customer PO:

Sold To	Ship To
Gina Guerra 5200 Alta Canyon Road La Canada Flintridge, CA 91011 USA	Gina Guerra 5200 Alta Canyon Road La Canada Flintridge, CA 91011 USA

Contact: Gina Guerra
Phone: (818) 790-4292

Item	Ordered	Quantity Shipped	Unit Price	Amount
31631 09 Montrose	1.00	0.00	179.99	179.99
31687 09 Pinot	1.00	0.00	259.99	259.99

→ received

2009 Chateau Montrose 1 bottle \$179.99

Payments:	482.88	Net Order:	482.88
		Discount:	0.00
		Freight:	0.00
		Sales Tax:	17.54
602510010	VREESCHESBAC		
	*****1020		
	482.88		
		USD	482.88

9.75%

wine	\$179.99
tax	\$17.54
	<hr/>
total	\$197.53

From: **Premier Cru** james@premiercru.net
Subject: Sales Order From Premier Cru at Premier Cru
Date: January 8, 2014 at 1:12 PM
To: Gina Guerra roddy4027@aol.com

THIS DOCUMENT WAS SENT WITH:



SALES ORDER

From:
Premier Cru
Premier Cru

To: Gina Guerra
Date: 1/8/2014

To view the attached Sales Order, you need the free Adobe Acrobat Reader, which is available from www.adobe.com.

-Regards,

Premier Cru
Premier Cru

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

[[Download Acrobat Reader Now](#)]

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000433508
Order Date: 1/8/2014
Web Order No: 141720
Salesperson: JG
Customer: JG00
Customer PO:

Sold To	Ship To
Gina Guerra 5200 Alta Canyon Road La Canada Flintridge, CA 91011 USA	Gina Guerra 5200 Alta Canyon Road La Canada Flintridge, CA 91011 USA

Contact: Gina Guerra
Phone: (818) 790-4292

15% discount applied!
This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
43947 2010 Larcis Duesse	3.00	0.00	97.74	293.22

Payments: 319.61				Net Order:	293.22
				Freight:	0.00
				Sales Tax:	26.39
				USD	319.61

\$319.61