

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

FILED
FEB 19 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA
LM 10:55AM

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>MICHAEL HARMAN</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?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name <u>MICHAEL HARMAN</u>	Name _____
	Number <u>1427</u>	Number _____
	Street <u>LEGACY CIRCLE</u>	Street _____
	City <u>FENTON</u>	City _____
	State <u>MO</u>	State _____
	ZIP Code <u>63026</u>	ZIP Code _____
	Contact phone <u>(314) 565-3564</u>	Contact phone _____
	Contact email <u>MHARMAN565@GMAIL.COM</u>	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: _____

7. How much is the claim? \$ 1,667.97 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.

GOODS SOLD - NEVER 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: _____

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 01/19/2016
MM / DD / YYYY

Signature

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

Name

MICHAEL
First name

Middle name

HARMAN
Last name

Title

Company

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

Address

1427 LEGACY CIRCLE
Number Street

FENTON
City

MO
State

63026
ZIP Code

Contact phone

(314) 565-3564

Email

MHARMAN565@GMAIL.COM

[My Account](#) [Hi Michael](#) [Log Out](#) [Shopping Cart](#) [wine, region, varietal, producer](#)[SEARCH](#)[MY ACCOUNT](#)[EDIT PROFILE](#)[ADDRESS BOOK](#)[BILLING INFORMATION](#)

ORDER DETAILS

Order No.: SO-0000331623

Order Date.: Jan 13, 2010

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2008 Latour, 750 ml	1	0	1	0	\$300.00	\$300.00
2008 Mouton Rothschild, 750 ml	1	0	1	0	\$250.00	\$250.00
2008 Lafite Rothschild, 750 ml	1	0	1	0	\$350.00	\$350.00
2008 Margaux, 750 ml	1	0	1	0	\$250.00	\$250.00
2008 Haut Brion, 750 ml	1	0	1	0	\$249.00	\$249.00
2008 Pontet Canet, 750 ml	1	0	1	0	\$79.99	\$79.99
2008 Cos d'Estournel, 750 ml	1	0	1	0	\$98.99	\$98.99
2008 Ducru Beaucaillou, 750 ml	1	0	1	1	\$89.99	\$89.99
2008 First Growth Bordeaux Special Set, 750 ml	0	0	0	0	\$0.00	\$0.00

Subtotal: \$1,667.97

Tax: \$0.00

Total: \$1,667.97

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2008 Latour, 750 ml	1	0	1
2008 Mouton Rothschild, 750 ml	1	0	1
2008 Lafite Rothschild, 750 ml	1	0	1
2008 Margaux, 750 ml	1	0	1
2008 Haut Brion, 750 ml	1	0	1
2008 Pontet Canet, 750 ml	1	0	1
2008 Cos d'Estournel, 750 ml	1	0	1
2008 Ducru Beaucaillou, 750 ml	1	0	1
2008 First Growth Bordeaux Special Set, 750 ml	0	0	0

[FIND A WINE](#)[GET OUR NEWSLETTER](#)

MONDAY - FRIDAY 9am - 5pm

(510) 644-9463

Case 16-40050-1 Claim 1026/04 Filed 02/19/16

Desc Main Document

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154661600240136496642990990000008

Account Number	Payment Due Date	New Balance	Minimum Payment Due	Enter Amount Enclosed
	03/01/10	\$6642.99	\$99.00	

00 V1 0104 1 PW 4

MICHAEL D HARMAN JR
1427 LEGACY CIR
FENTON MO

CITI CARDS
PO BOX 78045
Phoenix, AZ
85062-8045

63026

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Account Number:
www.citicards.com

Customer Service: 1-888-766-CITI(2484)
BOX 6000 THE LAKES, NV 89163-6000

Summary of Account Activity

Previous Balance \$2,176.52
Payments -\$2,176.52
Other Credits -\$0.00
Purchases +\$6,592.99
Balance Transfers +\$0.00
Cash Advances +\$0.00
Fees Charged +\$50.00
Interest Charged +\$0.00

New Balance \$6,642.99
Past Due Amount \$0.00
Amt. Over Rev. Cr. Lt. \$0.00

Payment Information

New Balance \$6,642.99
Minimum Payment Due \$99.00
Payment Due Date 03/01/2010

Payment must be received by 5:00 PM
local time on the payment due date.

Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay up to a \$39 late fee and your APRs may be increased up to the variable Penalty APR of 29.99%.

Revolving Credit Limit \$
Avail. Revolving Credit \$
Cash Advance Limit \$
Available Cash Limit \$
Statement Closing Date 02/04/2010
Days in Billing Cycle 28

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	1/30	R1649616	Payments, Credits & Adjustments ELECTRONIC PAYMENT-THANK YOU	-2,176.52
1/09	1/09	PN1PB8WG	Standard Purch AMERICAN00123141413400 AA.COM/AA RES TX NAME: HARMAN/MICHAEL DEPART: 03/11/10 STL TO ORD : AA: CLASS: Y : STOP:X ORD TO PBI : AA: CLASS: Y : STOP:0 PBI TO DFW : AA: CLASS: T : STOP:X DFW TO STL : AA: CLASS: T : STOP:	10.00
1/09	1/09	CV1PB8WG	AMERICAN00123141414236 AA.COM/AA RES TX NAME: HARMAN/MICHELLE DEPART: 03/11/10 STL TO ORD : AA: CLASS: Y : STOP:X ORD TO PBI : AA: CLASS: Y : STOP:0 PBI TO DFW : AA: CLASS: T : STOP:X DFW TO STL : AA: CLASS: T : STOP:	10.00
1/09	1/09	6S500SS5	54TH STREET GRILL & BA ST. LOUIS COU MO	38.25
1/09	1/09	SGLP55J8	BEST BUY 00009423 FENTON MO	85.75
1/09	1/09	HN7CT106	ROTHMAN FURNITURE ST. LOUIS MO	1,952.13
1/13	1/13	KFX2JWF3	J J BUCKLEY LLC 510-6325300 CA	495.46
1/13	1/13	BRW9RFQ3	PREMIER CRU 510-655-6691 CA	1,667.97
1/16	1/16	LFRBL300	LOWES #01055+ FENTON MO	3.54
1/16	1/16	7K2X1600	KLINES DOWN HOME CAFE ROSEBUD MO	29.12
1/17	1/17	F*6N3N06	STUBHUB, INC 08667882482 CA	216.17
1/17	1/17	J8K28*H0	DULANY'S GRILLE AND PUB SAINT LOUIS MO	45.81
1/18	1/18	54*WW600	TILTED KILT PUB & EATE ARNOLD MO	11.15
1/20	1/20	RB4TYMS5	PRIDE MOUNTAIN VINEYAR 07079636064 CA	1,101.00
1/26	1/26	B38V1VQ1	HILTON ADVANCE PURCHAS 800-236-7113 TN	817.07
			PHONE NUMBER: 8002367113 FOLIO NUMBER: 1501638947 ARRIVE: 01/25/10 DEPART: 01/26/10	

SEND PAYMENTS TO:

PLEASE REFER TO THE REVERSE SIDE OF THE ORIGINAL STATEMENT FOR PAYMENT INFORMATION.

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