Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc. dba Premier Cru

Debtor 2 (Spouse, if filing) _____

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

FILED
FEB 19 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

10:37 a.m.

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?

Gerald HOLGUIN
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?

Gerald Holguin
Name
5508 Glengarry Parkway
Number Street
Edina MN 55436
City State ZIP Code

Contact phone 952-353-0082
Contact email GAHOLGUIN@gmail.com

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

Gerald Holguin
Name
5508 Glengarry Pkwy.
Number Street
Edina MN 55436
City State ZIP Code

Contact phone 952-353-0082
Contact email GAHOLGUIN@gmail.com

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? _____

Case 16-40050 Claim 1028 Filed 02/19/16 Desc Main Document Page 1 of 7

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?

$ 7,095.97 . **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.

Wine that was 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)?**

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

☑ No

☐ Yes. *Check all that apply:*

	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. One of many creditors.

☐ 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 13 2016
MM / DD / YYYY

Gerald A. Holq
Signature

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

Name: Gerald (First name) Allen (Middle name) Holquin (Last name)

Title:

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

Address: 5508 Glengarry Parkway
Number Street

Edina MN 55436
City State ZIP Code

Contact phone: 952-353-0082 Email: GAHOLQUIN@gmail.com

PREMIER CRU

5890 CHRISTIE AVENUE
EMERYVILLE, CA 94608
(510)655-6691 FAX(510)547-5405

Sales Order

Page: 1

Order Number: 0000341417
Order Date: 8/6/2010
Change Order: 0
Confirm No: 71007
Salesperson: JG
Customer: ghol
Customer PO:

Never Delivered

Sold To

Gerald Holguin
5508 Glengarry Parkway
Edina, MN 55436 USA

Ship To

Gerald Holguin
5508 Glengarry Parkway
Edina, MN 55436 USA

Contact: Gerald Allen Holguin
Phone: (952) 922-7568

This order has been paid by Visa - Thank You!

	Item	Ordered	Quantity Shipped	Unit Price	Amount
41772	09 Margaux	3.00	0.00	899.99	2,699.97

Never charged for shipping because never delivered.

Payments: 2,699.97

8/6/2010	VPFE5D4B7B5A	**********6652	2,699.97

Net Order:	2,699.97
Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
USD	2,699.97

usbank

Customer Service | Contact Us | Locations

Internet Banking

Personal

YOUR PROFILE

Thursday, August 12, 2010

Log Out

Investment Login

Your Accounts >>

Funds Transfer
Make a Payment
Make a Deposit (New)
Cash Advance
Download Transaction Data
Online Statements
Alerts >>
Bill Pay (Free)
Mobile Banking

MESSAGE CENTER
> View your messages

REWARDS CENTER
> View and redeem your rewards

SECURITY CENTER
> View or change your Personal ID, Password or other security options

CUSTOMER SERVICE CENTER
> Order checks, maintain accounts, report issues or get help

APPLICATION CENTER
> Apply online for additional accounts and loans

Special Offers
> Valuable products for Internet Banking Customers

Credit Card

Account ending in 6652

» Account Info
» Check Your Rewards
» View Online Statements Secure, Simple & Green

CURRENT BALANCE	AVAILABLE CREDIT
$5,601.83	--
MINIMUM PAYMENT DUE	NEXT PAYMENT DATE
$0.00	09/01/10

Make a Payment to this account

Request a Convenience Check or Balance Transfer

Use your credit card to pay bills online

08/10/10	Target 00021899 St Louis Park Mn	$96.09
08/10/10	Amc Southdale 06007058 Edina Mn	$42.00
08/10/10	Clancey's Meats & Fish Minneapolis Mn	$59.19
08/10/10	Jerry's Foods Edina Mn	$6.93
08/09/10	Premier Cru 510-6556691 Ca	$2,699.97
08/09/10	The Bibelot Shops Como St Paul Mn	$51.25
08/09/10	Lunds #2 Edina Mn	$49.46
08/09/10	Amc Southdale 06007058 Edina Mn	$20.00
08/09/10	Calvert Woodley Wine & 202-9664400 Dc	$2,547.00
08/09/10	Cafe Maude Minneapolis Mn	$29.94
08/04/10	Annual Membership Fee	$0.00

If you need transactional history beyond what is available here, check your past statements or Contact Us.

View Online Statements Secure, Simple & Green
Enroll for Online Statements Only

Your Accounts | Funds Transfer | Make a Payment | Make a Deposit | Cash Advance
Download Transaction Data | Online Statements | Alerts | Bill Pay | Mobile Banking

MESSAGE CENTER | REWARDS CENTER | SECURITY CENTER | CUSTOMER SERVICE CENTER | APPLICATION CENTER

Connection Secured

Member FDIC

USB Column:13

PREMIER CRU

5890 CHRISTIE AVENUE
EMERYVILLE, CA 94608
(510)655-6691 FAX(510)547-5405

Sales Order

Page: 1

Order Number: 0000341413
Order Date: 8/6/2010
Change Order: 0
Confirm No: 71006
Salesperson: PB
Customer: ghol
Customer PO:

Never delivered!

Sold To

Gerald Holguin
5508 Glengarry Parkway
Edina, MN 55436 USA

Ship To

Gerald Holguin
5508 Glengarry Parkway
Edina, MN 55436 USA

Contact: Gerald Holguin
~~Phone: (952)~~ 922-7568

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
41831	09 Latour	4.00	0.00	1,099.00	4,396.00

Did not charge for shipp
because did not deliver

Payments: 4,396.00

8/6/2010	VRCE5D962A5A	**********0521	4,396.00

Net Order:	4,396.00
Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
USD	4,396.00

Wells Fargo Online®

Account Activity

VISA SIGNATURE CARD XXXX-XXXX-XXXX-0521

Current Minimum Payment Amount DUE ON 08/21/10	**$207.00**
Revolving line of credit	$30,000.00
Available revolving line of credit	$8,857.00
Outstanding balance as of 08/11/10	$21,142.08
Last billing statement balance amount as of 07/27/10	$10,343.01
View Online Statements	
Open a Home Equity Account	

Transactions - Since Last Statement

Show Since Last Statement View

Posting Date	Description	Amount	Running Balance
08/12/2010	ENDING BALANCE		$21,142.08
08/06/2010	CALVERT WOODLEY WINE & LI202-9664400 DC <REFERENCE 2407314KQS66F64J7>	~~$5,196.00~~	~~$21,142.08~~
08/06/2010	PREMIER CRU 510-6556691 CA <REFERENCE 2449279KA3EFR9MX8>	$4,396.00	$15,946.08
08/06/2010	JERRY'S FOODS EDINA MN <REFERENCE 2442733KBLM8BNWE9>	$91.40	$11,550.08
08/05/2010	FLOYDS BARBERSHOP ST ANT MINNEAPOLIS MN <REFERENCE 2455930KABLH20JJX>	$23.00	$11,458.68
08/05/2010	WHOLEFDS CHN 10119 MINNEAPOLIS MN <REFERENCE 2444500KAB10HYS73>	$38.70	$11,435.68
08/04/2010	PARK 'N GO BLOOMINGTON MN <REFERENCE 2473309K95V0919ZR>	$47.50	$11,396.98
08/04/2010	THIRSTY MINDS COFFEE SOUTH HADLEY MA <REFERENCE 2401339K90KQ8RDV1>	$11.43	$11,349.48
08/03/2010	VLADA BOUTIQUE STOCKBRIDGE MA <REFERENCE 2471705K83V2TQA9T>	$36.00	$11,338.05
08/03/2010	TWD GLASS HOUSE LENOX MA <REFERENCE 7401339K80KBML7TV>	+$7.50	$11,302.05
08/03/2010	TWD GLASS HOUSE LENOX MA <REFERENCE 2401339K80KBML7T7>	$27.50	$11,309.55
08/03/2010	TWD GLASS HOUSE LENOX MA <REFERENCE 2401339K80KBML7PM>	$88.95	$11,282.05
08/03/2010	NORMAN ROCKWELL MUSEUM STOCKBRIDGE MA <REFERENCE 2415020K8EW9PP1QY>	$30.00	$11,193.10
08/02/2010	NY TIMES NATL SALES 800-698-4637 NY <REFERENCE 2469216K600NVLYJP>	$30.00	$11,163.10
08/02/2010	ATTM*199002645831GPL 800-331-0500 GA <REFERENCE 2449398K602ZA8JQH>	$218.53	$11,133.10
08/02/2010	BOOKSTORE LENOX MA <REFERENCE 2415020K7EWD7TRH8>	$13.71	$10,914.57
08/01/2010	FRELINHUYSEN MORRIS HSE LENOX MA <REFERENCE 2415020K6F17VS7YB>	$24.00	$10,900.86
07/31/2010	CVS PHARMACY #0818 Q03 AMHERST MA <REFERENCE 2444500K5AV00M886>	$15.13	$10,876.86
07/31/2010	CAFE LUCIA LENOX MA <REFERENCE 2413755K584W6J7NK>	$189.75	$10,861.73
07/30/2010	CALHOUN SQUARE PARKING MINNEAPOLIS MN <REFERENCE 2471705K4M9SZVYJK>	$7.00	$10,671.98
07/30/2010	JERRY'S FOODS EDINA MN <REFERENCE 2442733K4LM8BYSVX>	$54.44	$10,664.98
07/30/2010	JERRYS DO IT BEST EDINA MN <REFERENCE 2422443K42ZY3ZX3B>	$35.40	$10,610.54
07/29/2010	LUNDS #2 EDINA MN <REFERENCE 2442733K2LYJ1VMQD>	$15.37	$10,575.14
07/28/2010	TRADER JOE'S #710 QPS ST LOUIS PARKMN <REFERENCE 2449398K25HWF96HQ>	$38.95	$10,559.77
07/28/2010	URBAN OUTFITTERS 63 BLOOMINGTON MN <REFERENCE 2444500K0ALLZ55JY>	$62.00	$10,520.82
07/28/2010	NORDSTROM-RACK #0233 BLOOMINGTON MN <REFERENCE 2444500K0ALAW1TGN>	$45.94	$10,458.82