

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

LM 10:58am
FILED
FEB 19 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>Carl R. Adrignola</u> <small>Name of the current creditor (the person or entity to be paid for this claim)</small> 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? <small>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</small>	Where should notices to the creditor be sent? <u>Carl R. Adrignola</u> <small>Name</small> <u>4219 Cosira Court</u> <small>Number Street</small> <u>San Diego</u> <u>CA</u> <u>92124</u> <small>City State ZIP Code</small> Contact phone <u>858-864-9378</u> Contact email <u>carl.adrignola@cubic.com</u>	Where should payments to the creditor be sent? (if different) <small>Name</small> _____ <small>Number Street</small> _____ <small>City State ZIP Code</small> _____ <small>Contact phone</small> _____ <small>Contact email</small> _____	
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 ____ / ____ / ____		
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? \$ 2,655.75. 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 as advance order via credit card, but not 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:

- ☐ 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

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* 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 02/08/2016
MM / DD / YYYY

Signature

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

Name Carl Ralph Adrignola
First name Middle name Last name

Title _____

Company _____

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

Address 4219 Cosira Court
Number Street

San Diego CA 92124
City State ZIP Code

Contact phone 858-864-9378 Email carl.adrignola@cubic.com

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All Time



Sort By

Order No



GO

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000492604 (Open)	\$281.23	6	0	6	0	10/20/15
SO-0000492164 (Open)	\$453.72	7	0	7	0	10/14/15
SO-0000491241 (Open)	\$258.58	6	0	6	0	9/28/15
SO-0000478110 (Open)	\$119.98	2	0	2	0	5/7/15
SO-0000469092 (Open)	\$379.98	6	0	6	0	2/5/15
SO-0000468014 (Open)	\$149.98	2	0	2	0	1/26/15
SO-0000467518 (Open)	\$149.98	2	0	2	0	1/22/15
SO-0000464739 (Open)	\$257.96	4	0	4	0	12/18/14
SO-0000463762 (Open)	379.94 \$589.00	12	6	6	0	12/9/14

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1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000492604

Order Date: 10/20/2015

Web Order No: 187252

Salesperson: MOS

Customer: 572

Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47130	2011 Beaune Greves l'Enfant Jesus, Bouchard	3.00	0.00	59.99	179.98
47239	2011 Beaune Greves l'Enfant Jesus 1/2, Bouchard	3.00	0.00	33.75	101.25

Payments: 307.95

Net Order: 281.23

10/20/2015 AL3ACB52F97F *****3008 307.95

Freight: 0.00

Sales Tax: 26.72

USD 307.95

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ORDER DETAILS

Order No.: SO-0000492604

Order Date.: Oct 20, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Beaune Greves l'Enfant Jesus, Bouchard, 750 ml	3	0	3	0	\$59.99	\$179.98
2011 Beaune Greves l'Enfant Jesus 1/2, Bouchard, 375 ml	3	0	3	0	\$33.75	\$101.25

Subtotal: \$281.23

Tax: \$26.72

Total: \$307.95

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Beaune Greves l'Enfant Jesus, Bouchard, 750 ml	3	0	3
2011 Beaune Greves l'Enfant Jesus 1/2, Bouchard, 375 ml	3	0	3

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Sales Order

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Order Number: 0000492164

Order Date: 10/14/2015

Web Order No: 186908

Salesperson: MOS

Customer: 572

Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
49670	2010 Feytit Clinet	3.00	0.00	71.25	213.75
52139	2012 Pape Clement	4.00	0.00	59.99	239.97

Payments: 496.82

Net Order: 453.72

10/14/2015 AT3ADAF41297 *****3008 496.82

Freight: 0.00

Sales Tax: 43.10

USD 496.82

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ORDER DETAILS

Order No.: SO-0000492164

Order Date.: Oct 14, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Feytit Clinet, 750 ml	3	0	3	0	\$71.25	\$213.75
2012 Pape Clement, 750 ml	4	0	4	0	\$59.99	\$239.97
Subtotal:						\$453.72
Tax:						\$43.10
Total:						\$496.82

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Feytit Clinet, 750 ml	3	0	3
2012 Pape Clement, 750 ml	4	0	4

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Page: 1
Order Number: 0000491241
Order Date: 9/28/2015
Web Order No: 186206
Salesperson: KR
Customer: 572
Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

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Item		Ordered	Quantity Shipped	Unit Price	Amount
52220	2014 Pichon Lalande	2.00	0.00	46.19	92.39
52213	2014 Leoville las Cases	2.00	0.00	65.99	131.99
52112	2014 Suduiraut 1/2	2.00	0.00	17.10	34.20

Payments: 283.15

Net Order: 258.58

9/28/2015 AR3AC8BB8012 *****3008 283.15

Freight: 0.00
Sales Tax: 24.57

USD 283.15

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ORDER DETAILS

Order No.: SO-0000491241

Order Date.: Sep 28, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Suduiraut 1/2, 375 ml	2	0	2	0	\$17.10	\$34.20
2014 Leoville las Cases, 750 ml	2	0	2	0	\$65.99	\$131.99
2014 Pichon Lalande, 750 ml	2	0	2	0	\$46.19	\$92.39
Subtotal:						\$258.58
Tax:						\$24.57
Total:						\$283.15

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2014 Suduiraut 1/2, 375 ml	2	0	2
2014 Leoville las Cases, 750 ml	2	0	2
2014 Pichon Lalande, 750 ml	2	0	2

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Page: 1

Order Number: 0000478110

Order Date: 5/7/2015

Web Order No: 175646

Salesperson: SA

Customer: 572

Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51257 2010 Brunello di Montalcino Pianrosso, Piccolomini	2.00	0.00	59.99	119.98

Payments: 131.38

Net Order: 119.98

Freight: 0.00

Sales Tax: 11.40

5/8/2015	AX3AD216C842	*****3008	131.38
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USD 131.38

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ORDER DETAILS

Order No.: SO-0000478110

Order Date.: May 7, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino Pianrosso, Piccolomini, 750 ml	2	0	2	0	\$59.99	\$119.98

Subtotal: \$119.98

Tax: \$11.40

Total: \$131.38

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino Pianrosso, Piccolomini, 750 ml	2	0	2

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Order Number: 0000469092

Order Date: 2/5/2015

Web Order No: 168539

Salesperson: MR

Customer: 572

Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
51265	2010 Brunello di Montalcino Tenuta Nuova, di Neri	2.00	0.00	79.99	159.98
51673	2010 Brunello di Montalcino Filo di Seta, Romitorio	4.00	0.00	55.00	220.00

Payments: 414.18

Net Order: 379.98

Freight: 0.00

Sales Tax: 34.20

2/9/2015	VPCABA537CD2	*****2531	414.18
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USD 414.18

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ORDER DETAILS

Order No.: SO-0000469092

Order Date.: Feb 5, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino Tenuta Nuova, di Neri, 750 ml	2	0	2	0	\$79.99	\$159.98
2010 Brunello di Montalcino Filo di Seta, Romitorio, 750 ml	4	0	4	0	\$55.00	\$220.00

Subtotal: \$379.98

Tax: \$34.20

Total: \$414.18

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino Tenuta Nuova, di Neri, 750 ml	2	0	2
2010 Brunello di Montalcino Filo di Seta, Romitorio, 750 ml	4	0	4

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Page: 1

Order Number: 0000468014

Order Date: 1/26/2015

Web Order No: 167660

Salesperson: JG

Customer: 572

Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51552 2010 Brunello di Montalcino, Sassetti	2.00	0.00	74.99	149.98

Payments: 163.48

Net Order: 149.98

Freight: 0.00

Sales Tax: 13.50

1/26/2015 VUJACBF795DE *****3008 163.48

USD 163.48

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ORDER DETAILS

Order No.: SO-0000468014
 Order Date.: Jan 26, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino, Sassetti, 750 ml	2	0	2	0	\$74.99	\$149.98
Subtotal:						\$149.98
Tax:						\$13.50
Total:						\$163.48

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino, Sassetti, 750 ml	2	0	2

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Sales Order

Page: 1

Order Number: 0000467518

Order Date: 1/22/2015

Web Order No: 167251

Salesperson: JG

Customer: 572

Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51552 2010 Brunello di Montalcino, Sassetti	2.00	0.00	74.99	149.98

Payments: 163.48

Net Order: 149.98

Freight: 0.00

Sales Tax: 13.50

1/22/2015 VQEABAB8E30C *****3008 163.48

USD 163.48

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ORDER DETAILS

Order No.: SO-0000467518
 Order Date.: Jan 22, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino, Sassetti, 750 ml	2	0	2	0	\$74.99	\$149.98
Subtotal:						\$149.98
Tax:						\$13.50
Total:						\$163.48

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino, Sassetti, 750 ml	2	0	2

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Store Hours

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

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PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000464739

Order Date: 12/18/2014

Web Order No: 165209

Salesperson: PB

Customer: 572

Customer PO:

Sold To	Ship To
Carl Adrignola 4219 Cosira Court San Diego, CA 92124 USA	Carl Adrignola C/O Cubic Transportation Inc 5650 Kearny Mesa Rd San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51342 2010 Brunello di Montalcino, Pacenti	2.00	0.00	79.99	159.98
51299 2010 Brunello di Montalcino, Argiano	2.00	0.00	48.99	97.98

Payments: 281.18

Net Order: 257.96

12/18/2014 VSYAC839056A *****3008 281.18

Freight: 0.00
Sales Tax: 23.22

USD 281.18

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ORDER DETAILS

Order No.: SO-0000464739

Order Date.: Dec 18, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino, Argiano, 750 ml	2	0	2	0	\$48.99	\$97.98
2010 Brunello di Montalcino, Pacenti, 750 ml	2	0	2	0	\$79.99	\$159.98

Subtotal: \$257.96

Tax: \$23.22

Total: \$281.18

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino, Argiano, 750 ml	2	0	2
2010 Brunello di Montalcino, Pacenti, 750 ml	2	0	2

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Newsletters

Learn About Wine

Regions
Producers
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Wine Expert Reviews

Customer Service

Pre-Arrival vs. In-Stock
Shipping Info
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RSS Center
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Berkeley, CA 94710
Click here for directions

Store Hours

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Saturday: 10am-5pm
Sunday: Closed

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000463762
Order Date: 12/9/2014

Salesperson: PB
Customer: 572
Customer PO:

Sold To

Carl Adrignola
4219 Cosira Court
San Diego, CA 92124 USA

Ship To

Carl Adrignola
C/O Cubic Transportation Inc
5650 Kearny Mesa Rd
San Diego, CA 92111 USA

Contact: Carl R Adrignola
Phone: (858) 864-9378

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
41297 09 Suduiraut 1/2	2.00	0.00	49.99	99.98
41914 Chiquet Tradition Brut 1er Cru 1/2	2.00	0.00	25.99	51.98
47830 Chartogne-Taillet Brut Cuvée St. Anne 1/2	2.00	0.00	28.99	57.98
51265 2010 Brunello di Montalcino Tenuta Nuova, di Neri	2.00	0.00	79.99	159.98
51257 2010 Brunello di Montalcino Pianrosso, Piccolomini	2.00	0.00	59.99	119.98
51263 2010 Brunello di Montalcino Castelgiocondo, Frescobaldi	2.00	0.00	49.99	99.98

Payments: 642.97

Net Order: 379.94 ~~589.88~~

12/9/2014 VXHAC9664FFB *****3008 642.97

Freight: 0.00
Sales Tax: 34.19 ~~53.09~~

USD 414.13 ~~642.97~~

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ORDER DETAILS

Order No.: SO-0000463762

Order Date.: Dec 9, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Suduiraut 1/2, 375 ml	2	2	0	0	\$49.99	\$99.98
Chiquet Tradition Brut 1er Cru 1/2, 375 ml	2	2	0	0	\$25.99	\$51.98
Chartogne-Taillet Brut Cuvee St. Anne 1/2, 375 ml	2	2	0	0	\$28.99	\$57.98
2010 Brunello di Montalcino Pianrosso, Piccolomini, 750 ml	2	0	2	0	\$59.99	\$119.98
2010 Brunello di Montalcino Castelfiocondo, Frescobaldi, 750 ml	2	0	2	0	\$49.99	\$99.98
2010 Brunello di Montalcino Tenuta Nuova, di Neri, 750 ml	2	0	2	0	\$79.99	\$159.98

379.94 Subtotal: ~~\$589.88~~34.19 Tax: ~~\$53.09~~414.13 Total: ~~\$642.97~~

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Suduiraut 1/2, 375 ml	2	2	0
Chiquet Tradition Brut 1er Cru 1/2, 375 ml	2	2	0
Chartogne-Taillet Brut Cuvee St. Anne 1/2, 375 ml	2	2	0
2010 Brunello di Montalcino Pianrosso, Piccolomini, 750 ml	2	0	2
2010 Brunello di Montalcino Castelfiocondo, Frescobaldi, 750 ml	2	0	2
2010 Brunello di Montalcino Tenuta Nuova, di Neri, 750 ml	2	0	2

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Newsletters

Learn About Wine

Regions

Producers

Feature Articles

Wine Expert Reviews

Customer Service

Pre-Arrival vs. In-Stock

Shipping Info

Terms and Conditions

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