

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

LM
4:32 PM
FILED
FEB 22 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?

stephen ardizzone

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?

Where should notices to the creditor be sent?

stephen ardizzone

Name

7 buttoonwood rd

Number Street

staten island

ny

10304

City

State

ZIP Code

Contact phone 9174789581

Contact email zoneenergy@aol.com

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

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? \$ 21,463.45. 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

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).

Amount entitled to priority

\$ _____

☐ 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 02/11/2016
MM / DD / YYYY



Signature

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

Name stephen ardizzone
First name Middle name Last name

Title _____

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

Address 7 buttonwood rd
Number Street
staten island ny 10304
City State ZIP Code

Contact phone 9174789581 Email zoneenergy@aol.com

**Premier Cru
Shipping Invoice**

February 25, 2004

SOLD TO

Stephen Ardizzone

SHIP TO

Stephen Ardizzone

7 Button Wood Road

Staten Island NY 10304

Second Day

| Box | # Bottles | Bottle Size | Weight | Shipping Cost |
|-----|-----------|-------------|--------|---------------|
| 1 | 12 | 750ml Still | 38 | 60.80 |
| 2 | 12 | 750ml Still | 38 | 60.80 |
| 3 | 12 | 750ml Still | 38 | 60.80 |
| 4 | 12 | 750ml Still | 38 | 60.80 |

| | | | |
|-------------------|-------------|-----------|--------|
| VALUE OF SHIPMENT | \$ 6,120.00 | INSURANCE | 21.35 |
| TOTAL | 48 | 152 | 264.55 |

PREMIER CRU

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

Invoice

Page: 1

Number: 0000051881

Date: 11/8/2004

Salesperson:

Customer: SARD

| Sold To | Ship To |
|---|---|
| Stephen Ardizzone 1 North End Ave. New York, NY 10280 USA | Stephen Ardizzone 1 North End Ave. New York, NY 10280 USA |

| Customer P.O. | Ship Via | F.O.B | Terms |
|---------------|----------|-------|-------|
| | UPS | PRE | |

| Item | Description | Qty Shipped | Price | Amount |
|---|---------------------------|-------------|--------|--------|
| FREIGHT | Freight for wines shipped | 1.00 | 274.80 | 274.80 |
| Payment/Credit from Document: YE08400306-CR | | | | 274.80 |

Contact: Stephen Ardizzone

| | |
|-----------------------|--------|
| Subtotal | 274.80 |
| Freight | 0.00 |
| Sales Tax | 0.00 |
| Trade Discount | 0.00 |
| Payment/Credit Amount | 274.80 |
| Balance | 0.00 |

**Premier Cru
Shipping Invoice**

November 8, 2004

SOLD TO

Stephen Andizzone

SHIP TO

Stephen Andizzone

7 Button Wood Road

Staten Island NY 10304

Ground - Residential

| Box | # Bottles | Bottle Size | Weight | Shipping Cost |
|-------------------|--------------|-------------|-----------|---------------|
| 1 | 12 | 750ml Still | 39 | 31.90 |
| 2 | 12 | 750ml Still | 38 | 31.37 |
| 3 | 12 | 750ml Still | 38 | 31.37 |
| 4 | 12 | 750ml Still | 39 | 31.90 |
| 5 | 12 | 750ml Still | 37 | 30.83 |
| 6 | 8 | 750ml Still | 26 | 23.21 |
| 7 | 1 | 3ltr. | 12 | 14.32 |
| 8 | wood | | 22 | 20.99 |
| 9 | wood | | 26 | 23.21 |
| VALUE OF SHIPMENT | \$ 10,210.00 | | INSURANCE | 35.70 |
| TOTAL | 69 | | 277 | 274.80 |

PREMIER CRU

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

Sales Order

Page: 1

Order Number: 0000115425
Order Date: 3/14/2003
Change Order: 0
Confirm No:
Salesperson: NP
Customer: SARD
Customer PO:

| Sold To | Ship To |
|---|---|
| Stephen Ardizzone 1 North End Ave. New York, NY 10280 USA | Stephen Ardizzone 1 North End Ave. New York, NY 10280 USA |

This is your copy. Pre-arrival wines.

Phone: (212)619-8147

| Acknowledged | Requested | Ship Via | FOB | Terms |
|--------------|-----------|----------|-------------|----------------------|
| | 3/17/2003 | UPS | Premier Cru | Prepaid - Thank You! |

| Item | Ordered | Quantity Shipped | Back Order | UOM | Unit Price | Amount |
|------------------------------|---------|------------------|------------|------|------------|----------|
| 1 20959 2000 Lafite | 12.00 | 0.00 | 0.00 | Each | 319.95 | 3,839.40 |
| 2 21095 2000 Angelus | 2.00 | 0.00 | 0.00 | Each | 159.95 | 319.90 |
| 3 20594 2000 Leoville Barton | 1.00 | 0.00 | 0.00 | Each | 115.00 | 115.00 |
| 4 21025 2000 Pichon Baron | 2.00 | 0.00 | 0.00 | Each | 79.95 | 159.90 |
| 5 20990 2000 Lynch Bages | 2.00 | 0.00 | 0.00 | Each | 79.95 | 159.90 |

8301
9322.50

Net Order: 4,594.10
Discount: 0.00
Freight: 0.00
Sales Tax: 0.00

APPROVED BY:

X

Balance: USD 4,594.10

PREMIER CRU

PACKING LIST



Customer: SARD
Packing List No: 504

Ship From: PRE
Premier Cru Warehouse
USA

(510) 655-6691

Ship To: Stephen Ardizzone
SHIP
Stephen Ardizzone
7 Button Wood Road
212-619-8147
Staten Island, NY 10304 USA

| Customer P.O. | | Ship Via | | FOB |
|---------------|------|----------|-------------------|-----|
| | | UPS 2DAY | | PRE |
| Quantity | UOM | Item | Description | |
| 2.00 | Each | 21095 | 2000 Angelus | |
| 2.00 | Each | 21025 | 2000 Pichon Baron | |
| 22.00 | Each | 21095 | 2000 Angelus | |
| 22.00 | Each | 21025 | 2000 Pichon Baron | |
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PACKING LIST



Customer: SARD
Packing List No: 1000

Ship From: PRE
Premier Cru Warehouse
USA

(510) 655-6691

Ship To: Stephen Ardizzone
SHIP
Stephen Ardizzone
7 Button Wood Road
212-619-8147
Staten Island, NY 10304 USA

| Customer P.O. | | Ship Via | | FOB |
|---------------|------|----------|----------------------------|-----|
| | | UPS | | PRE |
| Quantity | UOM | Item | Description | |
| 12.00 | Each | 20959 | 2000 Lafite | |
| 12.00 | Each | 20795 | 2000 Grand Puy Lacoste | |
| 8.00 | Each | 20936 | 2000 Petite Village | |
| 1.00 | Each | 21306 | 2000 Pichon Baron, 3 Liter | |
| 1.00 | Each | 20594 | 2000 Leoville Barton | |
| 4.00 | Each | 20594 | 2000 Leoville Barton | |
| 7.00 | Each | 20594 | 2000 Leoville Barton | |
| 2.00 | Each | 20990 | 2000 Lynch Bages | |
| 22.00 | Each | 20990 | 2000 Lynch Bages | |

PREMIER CRU

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

Invoice

Page: 1

Number: 0000031371

Date: 2/25/2004

Salesperson:

Customer: SARD

| Sold To | Ship To |
|---|--|
| Stephen Ardizzone 1 North End Ave. New York, NY 10280 USA | Stephen Ardizzone 7 Button Wood Road 212-619-8147 Staten Island, NY 10304 USA |

| Customer P.O. | Ship Via | F.O.B | Terms |
|---------------|----------|-------|-------|
| | UPS 2DAY | PRE | |

| Item | Description | Qty Shipped | Price | Amount |
|---|---------------------------|-------------|-------|--------|
| FREIGHT | Freight for wines shipped | 1.00 | 0.00 | 264.55 |
| Payment/Credit from Document: NE10884837-CR | | | | 264.55 |

| | |
|-----------------------|--------|
| Subtotal | 264.55 |
| Freight | 0.00 |
| Sales Tax | 0.00 |
| Trade Discount | 0.00 |
| Payment/Credit Amount | 264.55 |
| Balance | 0.00 |

Contact: