

FILED

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U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CAL.
OAKLAND, CA.

OP

Fill in this information to identify the case:

Debtor 1 Arthur Bankhurst

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the Northern District of California, Oakland Division District of _____

Case number 16-40050 WJL 7

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>Arthur Bankhurst</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? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>Arthur Bankhurst</u> Name <u>376 Juniper Hill Rd NE</u> Number Street <u>Albuquerque, NM 87122</u> City State ZIP Code Contact phone <u>(505) 259-5020</u> Contact email <u>abankhurst@salud.unm.edu</u>	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?	<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? \$ 17,000.00 worth of wine 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 paid for, delivered, and in segregated storage awaiting pick-up at the facility.
The wine is the property of the creditor (see attached proof).

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:

Wine

Basis for perfection: Attached showing invoice, delivery, payment, and storage

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: \$ 17,000.00

Amount of the claim that is secured: \$ 0

Amount of the claim that is unsecured: \$ 17,000.00 (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: \$ 0

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 02/16/2016
MM / DD / YYYY

Signature

Arthur Bankhurst

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

Name	Arthur	Dale	Bankhurst
	First name	Middle name	Last name
Title			
Company			
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	376 Juniper Hill Rd NE		
	Number	Street	
	Albuquerque,	NM	87122
	City	State	ZIP Code
Contact phone	(505) 259-5020	Email	abankhurst@salud.unm.edu

Arthur Bankhurst

From: Premier Cru <shipping@premiercru.net>
Sent: Wednesday, July 22, 2015 12:00 PM
To: Arthur Bankhurst
Subject: Premier Cru - Your wine has arrived

Please see your summary below of your New Arrivals and a summary of all of your Previous Arrivals in our warehouse.

- Shipping information is required before we ship your wines. We do not ship until requested
- Pickup information is noted below

Shipping Information required:

1. Ship to address – Adult signature is required.
2. Credit Card information – Please note the last 4 digits of your credit card for your shipping fees. You may update your card under My Account (<https://www.premiercru.net/premier/user/ShowAccount.do>).
3. Ship Method - Please provide shipping speed (ground, 2 day, overnight). UPS is our preferred provider.

Shipping Information: <http://www.premiercru.net/premier/company/ShippingInfo.do>

Weather resource: http://www.weather.com/maps/activity/travel/usweathertoday_large.html

4. Ship Date – Please provide your ship date and allow, at least, 48 hours for us to prepare your shipment.

Please note: We do not advise shipping in warmer or freezing temperatures and if so, recommend Next Day morning delivery. We are not responsible for any wines damaged by weather once they have left our warehouse.

Pickups:

- Please allow 72 hours for us to gather your wines.

For further assistance, please email us at shipping@premiercru.net or call us at 510-644-9463.

Pick Up Address:
1011 University Ave
Berkeley, CA 94710

Premier Cru
510-644-9463 ext. 0
shipping@premiercru.net
www.premiercru.net

Store Hours – 10am-6pm Monday-Friday | 10am-5pm Saturday | Closed Sunday |

Id: Albuquerque
Name: Arthur Bankhurst

The items listed below are your wines currently in our warehouse.

New Arrivals

OrderNumber	OrderDate	WineName	Qty
0000398782	12/06/2012	99 Pommard Grands Epenots, Gaunoux	2
0000443702	04/28/2014	2010 Barbaresco, Marchesi di Barolo	6
0000422277	09/06/2013	09 Cote Rotie, Jamet	2
0000424418	10/02/2013	2010 Beaucastel	6
0000459488	10/29/2014	2011 Meursault Sous la Vel, Anne Boisson	3
0000444453	05/07/2014	2012 Beaune Theurons, Jadot	4
0000314113	03/13/2009	06 Hermitage Bessards, Delas	2
0000372948	01/27/2012	2010 Smith Haut Lafitte	4

Previously Notified

OrderNumber	OrderDate	WineName	Qty
0000292093	03/27/2008	06 Vosne Romanee Suchots V.V., Laurent	3
0000313417	02/26/2009	06 Vosne Romanee Beauxmon V.V., Laurent	4
0000388434	08/04/2012	07 Barolo Pajana, Clerico	4
0000325591	10/08/2009	07 Volnay Caillerets Ancienne, Bouchard	4
0000346461	12/10/2010	08 Vosne Romanee Suchots, Arnoux	2
0000346461	12/10/2010	08 Vosne Romanee Reignots, Arnoux	2
0000366613	11/11/2011	07 Barolo Garblet Sue', Brovia	4
0000408613	03/28/2013	07 Barolo Santo Stefano di Perno, Masca	2
0000368317	12/02/2011	09 Vosne Romanee Suchots, Chezeaux	2
0000383615	06/14/2012	2010 Cantemerle	6
0000370309	12/24/2011	09 Savigny les Beaune Fourneaux, Bize	6
0000314113	03/13/2009	06 Meursault Poruzots V.V., Laurent	4
0000350487	02/10/2011	Bollinger Special Cuvee	4
0000397126	11/16/2012	07 Barolo Ciabot Mentin, Clerico	4
0000411735	05/03/2013	07 Barolo, Bartolo Mascarello	2
0000419149	07/23/2013	07 Barolo Ciabot Mentin, Clerico	2
0000349630	01/28/2011	09 Volnay Taillepieuds, Bouchard	2
0000358894	07/06/2011	08 Corton, Bouchard	4
0000349630	01/28/2011	09 Beaune Theurons, Jadot	4
0000314113	03/13/2009	Billecart Salmon Rose	6
0000362665	09/12/2011	08 Savigny les Beaune Aux Guettes, Bize	4
0000343854	10/13/2010	09 Corton Clos des Cortons, Faiveley	4
0000385346	06/29/2012	07 Barolo Pajana, Clerico	2
0000360210	07/29/2011	09 Beaune Greves l'Enfant Jesu, Bouchard	4
0000374674	02/16/2012	06 Brunello di Montalcino, Corte Pavone	3
0000371368	01/07/2012	09 Beaune Greves l'Enfant Jesu, Bouchard	3
0000310740	01/15/2009	07 Chablis Clos, Fevre	4
0000379351	04/12/2012	07 Brunello Pianrosso, Ciacci Piccolomin	4
0000395722	10/30/2012	07 Barolo Pajana, Clerico	2
0000366737	11/14/2011	07 Barolo Ginestra Vigna Casa Ma, Grasso	2
0000395720	10/30/2012	07 Barolo Pajana, Clerico	2
0000366737	11/14/2011	07 Barolo Pajana, Clerico	2
0000334523	03/18/2010	07 Gevrey Clos St Jacques, Jadot	4
0000348406	01/10/2011	09 Clos de Beze, Drouhin-Laroze	4
0000340445	07/09/2010	09 Brane Cantenac	4
0000383463	06/11/2012	09 Volnay Taillepieuds, Bitouzet-Prieur	3
0000383463	06/11/2012	09 Boyd Cantenac	4
0000330557	12/23/2009	08 Chablis Montee de Tonnerre, Fevre	6
0000340770	07/19/2010	09 Branaire Ducru	4
0000365349	10/27/2011	09 Clos de la Roche, Lucie & AuguLignier	2
0000386431	07/13/2012	2010 Corton Greves, Jadot	4
0000373190	01/31/2012	2010 Brane Cantenac	4
0000382719	05/31/2012	02 Bollinger Grand Annee	4
0000350529	02/11/2011	09 Vosne Romanee Suchot, Hudelot Noellat	2
0000340445	07/09/2010	09 d'Armailhac	4
0000340445	07/09/2010	09 Clerc Milon	4

0000348406	01/10/2011	09 Corton Pougets, Jadot	2
0000340445	07/09/2010	09 Rouget	4
0000383463	06/11/2012	09 Volnay Clos des Chen, Bitouzet-Prieur	3
0000310740	01/15/2009	07 Chablis Vaudesir, Droin	4
0000313826	03/06/2009	04 Gevrey Fontenys, Roty	6
0000294119	04/24/2008	05 Marsannay Ouzelois, Roty	6
0000299715	07/17/2008	06 Barde Haut	12
0000343854	10/13/2010	08 Chablis Valmur, Fevre	4
0000341365	08/05/2010	09 Gevrey En Champ, Geantet-Pansiot	6
0000302220	08/27/2008	06 Vosne Romanee Beauxmon V.V., Laurent	6
0000302315	08/29/2008	06 Mazis Chambertin 'B' V.V., Laurent	4
0000383615	06/14/2012	09 Corton, Bouchard	2
0000340445	07/09/2010	09 Malartic Lagraviere	4
0000341078	07/27/2010	09 Beau Sejour Becot	4
0000349630	01/28/2011	09 Nuits les Cailles, Bouchard	2
0000364591	10/17/2011	09 Volnay Clos de la Bousse, Pousse d'Or	2
0000371757	01/13/2012	09 Savigny les Beaune Fourneaux, Bize	6
0000348406	01/10/2011	09 Beaune Boucherottes, Jadot	4
0000364601	10/18/2011	09 Volnay Clos de la Bousse, Pousse d'Or	2
0000323830	09/09/2009	06 Vosne Romanee Reignots V.V., Laurent	4
0000373352	02/02/2012	07 Brunello di Montalcino, Valdicava	2
0000381286	05/07/2012	07 Brunello Pianrosso, Ciacci Piccolomin	3
0000294727	05/02/2008	06 Vosne Romanee Suchots V.V., Laurent	6
0000381286	05/07/2012	07 Brunello Poggio Alle Mura, Banfi	3
0000319970	06/29/2009	07 Chateauneuf Mon Aieul, Usseglio	2
0000394706	10/19/2012	02 Bollinger Grand Annee	4
0000357396	06/10/2011	09 Clos de la Roche, Lucie & AuguLignier	2
0000323830	09/09/2009	06 Vosne Romanee Beauxmon V.V., Laurent	4
0000400417	12/26/2012	07 Brunello Altero, Poggio Antico	4
0000328723	11/20/2009	06 Nuits Vaucrains V.V., Laurent	4
0000314113	03/13/2009	06 Vosne Romanee Beauxmon V.V., Laurent	2
0000371698	01/11/2012	07 Barolo Pajana, Clerico	3
0000381884	05/16/2012	07 Barolo Pajana, Clerico	4
0000349909	02/03/2011	09 Gevrey Poissenots, Geantet-Pansiot	4
0000325280	10/01/2009	07 Meursault Perrieres, Bouchard	4