

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

FILED

2016 FEB 26 AM 9:58  
U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
OAKLAND, CA.

## 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>Richard D. Cameron</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>Richard D. Cameron</u> Name <u>3102 Hamilton Street</u> Number Street <u>Napa</u> <u>CA</u> <u>94558</u> City State ZIP Code  Contact phone <u>201-394-3483</u> Contact email <u>richc@brelect.com</u>  Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different)  Name _____ Number Street _____ City State ZIP Code _____  Contact phone _____ Contact email _____
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: 0 3 4 1

7. How much is the claim? \$ 2,880.72 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.  
Monies paid for wines (see attached list).

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 02/24/2016  
MM / DD / YYYY

Signature

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

Name Richard David Cameron  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address 3102 Hamilton Street  
Number Street

Napa CA 94558  
City State ZIP Code

Contact phone 201-394-3483 Email richc@brelect.com

From: **Whitney Jacobson** whitney@premiercru.net  
Subject: account overview  
Date: October 5, 2015 at 4:20 PM  
To: richc@brelect.com



Richard,

Here are the items that are available to ship. We won't actually ship them until you let us know when would be the best time for you.

02/12/2013	0000404956	47378	09 Jasper Hill Shiraz Georgia's Paddock	\$89.99	2
07/12/2013	0000417911	45323	2010 Chablis Clos, Billaud-Simon	\$79.99	2
07/12/2013	0000417911	45320	2010 Chablis Vaudesir, Billaud-Simon	\$59.99	1
10/18/2013	0000425541	48573	2011 Chablis Preuses, Billaud-Simon	\$69.99	2
03/09/2013	0000407182	44727	09 Batard Montrachet, Fontaine-Gagnard	\$139.99	1
03/09/2013	0000407182	45571	09 Batard Montrachet, Sauzet	\$245.00	1
03/09/2013	0000407182	47420	2010 Pape Clement	\$179.99	2
01/30/2013	0000403726	46501	09 Ermitage Les Dionnieres, Ferraton	\$79.99	2
02/22/2013	0000405729	44968	2010 Chateauneuf Cuvee Imperiale, R. Usseglio	\$94.99	2
01/11/2014	0000433784	44968	2010 Chateauneuf Cuvee Imperiale, R. Usseglio	\$99.99	2
10/04/2015	0000491562	39843	07 Gigondas Haut Garrigues, Santa Duc	\$79.99	2
01/30/2013	0000403726	46500	09 Ermitage Blanc Le Reverdy, Ferraton	\$79.99	2

Here are the items that are expected in soon:

10/18/2013	0000425540	47228	2011 Chablis Clos, Billaud-Simon	\$69.99	2	fall 2015
05/03/2014	0000444185	49277	2012 Chablis Bougros Cote de Bouguerots, Fevre	\$79.99	2	winter 2015
12/16/2013	0000431136	48276	2010 Barbaresco Rabaja, Bruno Rocca	\$69.99	2	winter 2015
10/01/2014	0000456734	47710	2010 Cornas V.V., Voge	\$127.99	2	winter 2015

And we are refunding via check:

02/22/2013	0000405733	45941	08 Barolo Conteisa, Gaja	\$169.99	1
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Please let me know if you have any questions.

Thanks,

Whitney Jacobson  
Premier Cru - the world's finest wines  
1011 University Avenue  
Berkeley, CA 94710  
phone (510) 644-9463 ext. 17  
[whitney@premiercru.net](mailto:whitney@premiercru.net)