

**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

FILED

2016 FEB 25 AM 9:51

U.S. BANKRUPTCY COURT  
 NORTHERN DIST. OF CAL.  
 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?

Robert A. Davis  
 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?

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

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Robert A. Davis  
 Name  
955 Minisink Way  
 Number Street  
Westfield NJ 07090  
 City State ZIP Code  
 Contact phone 908-233-8040  
 Contact email rd@ardavisagency.com

Robert A. Davis  
 Name  
955 Minisink Way  
 Number Street  
Westfield NJ 07090  
 City State ZIP Code  
 Contact phone 908-233-8040  
 Contact email rd@ardavisagency.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? \_\_\_\_\_

**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? \$ 539.94. 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)?

☒ 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 18 2016  
MM / DD / YYYY

  
Signature

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

Name Robert A. Davis  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address 955 Minisink Way  
Number Street

Westfield NJ 07090  
City State ZIP Code

Contact phone 908-233-8040 Email rdcardavisagency.com

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000490745

Order Date: 9/22/2015

Salesperson: PP

Customer: RDAVI

Customer PO:

Sold To	Ship To
Rob Davis 955 Minisink Way Fed Ex account # [REDACTED] Westfield, NJ 07090 USA	Rob Davis 955 Minisink Way Fed Ex account # [REDACTED] Westfield, NJ 07090 USA

Contact: Rob Davis  
Phone: (908) 233-8040

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51681 06 Taittinger Comtes de Champagne Blanc de Blancs	6.00	0.00	89.99	539.94

Payments: 539.94

Net Order: 539.94

Freight: 0.00

Sales Tax: 0.00

10/7/2015	AL0ACAB9C0C7	*****2330	539.94
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USD 539.94

Visa Signature®

ROBERT A DAVIS  
 Account Number [REDACTED]  
 October 5 - November 4, 2015

Account Information:  
 www.bankofamerica.com

## Mail billing inquiries to:

Bank of America  
 P.O. Box 982235  
 El Paso TX 79998-2235

## Mail payments to:

Bank of America  
 P.O. Box 15019  
 Wilmington DE 19886-5019

## Customer Service:

1.800.421.2110

(1.800.346.3178 TTY)

## Payment Information

New Balance Total .....\$8,532.87  
 Current Payment Due .....\$85.00

Total Minimum Payment Due .....\$85.00  
 Payment Due Date .....12/1/15

**Late Payment Warning:** If we do not receive your Total Minimum Payment by the date listed above, you may have to pay a late fee of up to \$38.00 and your APRs may be increased up to the Penalty APR of 29.99%.

**Total Minimum Payment Warning:** If you make only the Total Minimum Payment each period, you will pay more in interest and it will take you longer to pay off your balance. For example:

If you make no additional charges using this card and each month you pay	You will payoff the balance shown on this statement in about	And you will end up paying an estimated total of
Only the Total Minimum Payment	22 years	\$16,673.00
\$282.00	36 months	\$10,152.00 (Savings = \$6,521.00)

If you would like information about credit counseling services, call 1-866-300-5238.

## Account Summary

Previous Balance .....\$7,869.08  
 Payments and Other Credits .....-7,908.04  
 Purchases and Adjustments .....8,570.30  
**Fees Charged** .....1.53  
**Interest Charged** .....0.00

New Balance Total .....\$8,532.87

Total Credit Line .....\$15,000.00  
 Total Credit Available .....\$6,467.13  
 Cash Credit Line .....\$6,000.00  
 Portion of Credit Available for Cash .....\$6,000.00  
 Statement Closing Date .....11/4/15  
 Days in Billing Cycle .....31

## Transactions

Transaction Date	Posting Date	Description	Reference Number	Account Number	Amount	Total
<b>Payments and Other Credits</b>						
10/05	10/05	[REDACTED]				
10/06	10/06	[REDACTED]				
10/15	10/15	[REDACTED]				
						-\$7,908.04
10/15	10/16	[REDACTED]	0472	2330	30.00	
10/15	10/17	[REDACTED]	7000	2330	33.00	
10/15	10/17	[REDACTED]	1000	2330	33.00	
10/16	10/17	[REDACTED]	4100	2330	33.00	
10/16	10/17	[REDACTED]	2000	2330	33.00	
10/16	10/17	ALGREENS 113700 WESTFIELD NJ	0284	2330	40.00	
10/16	10/19	THE HOME DEPOT 6903 GARWOOD NJ	9548	2330	5.94	
10/17	10/19	TOP & SHOP 0857 WESTFIELD NJ	2829	2330	79.63	
10/17	10/19	AMERICANES.COM 425 950 2885 WA	0789	2330	5.00	
10/18	10/19	[REDACTED] Garwood NJ	6554	2330	34.00	
10/18	10/19	LAKE OF MOUNTAINS MOUNTAINVIEW NJ	0046	2330	26.00	

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Transactions continued

Transaction Date	Posting Date	Description	Reference Number	Account Number	Amount	Total
<b>Purchases and Adjustments</b>						
10/03	10/05	MAZZELLAS OF MOUNTAINS MOUNTAINSIDE NJ	0664	2330	12.15	
10/03	10/05	TOP & SHOP 0857 WESTFIELD NJ	1153	2330	15.40	
10/03	10/05	SHRIL OIL 91002281015 MOUNTAINSIDE NJ	7632	2330	35.38	
10/04	10/05	NETFLIX.COM CA	8971	2330	29.38	
10/04	10/05	REBATH'S BEYOND #309 WATCHUNG NJ	2330	2330	78.44	
10/04	10/06	WATCHUNG NJ	0825	2330	105.30	
10/04	10/06	P CARWOOD HESS GARWOOD NJ	6532	2330	35.85	
10/05	10/06	WESTFIELD BASKETBALL ASS 732-660-1700 NJ	0166	2330	350.00	
10/05	10/06	TOP & SHOP 0857 WESTFIELD NJ	9536	2330	68.01	
10/05	10/07	PIZZA WESTFIELD NJ	9695	2330	17.00	
10/06	10/07	NETFLIX.COM/BILL 866-712-7753 CA	2099	2330	4.14	
10/06	10/07	Garwood NJ	0850	2330	13.50	
10/07	10/08	UNDER ARMOUR DIRECT VIRT UNDER ARMOUR CMD	8692	2330	48.98	
10/07	10/08	UNDER ARMOUR DIRECT VIRT UNDER ARMOUR CMD	8684	2330	17.99	
10/07	10/08	PIZZA WESTFIELD NJ	6040	2330	38.80	
10/07	10/08	WALGREENS #13700 WESTFIELD NJ	1476	2330		
10/07	10/09	PREMIER CRU-INTERNET 510-644-9463 CA	9762	2330	539.94	
10/08	10/09	PG VIRGINIA SCC 925-855-5000 CA	5717	2330	160.06	
10/08	10/09	PG MSC SERVICE FEE 021 800-487-4567 NE	5899	2330	2.35	
10/09	10/10	TOP & SHOP 0857 WESTFIELD NJ	6010	2330	148.08	
10/09	10/10	TAPE DIRECT 800-333-3330 MA	1482	2330	74.88	
10/08	10/12	PUBLIC HOUSE MOUNTAINSIDE NJ	0601	2330	23.26	
10/09	10/12	ANY NATURAL PHARMA WESTFIELD NJ	7370	2330	6.80	
10/10	10/12	WESTFIELD NJ	9827	2330	6.63	
10/10	10/12	MAZZELLAS OF MOUNTAINS MOUNTAINSIDE NJ	0327	2330	34.68	
10/11	10/12	VAL'S RYTH ROUTIQUE WESTFIELD NJ	0582	2330	68.48	
10/11	10/13	OSIES WINE BAR GARWOOD NJ	4545	2330	81.80	
10/12	10/13	ANY'S SHOPS #2 GARWOOD NJ	6193	2330	67.45	
10/12	10/13	PR LICENSING SERV 855-674-6477 MO	1156	2330	40.08	
10/12	10/13	TY SPORTS INC #027 WESTFIELD NJ	0993	2330	157.38	
10/12	10/13	TY SPORTS INC #027 WESTFIELD NJ	0829	2330	94.80	
10/13	10/13	NETFLIX.COM/BILL 866-712-7753 CA	8043	2330	1.06	
10/12	10/14	THE HOME DEPOT 6903 GARWOOD NJ	8167	2330	32.00	
10/12	10/14	WALGREENS WESTFIELD NJ	9894	2330	139.04	
10/13	10/14	PR LICENSING SERV 855-674-6477 MO	9521	2330	125.04	
10/13	10/14	PR LICENSING SERV 855-674-6477 MO	5006	2330	515.06	
10/13	10/14	PETER KAPSIANIS DDS PA SUMMIT NJ	4599	2330	1,595.00	
10/13	10/14	ARMON #8036 WESTFIELD NJ	1538	2330	47.66	
10/13	10/14	TRIC SPORTING GOODS 032 UNION NJ	0016	2330	20.29	
10/13	10/15	ACEWAY PETROL 61160024 WESTFIELD NJ	0221	2330	34.29	
10/13	10/15	UDYS OF GARWOOD LLC GARWOOD NJ	2502	2330	93.00	
10/15	10/16	NO *LOADED Garwood NJ	7994	2330	13.50	
10/15	10/16	TOP & SHOP 0857 WESTFIELD NJ	9472	2330	39.06	
10/15	10/17	UNOCO 0130788301 WESTFIELD NJ	7506	2330	38.00	
10/15	10/17	ALLERGY DIAGNOSTIC AND TRSUMMIT NJ	1594	2330	75.00	
10/16	10/17	GOLFSMITH GOLF CTR #60 BRIDGEWATER NJ	0146	2330	159.82	
10/16	10/17	TOP & SHOP 0857 WESTFIELD NJ	7343	2330	15.37	
10/16	10/17	WALGREENS #13700 WESTFIELD NJ	2284	2330	40.07	
10/16	10/19	THE HOME DEPOT 6903 GARWOOD NJ	9548	2330	5.34	
10/17	10/19	TOP & SHOP 0857 WESTFIELD NJ	2829	2330	79.53	
10/17	10/19	STEAMGAMES.COM 425-952-2985 WA	9739	2330	5.00	
10/18	10/19	NO *LOADED Garwood NJ	6554	2330	31.50	
10/18	10/19	MAZZELLAS OF MOUNTAINS MOUNTAINSIDE NJ	0046	2330	26.65	

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