


**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 11:19 a.m.  
**FILED**

MAR 01 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>Lee R. Weiss</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 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>Lee R. Weiss</u> Name <u>810 Manhattan Avenue</u> Number Street <u>Hermosa Beach</u> <u>CA</u> <u>90254</u> City State ZIP Code  Contact phone <u>310-692-5100</u> Contact email <u>drleeweiss@gmail.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 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 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? \$ 12,200.00. 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.

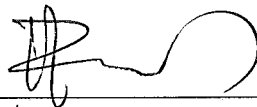
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

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 17 2016  
MM / DD / YYYY



Signature

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

Name Lee R. Weiss  
First name Middle name Last name

Title \_\_\_\_\_

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

Address 810 Manhattan Avenue  
Number Street

Hermosa Beach CA 90254

City State ZIP Code

Contact phone 310-692-5100 Email drleeweiss@gmail.com

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## ORDER DETAILS

Order No.: SO-0000488197

Order Date.: Aug 23, 2015

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Cote Rotie La Mouline, Guigal, 750 ml	6	0	6	0	\$189.99	\$1,139.94
2007 Roederer Cristal, 750 ml	12	0	12	0	\$104.99	\$1,259.88

Subtotal: \$2,399.82

Tax: \$227.98

Total: \$2,627.80

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Cote Rotie La Mouline, Guigal, 750 ml	6	0	6
2007 Roederer Cristal, 750 ml	12	0	12

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Transaction Details Prepared for  
**Lee R Weiss**  
Account Number  
**XXXX-XXXXXX-24005**

DATE	DESCRIPTION	CARD MEMBER	AMOUNT
AUG23 2015	PREMIER CRU -INTERNE510-644-9463 CA	LEE R WEISS	\$2,627.80
Doing business as: <b>PREMIER CRU-WINE SHOP</b> 1011 UNIVERSITY AVE BERKELEY CA 947102113 UNITED STATES OF AMERICA (THE)  Additional Information: 510-644-9463 Reference: 320152360148551575 Category: Merchandise & Supplies - Groceries			

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## ORDER DETAILS

Order No.: SO-0000490422

Order Date.: Sep 20, 2015

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2007 Cristal Rose, 750 ml	6	0	6	0	\$225.00	\$1,350.00

Subtotal: \$1,350.00

Tax: \$128.25

Total: \$1,478.25

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2007 Cristal Rose, 750 ml	6	0	6

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## Sales Order

Page: 1  
Order Number: 0000490422  
Order Date: 9/20/2015  
Web Order No: 185530  
Salesperson:  
Customer: lwei  
Customer PO:

Sold To	Ship To
Lee Weiss 810 Manhattan Avenue Hermosa Beach, CA 90254 USA	Lee Weiss 810 Manhattan Avenue Hermosa Beach, CA 90254 USA

Contact: Lee Weiss  
Phone: (310) 692-5100

Item	Ordered	Quantity Shipped	Unit Price	Amount
52754 07 Cristal Rose	6.00	0.00	225.00	1,350.00

Payments: 1,478.25

Net Order: 1,350.00

9/20/2015	AS1AD7912711	*****8332	1,478.25
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Freight: 0.00  
Sales Tax: 128.25

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Order No.: SO-0000491010

Order Date.: Sep 26, 2015

Status: Open

**PURCHASE DETAILS**

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
Krug Magnums, 1.5 L	4	0	4	0	\$209.99	\$839.96

Subtotal: \$839.96

Tax: \$79.80

Total: \$919.76

**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
Krug Magnums, 1.5 L	4	0	4

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## Sales Order

Page: 1  
Order Number: 0000494645  
Order Date: 11/15/2015  
Web Order No: 188980  
Salesperson:  
Customer: lwei  
Customer PO:

### Sold To

Lee Weiss  
810 Manhattan Avenue  
Hermosa Beach, CA 90254 USA

### Ship To

Lee Weiss  
810 Manhattan Avenue  
Hermosa Beach, CA 90254 USA

Contact: Lee Weiss  
Phone: (310) 692-5100

Item		Ordered	Quantity Shipped	Unit Price	Amount
CEF46	Krug Rose Mags	3.00	0.00	299.99	899.97

Payments: 985.47

11/15/2015	AX3ADC994EF9	*****4005	985.47
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Net Order: 899.97

Freight: 0.00  
Sales Tax: 85.50

USD

985.47

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## ORDER DETAILS

Order No.: SO-0000492168

Order Date.: Oct 14, 2015

Status: Open

### PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2006 Taittinger Comtes de Champagne Blanc de Blancs, 750 ml	6	0	6	0	\$89.99	\$539.96

Subtotal: \$539.96

Tax: \$51.30

Total: \$591.26

### SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2006 Taittinger Comtes de Champagne Blanc de Blancs, 750 ml	6	0	6

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Transaction Details Prepared for  
**Lee R Weiss**  
Account Number  
XXXX-XXXXXX-24005

DATE	DESCRIPTION	CARD MEMBER	AMOUNT
OCT14 2015	PREMIER CRU -INTERNE510-644-9463 CA	LEE R WEISS	\$591.26
Doing business as: <b>PREMIER CRU-WINE SHOP</b> 1011 UNIVERSITY AVE BERKELEY CA 947102113 UNITED STATES OF AMERICA (THE)  Additional Information: 510-644-9463 Reference: 320152880998368025 Category: Merchandise & Supplies - Groceries			

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Order No.: SO-0000491949

Order Date.: Oct 10, 2015

Status: Open

**PURCHASE DETAILS**

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Cote Rotie La Landonne, Guigal, 750 ml	6	0	6	0	\$179.99	\$1,079.94

Subtotal: \$1,079.94

Tax: \$102.59

Total: \$1,182.53

**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
2011 Cote Rotie La Landonne, Guigal, 750 ml	6	0	6

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Transaction Details Prepared for  
**Lee R Weiss**  
Account Number  
**XXXX-XXXXXX-24005**

DATE	DESCRIPTION	CARD MEMBER	AMOUNT
OCT10 2015	PREMIER CRU -INTERNE510-644-9463 CA	LEE R WEISS	\$1,182.53
Doing business as: <b>PREMIER CRU-WINE SHOP</b> 1011 UNIVERSITY AVE BERKELEY CA 947102113 UNITED STATES OF AMERICA (THE)  Additional Information: 510-644-9463 Reference: 320152850945174579 Category: Merchandise & Supplies - Groceries			

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## ORDER DETAILS

Order No.: SO-0000492879

Order Date.: Oct 24, 2015

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Batard Montrachet, Leflaive, 750 ml	6	0	6	0	\$197.99	\$1,187.96

Subtotal: \$1,187.96

Tax: \$112.86

Total: \$1,300.82

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2013 Batard Montrachet, Leflaive, 750 ml	6	0	6

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## Sales Order

Page: 1  
Order Number: 0000492879  
Order Date: 10/24/2015  
Web Order No: 187469  
Salesperson: MOS  
Customer: lwei  
Customer PO:

Sold To	Ship To
Lee Weiss 810 Manhattan Avenue Hermosa Beach, CA 90254 USA	Lee Weiss 810 Manhattan Avenue Hermosa Beach, CA 90254 USA

Contact: Lee Weiss  
Phone: (310) 692-5100

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
53064 2013 Batard Montrachet, Leflaive	6.00	0.00	197.99	1,187.96

Payments: 1,300.82

Net Order: 1,187.96

10/24/2015	AL1ACB8A2D07	*****8332	1,300.82
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Freight: 0.00  
Sales Tax: 112.86

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## ORDER DETAILS

Order No.: SO-0000493739

Order Date.: Nov 4, 2015

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Chevalier Montrachet La Cabottes, Bouchard, 750 ml	6	0	6	0	\$179.99	\$1,079.94

Subtotal: \$1,079.94

Tax: \$102.59

Total: \$1,182.53

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2013 Chevalier Montrachet La Cabottes, Bouchard, 750 ml	6	0	6

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## Sales Order

Page: 1

Order Number: 0000494968

Order Date: 11/21/2015

Web Order No: 189213

Salesperson: TN

Customer: lwei

Customer PO:

Sold To	Ship To
Lee Weiss 810 Manhattan Avenue Hermosa Beach, CA 90254 USA	Lee Weiss 810 Manhattan Avenue Hermosa Beach, CA 90254 USA

Contact: Lee Weiss  
Phone: (310) 692-5100

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
52288 2013 Chevalier Montrachet La Cabottes, Bouchard	7.00	0.00	134.99	944.93

Payments: 1,034.70

Net Order: 944.93

11/21/2015 AX3ADCE9C927 \*\*\*\*\*4005 1,034.70

Freight: 0.00

Sales Tax: 89.77

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## ORDER DETAILS

Order No.: SO-0000494968

Order Date.: Nov 21, 2015

Status: Open

### PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Chevalier Montrachet La Cabottes, Bouchard, 750 ml	7	0	7	0	\$134.99	\$944.93

Subtotal: \$944.93

Tax: \$89.77

Total: \$1,034.70

### SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2013 Chevalier Montrachet La Cabottes, Bouchard, 750 ml	7	0	7

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Transaction Details Prepared for  
**Lee R Weiss**  
Account Number  
**XXXX-XXXXXX-24005**

DATE	DESCRIPTION	CARD MEMBER	AMOUNT
NOV21 2015	PREMIER CRU -INTERNE510-644-9463 CA	LEE R WEISS	\$1,034.70
Doing business as: <b>PREMIER CRU-WINE SHOP</b> 1011 UNIVERSITY AVE BERKELEY CA 947102113 UNITED STATES OF AMERICA (THE)  Additional Information: 510-644-9463 Reference: 320153270646008257 Category: Merchandise & Supplies - Groceries			

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**ORDER DETAILS**

Order No.: SO-0000494645

Order Date.: Nov 15, 2015

Status: Open

**PURCHASE DETAILS**

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
Krug Rose Mags, 1.5 L	3	0	3	0	\$299.99	\$899.97

Subtotal: \$899.97

Tax: \$85.50

Total: \$985.47

**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
Krug Rose Mags, 1.5 L	3	0	3

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Become a fan!

**Premier Cru**

1011 University Ave

Berkeley, CA 94710

[Click here for directions](#)**Store Hours**

Tuesday-Friday: 10am-6pm

Saturday: 10am-5pm

Sunday: Closed



Transaction Details Prepared for  
**Lee R Weiss**  
Account Number  
XXXX-XXXXXX-24005

DATE	DESCRIPTION	CARD MEMBER	AMOUNT
NOV15 2015	PREMIER CRU -INTERNE510-644-9463 CA	LEE R WEISS	\$985.47
<p>Doing business as: <b>PREMIER CRU-WINE SHOP</b> 1011 UNIVERSITY AVE BERKELEY CA 947102113 UNITED STATES OF AMERICA (THE)</p> <p>Additional Information: 510-644-9463 Reference: 320153210544614026 Category: Merchandise &amp; Supplies - Groceries</p>			

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## ORDER DETAILS

Order No.: SO-0000493831

Order Date.: Nov 6, 2015

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Chevalier Montrachet La Cabottes, Bouchard, 750 ml	6	0	6	0	\$134.99	\$809.96

Subtotal: \$809.96

Tax: \$76.95

Total: \$886.91

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2013 Chevalier Montrachet La Cabottes, Bouchard, 750 ml	6	0	6

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