

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

CP

2016 MAR -1 AM 10:58

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?

Dustin Puim

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?

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

Where should notices to the creditor be sent?

Dustin Puim

Name

9844 Cypresswood Dr. Apt. 1009

Number Street

Houston

TX

77070

City

State

ZIP Code

Contact phone 510-579-2813

Contact email dpuim@yahoo.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? _____

EST. 1997. 100% OWNERSHIP

Image Gallery 1 of 10

Where to Buy

Options:

Merchants selling this wine

| Wine Description | Price (USD) |
|--|--------------------|
| 2009 Chateau Cline+ NY: New York. Add 23.5% Buyer's Premium to all bids. Tax payable on auction fees and/or commission. | AUCTION: Bottle |
| 2009 Chateau Cline+ CA: Cambria. Price excludes sales tax. | \$314.00 Bottle |
| 2009 Chateau Cline+ CA: Los Angeles. Price excludes sales tax. | \$314.00 Bottle |
| 2009 Chateau Cline+ NY: New York. Some exceptions may apply for wines in original wooden cases. Price excludes sales tax. | \$320.00 Bottle |

Average \$300 (ex-tax)

2009 Chateau Leoville Poyferré, Saint-Julien, France

Image Gallery 3 of 13

Where to Buy

Options:

Merchants selling this wine

| Wine Description | Price (USD) |
|---|-----------------------------|
| 2009 Chateau Leoville Poyferré CA: Petaluma. Price excludes sales tax. | \$292.00 Bottle |
| 2009 Chateau Leoville Poyferré CA: Marina Del Rey. Pristine OWC cases only. (Minimum order of 1 case). Price excludes sales tax. | \$294.17 Bottle |
| 2009 Chateau Leoville Poyferré CA: Kapa. Add 17% buyer's premium to all bids. Tax payable on auction fees and/or commission. | \$210.00 AUCTION: Bottle |

Average \$279 (ex-tax)

2010 Chateau Grand-Puy-Lacoste, Pauillac, France

Image Gallery 1 of 9

Where to Buy

Options: Show nearest store | Hide wine notes

Merchants selling this wine (Our sponsors shown in bold)

| Wine Description | Price (USD) |
|--|--|
| Millesima - USA NY: New York. Price excludes sales tax. | \$740.00 D-magnum (3L) 24-Feb-2016 |

Average \$111 (ex-tax)

Current Market Value (as of 2/25/16)

2009 Leoville Poyferré \$279/btl X 6 btl = \$1674

2009 Chateau Cline+ \$360/btl X 3 btl = \$1080

2010 Grand Puy Lacoste \$111/btl X 4 btl (3L) = \$444

Total owed \$3198

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? \$ 3,198.00. 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.
Value of wine not delivered but paid for

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: _____

ORDER DETAILS

Order No.: SO-0000353654
 Order Date.: Apr 5, 2011
 Status: Open

PURCHASE DETAILS

| Wine | Qty | Shipped | Remain | Ready To Ship | Price/Bottle | Total Price |
|----------------------------------|-----|---------|--------|---------------|--------------|-------------|
| 2009 Pavie Macquin, 750 ml | 6 | 6 | 0 | 0 | \$79.99 | \$479.94 |
| 2009 Pontet Canet, 750 ml | 6 | 6 | 0 | 0 | \$139.95 | \$839.70 |
| 2009 Malescot St Exupery, 750 ml | 6 | 6 | 0 | 0 | \$99.99 | \$599.94 |
| 2009 Clinet, 750 ml | 3 | 0 | 3 | 0 | \$179.99 | \$539.97 |
| 2009 Haut Bailly, 750 ml | 3 | 3 | 0 | 0 | \$119.99 | \$359.97 |
| 2009 Leoville Poyferre, 750 ml | 6 | 0 | 6 | 0 | \$139.99 | \$839.94 |
| Subtotal: | | | | | | \$3,659.46 |
| Tax: | | | | | | \$356.80 |
| Total: | | | | | | \$4,016.26 |

SHIPPING DETAILS

| Wine | Ordered | Shipped | Remain |
|----------------------------------|---------|---------|--------|
| 2009 Pavie Macquin, 750 ml | 6 | 6 | 0 |
| 2009 Pontet Canet, 750 ml | 6 | 6 | 0 |
| 2009 Malescot St Exupery, 750 ml | 6 | 6 | 0 |
| 2009 Clinet, 750 ml | 3 | 0 | 3 |
| 2009 Haut Bailly, 750 ml | 3 | 3 | 0 |
| 2009 Leoville Poyferre, 750 ml | 6 | 0 | 6 |

Browse Wines

Featured Wines

What's New
 Newsletters

Learn About Wine

Regions
 Producers
 Feature Articles
 Wine Expert Reviews

Customer Service

Pre-Arrival vs. In-Stock
 Shipping Info
 Terms and Conditions
 RSS Center
 My Account
 Contact Customer Service

About Us

Company History
 Our Staff
 We Buy Wine
 Retail Store
 Contact Us

RSS Center

Find A Wine

Enter Wine

SEARCH

Get Our Newsletter

Enter Email

SUBSCRIBE

About Us

We source the world's finest wines at extremely competitive prices to provide exceptional experiences for collectors, connoisseurs, and everyday wine lovers.

Become a fan!

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).

\$ 2,775.00

☐ 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 02/25/2016
MM / DD / YYYY


Signature

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

Name Dustin Edward Puim
First name Middle name Last name

Title _____

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

Address 9844 Cypresswood Dr. Apt. 1009
Number Street

Houston TX 77070
City State ZIP Code

Contact phone 510-579-2813 Email dpuim@yahoo.com

ORDER DETAILS

Order No.: SO-0000382009
 Order Date.: May 18, 2012
 Status: Open

PURCHASE DETAILS

| Wine | Qty | Shipped | Remain | Ready To Ship | Price/Bottle | Total Price |
|-------------------------------------|-----|---------|--------|---------------|--------------|-------------|
| 2010 Grand Puy Lacoste 3 Liter, 3 L | 1 | 0 | 1 | 0 | \$265.00 | \$265.00 |
| Subtotal: | | | | | | \$265.00 |
| Tax: | | | | | | \$23.19 |
| Total: | | | | | | \$288.19 |

SHIPPING DETAILS

| Wine | Ordered | Shipped | Remain |
|-------------------------------------|---------|---------|--------|
| 2010 Grand Puy Lacoste 3 Liter, 3 L | 1 | 0 | 1 |

Browse Wines

Featured Wines

What's New
 Newsletters

Learn About Wine

Regions
 Producers
 Feature Articles
 Wine Expert Reviews

Customer Service

Pre-Arrival vs. In-Stock
 Shipping Info
 Terms and Conditions
 RSS Center
 My Account
 Contact Customer Service

About Us

Company History
 Our Staff
 We Buy Wine
 Retail Store
 Contact Us

[RSS Center](#)

ENTER WINE

Enter Wine

SEARCH

ENTER EMAIL

Enter Email

SUBSCRIBE

About Us

We source the world's finest wines at extremely competitive prices to provide exceptional experiences for collectors, connoisseurs, and everyday wine lovers.

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