

Debtor 1	<u>Fox Ortega Enterprises, Inc. (Premier Cru)</u>
Debtor 2 (Spouse, if filing)	_____
United States Bankruptcy Court for the: <u>Northern District of California</u>	
Case number	<u>16-40050-WJL 7</u>

**FILED** *9/21 AM*  
 SEP 26 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>N. Anthony Greenhouse</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>N. Anthony Greenhouse</u> Name <u>788 McKinley Ave.</u> Number Street <u>Oakland</u> <u>CA</u> <u>94610-3833</u> City State ZIP Code Contact phone <u>510-452-4841</u> Contact email <u>agreenhouse@yahoo.com</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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) _____	
		Filed on <u>02/24/2016</u> 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? \$ 6543.97 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.  
Still wines and champages sold but not delivered

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: none  
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: \$ 6543.97 (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.

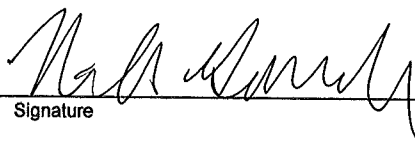
I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

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 09/22/2016

MM / DD / YYYY



Signature

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

Name	N.	Anthony	Greenhouse
	First name	Middle name	Last name
Title	_____		
Company	_____		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	788 McKinley Ave.		
	Number	Street	
	Oakland	CA	94610-3833
	City	State	ZIP Code
Contact phone	510-452-4841		Email agreenhouse@yahoo.com

Greenhouse

Available: 23  
In Transit: 0  
On Order: 104

Open

Total Loss

French Champagne

01/26/2015	0000468009	51301	02 Billecart Salmon Cuvee Nicolas Francois	\$97.49	1		-115	97.49
03/18/2015	0000473714	51789	2005 Bollinger Grand Annee	\$64.99	3		-379	194.97
09/27/2014	0000456394	16784	Bollinger Special Cuvee	\$39.99	3	X	45	0000130880
04/16/2014	0000442526	48107	l'Artiste Extra Brut Blanc de Blancs (07), Leclapar	\$59.99	1		-116	59.99
07/25/2014	0000450670	48107	l'Artiste Extra Brut Blanc de Blancs (07), Leclapar	\$62.99	3		-153	188.97
07/24/2012	0000387347	42925	Egly-Ouriet Brut Rose Grand Cru	\$64.99	1	X	1	0000130880
04/16/2014	0000442526	42924	Egly-Ouriet Tradition Brut Grand Cru	\$34.99	3	X	9	0000130880
07/24/2012	0000387347	42927	Egly-Ouriet V.P Extra Brut Grand Cru	\$59.99	1	X	0	0000130880
07/12/2013	0000417883	42927	Egly-Ouriet V.P Extra Brut Grand Cru	\$69.99	2		-72	139.98
10/30/2014	0000459710	48153	Geoffroy Brut Empreinte	\$29.25	3		-161	87.75
02/10/2014	0000437065	47835	Geoffroy Brut Rose de Saignee	\$39.99	3		-109	119.97
03/21/2014	0000440015	49723	04 Le Brun-Servenay Brut Grand Cru Millesime	\$49.99	3		-32	149.97
01/12/2015	0000466795	49724	04 Le Brun-Servenay Tresor Exhilarante V.V.	\$63.99	2		-239	127.98
08/06/2014	0000451857	47843	04 Pol Roger Brut Rose	\$59.49	2		-425	119.48
09/15/2014	0000455314	50729	06 Pol Roger Brut Rose	\$59.99	3		-49	179.97
02/16/2015	0000470395	50729	06 Pol Roger Brut Rose	\$55.24	2		-664	110.48
03/16/2015	0000473524	50729	06 Pol Roger Brut Rose	\$55.24	3		-730	165.72
10/14/2013	0000425353	48631	2000 Legras Cuvee Saint Vincent	\$49.99	3		-29	149.97
09/30/2013	0000424316	48628	96 Legras Cuvee Saint Vincent	\$79.99	3		-35	239.97
09/30/2013	0000424316	48627	Legras Brut Rose	\$39.99	3		-4	119.97
04/24/2015	0000477038	48627	Legras Brut Rose	\$31.99	3		-44	95.97
12/15/2014	0000464473	48766	05 Taittinger Comtes de Champagne	\$99.99	1		-1,153	99.99
01/19/2015	0000467291	48766	05 Taittinger Comtes de Champagne	\$95.99	1		-1,190	95.99

Subtotal 2822.53

Italy

04/04/2015	0000475159	51299	2010 Brunello di Montalcino, Argiano	\$48.99	2		-1,101	90.98
10/23/2014	0000458810	51010	2010 Barolo Bricco Boschis, Cavallotto	\$54.99	3	XX	161	0000130880
03/07/2011	0000352030	43202	07 Barolo Brunate, Ceretto	\$89.99	2		-2	179.98
07/20/2013	0000418979	48166	04 Barolo Riserva, Marchesi di Barolo	\$57.99	2		-201	115.98
04/04/2015	0000475159	51765	2010 Brunello di Montalcino, Pieve di Santa Restit	\$49.99	2		-330	99.98
10/17/2014	0000458131	51001	2011 Crognolo, Sette Ponti	\$21.99	6	XX	227	0000130880

Subtotal 493.92

Red Bordeaux

08/06/2010	0000341407	41633	09 Leoville Poyferre	\$139.99	3		-470	} 979.93
10/25/2010	0000344490	41633	09 Leoville Poyferre	\$139.99	2		-667	
04/20/2011	0000354528	41633	09 Leoville Poyferre	\$139.99	2		-1,010	
01/28/2011	0000349667	41565	09 Lynch Bages	\$109.99	2		-399	219.98
02/04/2011	0000350189	41565	09 Lynch Bages	\$119.99	1		-400	119.99
12/20/2013	0000431490	47420	2010 Pape Clement	\$209.99	2		-324	419.98
03/15/2012	0000376999	43932	2010 Pichon Baron	\$205.00	3		-342	615. -
08/27/2009	0000323304	39928	08 Pichon Lalande	\$79.99	2		-383	159.98
12/03/2012	0000398503	41218	09 Reignac	\$13.99	6	XX	145	0000130880
03/04/2013	0000406701	43919	2010 Smith Haut Lafitte	\$129.99	3		-458	389.97
02/08/2015	0000469428	47890	2012 Troplong Mondot	\$59.24	3		-1,222	177.72

Subtotal 3082.53

Sauternes

05/06/2010	0000336680	41321	09 Sigalas Rabaud 1/2	\$24.50	2		-19	49.48
------------	------------	-------	-----------------------	---------	---	--	-----	-------

Spain

07/18/2013	0000418588	48129	09 San Roman, Bodegas Y Vinedos Maurodos	\$31.99	3		-106	95.97
------------	------------	-------	--	---------	---	--	------	-------

Grand Total \$6543.97  
Loss

Greenhouse

Available: 23 / 7  
 In Transit: 0  
 On Order: 104

## Open

## French Champagne

01/26/2015	0000468009	51301	02 Billecart Salmon Cuvee Nicolas Francois	\$97.49	1		-115	
03/18/2015	0000473714	51789	2005 Bollinger Grand Annee	\$64.99	3		-379	
09/27/2014	0000456394	16784	Bollinger Special Cuvee	\$39.99	3	X	45	0000130880
04/16/2014	0000442526	48107	L'Artiste Extra Brut Blanc de Blancs (07), Leclapar	\$59.99	1		-116	
07/25/2014	0000450670	48107	L'Artiste Extra Brut Blanc de Blancs (07), Leclapar	\$62.99	3		-153	
07/24/2012	0000387347	42925	Egly-Ouriet Brut Rose Grand Cru	\$64.99	1	X	1	0000130880
04/16/2014	0000442526	42924	Egly-Ouriet Tradition Brut Grand Cru	\$34.99	3	X	9	0000130880
07/24/2012	0000387347	42927	Egly-Ouriet V.P Extra Brut Grand Cru	\$59.99	1	X	0	0000130880
07/12/2013	0000417883	42927	Egly-Ouriet V.P Extra Brut Grand Cru	\$69.99	2		-72	
10/30/2014	0000459710	48153	Geoffroy Brut Empreinte	\$29.25	3		-161	
02/10/2014	0000437065	47835	Geoffroy Brut Rose de Saignee	\$39.99	3		-109	
03/21/2014	0000440015	49723	04 Le Brun-Servenay Brut Grand Cru Millesime	\$49.99	3		-32	
01/12/2015	0000466795	49724	04 Le-Brun-Servenay Tresor Exhilarante V.V.	\$63.99	2		-239	
08/06/2014	0000451857	47843	04 Pol Roger Brut Rose	\$59.49	2		-425	
09/15/2014	0000455314	50729	06 Pol Roger Brut Rose	\$59.99	3		-49	
02/16/2015	0000470395	50729	06 Pol Roger Brut Rose	\$55.24	2		-664	
03/16/2015	0000473524	50729	06 Pol Roger Brut Rose	\$55.24	3		-730	
10/14/2013	0000425353	48631	2000 Legras Cuvee Saint Vincent	\$49.99	3		-29	
09/30/2013	0000424316	48628	96 Legras Cuvee Saint Vincent	\$79.99	3		-35	
09/30/2013	0000424316	48627	Legras Brut Rose	\$39.99	3		-4	
04/24/2015	0000477038	48627	Legras Brut Rose	\$31.99	3		-44	
12/15/2014	0000464473	48766	05 Taittinger Comtes de Champagne	\$99.99	1		-1,153	
01/19/2015	0000467291	48766	05 Taittinger Comtes de Champagne	\$95.99	1		-1,190	

## Italy

04/04/2015	0000475159	51299	2010 Brunello di Montalcino, Argiano	\$48.99	2		-1,101	
10/23/2014	0000458810	51010	2010 Barolo Bricco Boschis, Cavallotto	\$54.99	3	XX	161	0000130880
03/07/2011	0000352030	43202	07 Barolo Brunate, Ceretto	\$89.99	2		-2	
07/20/2013	0000418979	48166	04 Barolo Riserva, Marchesi di Barolo	\$57.99	2		-201	
04/04/2015	0000475159	51765	2010 Brunello di Montalcino, Pieve di Santa Restit	\$49.99	2		-330	
10/17/2014	0000458131	51001	2011 Crognolo, Sette Ponti	\$21.99	6	XX	227	0000130880

## Red Bordeaux

03/06/2010	0000341407	41633	09 Leoville Poyferre	\$139.99	3		-470	
10/25/2010	0000344490	41633	09 Leoville Poyferre	\$139.99	2		-667	
04/20/2011	0000354528	41633	09 Leoville Poyferre	\$139.99	2		-1,010	
01/28/2011	0000349667	41565	09 Lynch Bages	\$109.99	2		-399	
02/04/2011	0000350189	41565	09 Lynch Bages	\$119.99	1		-400	
12/20/2013	0000431490	47420	2010 Pape Clement	\$209.99	2		-324	
03/15/2012	0000376999	43932	2010 Pichon Baron	\$205.00	3		-342	
08/27/2009	0000323304	39928	08 Pichon Lalande	\$79.99	2		-383	
12/03/2012	0000398503	41218	09 Reignac	\$13.99	6	XX	145	0000130880
03/04/2013	0000406701	43919	2010 Smith Haut Lafitte	\$129.99	3		-458	
02/08/2015	0000469428	47890	2012 Troplong Mondot	\$59.24	3		-1,222	

## Sauternes

05/06/2010	0000336680	41321	09 Sigalas Rabaud 1/2	\$24.50	2		-19	
------------	------------	-------	-----------------------	---------	---	--	-----	--

## Spain

07/18/2013	0000418588	48129	09 San Roman, Bodegas Y Vinedos Maurodos	\$31.99	3		-106	
------------	------------	-------	--	---------	---	--	------	--

Total Net Delivered \$6543.97



Greenhouse

Available: 23 / 7  
In Transit: 0  
On Order: 104

Open

French Champagne

01/26/2015	0000468009	51301	02 Billecart Salmon Cuvee Nicolas Francois	\$97.49	1		-115	
03/18/2015	0000473714	51789	2005 Bollinger Grand Annee	\$64.99	3		-379	
09/27/2014	0000456394	16784	Bollinger Special Cuvee	\$39.99	3	X	45	0000130880
04/16/2014	0000442526	48107	l'Artiste Extra Brut Blanc de Blancs (07), Leclapar	\$59.99	1		-116	
07/25/2014	0000450670	48107	l'Artiste Extra Brut Blanc de Blancs (07), Leclapar	\$62.99	3		-153	
07/24/2012	0000387347	42925	Egly-Ouriet Brut Rose Grand Cru	\$64.99	1	X	1	0000130880
04/16/2014	0000442526	42924	Egly-Ouriet Tradition Brut Grand Cru	\$34.99	3	X	9	0000130880
07/24/2012	0000387347	42927	Egly-Ouriet V.P Extra Brut Grand Cru	\$59.99	1	X	0	0000130880
07/12/2013	0000417883	42927	Egly-Ouriet V.P Extra Brut Grand Cru	\$69.99	2		-72	
10/30/2014	0000459710	48153	Geoffroy Brut Empreinte	\$29.25	3		-161	
02/10/2014	0000437065	47835	Geoffroy Brut Rose de Saignee	\$39.99	3		-109	
03/21/2014	0000440015	49723	04 Le Brun-Servenay Brut Grand Cru Millesime	\$49.99	3		-32	
01/12/2015	0000466795	49724	04 Le Brun-Servenay Tresor Exhilarante V.V.	\$63.99	2		-239	
08/06/2014	0000451857	47843	04 Pol Roger Brut Rose	\$59.49	2		-425	
09/15/2014	0000455314	50729	06 Pol Roger Brut Rose	\$59.99	3		-49	
02/16/2015	0000470395	50729	06 Pol Roger Brut Rose	\$55.24	2		-664	
03/16/2015	0000473524	50729	06 Pol Roger Brut Rose	\$55.24	3		-730	
10/14/2013	0000425353	48631	2000 Legras Cuvee Saint Vincent	\$49.99	3		-29	
09/30/2013	0000424316	48628	96 Legras Cuvee Saint Vincent	\$79.99	3		-35	
09/30/2013	0000424316	48627	Legras Brut Rose	\$39.99	3		-4	
04/24/2015	0000477038	48627	Legras Brut Rose	\$31.99	3		-44	
12/15/2014	0000464473	48766	05 Taittinger Comtes de Champagne	\$99.99	1		-1,153	
01/19/2015	0000467291	48766	05 Taittinger Comtes de Champagne	\$95.99	1		-1,190	

Italy

04/04/2015	0000475159	51299	2010 Brunello di Montalcino, Argiano	\$48.99	2		-1,101	
10/23/2014	0000458810	51010	2010 Barolo Bricco Boschis, Cavallotto	\$54.99	3	XX	161	0000130880
03/07/2011	0000352030	43202	07 Barolo Brunate, Ceretto	\$89.99	2		-2	
07/20/2013	0000418979	48166	04 Barolo Riserva, Marchesi di Barolo	\$57.99	2		-201	
04/04/2015	0000475159	51765	2010 Brunello di Montalcino, Pieve di Santa Restit	\$49.99	2		-330	
10/17/2014	0000458131	51001	2011 Crognolo, Sette Ponti	\$21.99	6	XX	227	0000130880

Red Bordeaux

08/06/2010	0000341407	41633	09 Leoville Poyferre	\$139.99	3		-470	
10/25/2010	0000344490	41633	09 Leoville Poyferre	\$139.99	2		-667	
04/20/2011	0000354528	41633	09 Leoville Poyferre	\$139.99	2		-1,010	
01/28/2011	0000349667	41565	09 Lynch Bages	\$109.99	2		-399	
02/04/2011	0000350189	41565	09 Lynch Bages	\$119.99	1		-400	
12/20/2013	0000431490	47420	2010 Pape Clement	\$209.99	2		-324	
03/15/2012	0000376999	43932	2010 Pichon Baron	\$205.00	3		-342	
08/27/2009	0000323304	39928	08 Pichon Lalande	\$79.99	2		-383	
12/03/2012	0000398503	41218	09 Reignac	\$13.99	6	XX	145	0000130880
03/04/2013	0000406701	43919	2010 Smith Haut Lafitte	\$129.99	3		-458	
02/08/2015	0000469428	47890	2012 Troplong Mondot	\$59.24	3		-1,222	

Sauternes

05/06/2010	0000336680	41321	09 Sigalas Rabaud 1/2	\$24.50	2		-19	
------------	------------	-------	-----------------------	---------	---	--	-----	--

Spain

07/18/2013	0000418588	48129	09 San Roman, Bodegas Y Vinedos Maurodos	\$31.99	3		-106	
------------	------------	-------	--	---------	---	--	------	--

U.S. Bankruptcy Court  
1300 Clay Street #300 (94612)  
Post Office Box 2070  
Oakland, CA 94604-2070  
22 September 2016

Attn: Edward J. Emmons  
Clerk of Court

Dear Mr. Emmons –

Please find enclosed my belated additional statement regarding wines purchased, but not delivered, from Premier Cru wine store, bankruptcy case for John Eugene Fox, Case No.: 16-40340 WJL 7. I found additional documentation supporting my claim regarding wines not delivered. Please find my revised Form 410 enclosed along with the aforementioned documentation to support my claim.

I realize that the deadline for filing claims has expired, but I hope that your office will consider my claim.

Thank you.

Sincerely,



N. Anthony Greenhouse  
788 McKinley Ave.  
Oakland, CA 94610-3833

Email: [agreenhouse@yahoo.com](mailto:agreenhouse@yahoo.com)  
Cell: 510-290-4681

Enclosures:  
Previous letter and Form 410 dated 24 Feb 2016

160922ProofOfClaim2

U.S. Bankruptcy Court  
1300 Clay Street #300 (94612)  
Post Office Box 2070  
Oakland, CA 94604-2070  
3 Mar 2016

Attn: Edward J. Emmons  
Clerk of Court

Please find enclosed one (1) original and one (1) copy of my proof of claim (Form 410), along with a self-addressed stamped envelope. Note that I was unable to locate any documentation from "Premier Cru" to support my claim that was determined from some receipts in my possession and notes on my computer.

Please let me know if any further written documentation is needed.

Thank you,

N. Anthony Greenhouse  
788 McKinley Ave.  
Oakland, CA 94610

Email: [agreenhouse@yahoo.com](mailto:agreenhouse@yahoo.com)  
Cell phone: 510-290-4681

160303ProofOfClaim1



**Fill in this information to identify the case:**

Debtor 1 Fox Ortega Enterprises, Inc. (Premier Cru)

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

ORIGINAL FILED  
MAR 04 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.



**Identify the Claim**

1. Who is the current creditor?

N. Anthony Greenhouse

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?

N. Anthony Greenhouse

Name

788 McKinley Ave.

Number

Street

Oakland

CA

94610-3833

City

State

ZIP Code

Contact phone 510-452-4841

Contact email agreenhouse@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? \_\_\_\_\_



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? \$ \$4635.00 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.  
Still wines & champagnes sold but not delivered

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: none  
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: \$ \$4635.00 (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: \$ \_\_\_\_\_  
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 one:

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.

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.

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 N. Anthony Greenhouse  
First name Middle name Last name

Title

Company

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

Address

788 McKinley Ave.,

Number Street

Oakland

CA

94610-3833

City

State

ZIP Code

Contact phone

510-452-4841

Email agreenhouse@yahoo.com

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc. (Premier Cru)

Debtor 2  
(Spouse, if filing) \_\_\_\_\_

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

LM 12:12 PM  
**FILED**  
MAR 04 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>N. Anthony Greenhouse</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)	<b>Where should notices to the creditor be sent?</b>  <u>N. Anthony Greenhouse</u> Name <u>788 McKinley Ave.</u> Number Street <u>Oakland</u> <u>CA</u> <u>94610-3833</u> City State ZIP Code  Contact phone <u>510-452-4841</u> Contact email <u>agreenhouse@yahoo.com</u>	<b>Where should payments to the creditor be sent? (if different)</b>  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? \$ \_\_\_\_\_ \$4635.00 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.  
Still wines & champagnes sold but not delivered

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:** none  
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:** \$ \$4635.00 (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:** \$ \_\_\_\_\_  
**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 one:

☐ 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                      N.                      Anthony                      Greenhouse  
First name                      Middle name                      Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address                      788 McKinley Ave.,  
Number                      Street

Oakland                      CA                      94610-3833

City                      State                      ZIP Code

Contact phone                      510-452-4841                      Email                      agreenhouse@yahoo.com