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FILED
MAR - 9 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

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 7

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?

Roger Scott Sampson

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?

Roger S. Sampson

Name

51 Windsor Avenue

Number Street

Kensington

CA

94708

City

State

ZIP Code

Contact phone 510.663.1100

Contact email rsampson@wavsip.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?

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? \$ 3,492.34 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.
Wine purchased but not received

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 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.

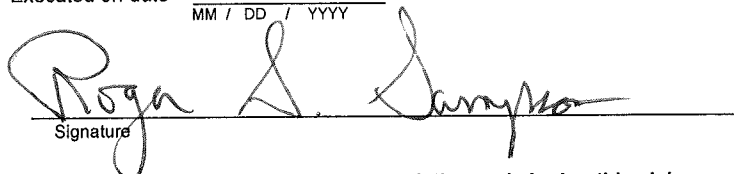
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

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 03/04/2016
MM / DD / YYYY


Signature

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

Name Roger Scott Sampson
First name Middle name Last name

Title _____

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

Address 51 Windsor Avenue
Number Street
Kensington CA 94708
City State ZIP Code

Contact phone 510.663.1100 Email rsampson@wavsip.com

SUMMARY OF UNFULFILLED PREMIER CRU ORDERS

Completely Unfulfilled Orders:

Order Number	Date	Amount
SO-0000474116	March 22, 2015	\$337.82
SO-0000468179	Jan 28, 2015	\$261.38
SO-0000467459	Jan 21, 2015	\$348.76
SO-0000464728	Dec 18, 2014	\$283.33
SO-0000464221	Dec 13, 2014	\$65.39
SO-0000463450	Dec 7, 2014	\$510.02
SO-0000463160	Dec 6, 2014	\$509.99
SO-0000462725	Nov 30, 2014	\$209.25
SO-0000418760	July 19, 2013	\$379.25
	Total:	\$2905.19

Partially Unfulfilled Orders:

Order Number	Date	Unfulfilled Amount (Including Tax)
SO-0000398865	Dec 7, 2012	\$326.21
SO-0000374374	Feb 11, 2012	\$108.73
SO-0000373723	Feb 4, 2012	\$152.21
	Total:	\$587.15

Grand Total: \$3492.34

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ORDER DETAILS

Order No.: SO-0000474116

Order Date.: Mar 22, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Beaucastel Magnum, 1.5 L	1	0	1	0	\$129.99	\$129.99
2004 Rioja Gran Reserva 904, La Rioja Alta, 750 ml	6	0	6	0	\$29.99	\$179.94

Subtotal: \$309.93

Tax: \$27.89

Total: \$337.82

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Beaucastel Magnum, 1.5 L	1	0	1
2004 Rioja Gran Reserva 904, La Rioja Alta, 750 ml	6	0	6

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MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION						
ORDER DETAILS						
Order No.: SO-0000468179						
Order Date.: Jan 28, 2015						
Status: Open						
PURCHASE DETAILS						
Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Saffredi, Le Pupille, 750 ml	4	0	4	0	\$59.95	\$239.80
Subtotal:						\$239.80
Tax:						\$21.58
Total:						\$261.38
SHIPPING DETAILS						
Wine	Ordered	Shipped	Remain			
2012 Saffredi, Le Pupille, 750 ml	4	0	4			

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ORDER DETAILS

Order No.: SO-0000467459

Order Date.: Jan 21, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino, Pacenti, 750 ml	4	0	4	0	\$79.99	\$319.96

Subtotal: \$319.96

Tax: \$28.80

Total: \$348.76

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino, Pacenti, 750 ml	4	0	4

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ORDER DETAILS

Order No.: SO-0000464728

Order Date.: Dec 18, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino Castelgiocondo, Frescobaldi, 750 ml	2	0	2	0	\$49.99	\$99.98
2010 Brunello di Montalcino, San Filippo, 750 ml	4	0	4	0	\$39.99	\$159.96

Subtotal: \$259.94**Tax:** \$23.39**Total:** \$283.33

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino Castelgiocondo, Frescobaldi, 750 ml	2	0	2
2010 Brunello di Montalcino, San Filippo, 750 ml	4	0	4

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ORDER DETAILS

Order No.: SO-0000464221

Order Date.: Dec 13, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Barolo Bric del Fiasc, Scavino, 750 ml	1	0	1	0	\$59.99	\$59.99

Subtotal: \$59.99**Tax:** \$5.40**Total:** \$65.39

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Barolo Bric del Fiasc, Scavino, 750 ml	1	0	1

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ORDER DETAILS

Order No.: SO-0000463450

Order Date.: Dec 7, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Barolo Carobric, Scavino, 750 ml	4	0	4	0	\$51.99	\$207.97
2011 Chateauneuf du Pape Cuvee Reservee, Pegau, 750 ml	4	0	4	0	\$32.49	\$129.97
2012 Chateauneuf Cuvee Imperiale, R. Usseglio, 750 ml	4	0	4	0	\$32.49	\$129.97

Subtotal: \$467.91**Tax:** \$42.11**Total:** \$510.02

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Barolo Carobric, Scavino, 750 ml	4	0	4
2011 Chateauneuf du Pape Cuvee Reservee, Pegau, 750 ml	4	0	4
2012 Chateauneuf Cuvee Imperiale, R. Usseglio, 750 ml	4	0	4

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Order No.: SO-0000463160

Order Date.: Dec 6, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino, La Serena, 750 ml	4	0	4	0	\$37.99	\$151.96
2010 Brunello di Montalcino, Argiano, 750 ml	4	0	4	0	\$39.99	\$159.96
2010 Brunello di Montalcino, San Filippo, 750 ml	4	0	4	0	\$38.99	\$155.96

Subtotal: \$467.88**Tax:** \$42.11**Total:** \$509.99**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino, La Serena, 750 ml	4	0	4
2010 Brunello di Montalcino, Argiano, 750 ml	4	0	4
2010 Brunello di Montalcino, San Filippo, 750 ml	4	0	4

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ORDER DETAILS

Order No.: SO-0000462725

Order Date.: Nov 30, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Chateauneuf Reservee, Pegau, 750 ml	4	0	4	0	\$47.99	\$191.97

Subtotal: \$191.97

Tax: \$17.28

Total: \$209.25

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Chateauneuf Reservee, Pegau, 750 ml	4	0	4

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ORDER DETAILS

Order No.: SO-0000418760

Order Date.: Jul 19, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2004 Barolo Riserva, Marchesi di Barolo, 750 ml	6	0	6	0	\$57.99	\$347.94

Subtotal: \$347.94

Tax: \$31.31

Total: \$379.25

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2004 Barolo Riserva, Marchesi di Barolo, 750 ml	6	0	6

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Order No.: SO-0000398865

Order Date.: Dec 7, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Nuits Chaignots, Cheillon, 750 ml	1	0	1	0	\$69.99	\$69.99
2010 Nuits Roncleres, Cheillon, 750 ml	2	0	2	0	\$69.99	\$139.98
2010 Volnay Santenots, Bollot, 750 ml	1	0	1	0	\$89.99	\$89.99
2010 Gevrey Estournelles St Jacques, Laurent, 750 ml	2	2	0	0	\$69.99	\$139.98
2010 Nuits Bouscelots, Cheillon, 750 ml	1	1	0	0	\$69.99	\$69.99
2010 Clos Vougeot Magnum, Vougerale, 1.5 L	1	1	0	0	\$199.99	\$199.99
2010 Volnay Fremiets, d'Angerville, 750 ml	1	1	0	0	\$79.99	\$79.99
2010 Vosne Romanee Suchots V. V., Laurent, 750 ml	1	1	0	0	\$74.99	\$74.99
2010 Nuits Clos des Forets, Domaine l'Arlot, 750 ml	1	1	0	0	\$79.99	\$79.99

Subtotal: \$944.89**Tax:** \$82.68**Total:** \$1,027.57**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
2010 Nuits Chaignots, Cheillon, 750 ml	1	0	1
2010 Nuits Roncleres, Cheillon, 750 ml	2	0	2
2010 Volnay Santenots, Bollot, 750 ml	1	0	1
2010 Gevrey Estournelles St Jacques, Laurent, 750 ml	2	2	0
2010 Nuits Bouscelots, Cheillon, 750 ml	1	1	0
2010 Clos Vougeot Magnum, Vougerale, 1.5 L	1	1	0
2010 Volnay Fremiets, d'Angerville, 750 ml	1	1	0
2010 Vosne Romanee Suchots V. V., Laurent, 750 ml	1	1	0
2010 Nuits Clos des Forets, Domaine l'Arlot, 750 ml	1	1	0

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ORDER DETAILS

Order No.: SO-0000374374

Order Date.: Feb 11, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Nuits Prullers, Gouges, 750 ml	2	2	0	0	\$49.99	\$99.98
2010 Pommard Jarolieres, Pousse d'Or, 750 ml	2	0	2	0	\$45.00	\$90.00

Subtotal: \$189.98**Tax:** \$16.62**Total:** \$206.60

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Nuits Prullers, Gouges, 750 ml	2	2	0
2010 Pommard Jarolieres, Pousse d'Or, 750 ml	2	0	2

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Order No.: SO-0000373723

Order Date.: Feb 4, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2004 Barolo Vigna del Gris, Conterno-Fantino, 750 ml	2	2	0	0	\$49.99	\$99.98
2007 Chateauneuf Croix de Bois Magnum, Chapoutier, 1.5 L	1	1	0	0	\$115.00	\$115.00
2007 Chateauneuf Val de Dieu Magnum, Vaudieu, 1.5 L	1	1	0	0	\$99.99	\$99.99
2009 Chateauneuf Mon Aleul, Usseglio, 750 ml	4	4	0	0	\$39.99	\$159.96
2009 Chateauneuf du Pape, Usseglio, 750 ml	4	4	0	0	\$17.99	\$71.96
2009 Gevrey Champeaux, Drouhin, 750 ml	2	2	0	0	\$49.99	\$99.98
2010 Chapelle Chambertin, Drouhin-Laroze, 750 ml	2	2	0	0	\$69.99	\$139.98
2009 Pommard, Bolsson-Vadot, 750 ml	2	2	0	0	\$24.99	\$49.98
2010 Vougeots 1er Cru Petits Vougeots, Hudelot Noellat, 750 ml	2	0	2	2	\$34.99	\$69.98
2010 Nuits Murgers, Hudelot Noellat, 750 ml	2	0	2	2	\$34.99	\$69.98
2010 Corton Greves, Jadot, 750 ml	2	2	0	0	\$49.99	\$99.98

Subtotal: \$1,076.77**Tax:** \$94.22**Total:** \$1,170.99**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
2004 Barolo Vigna del Gris, Conterno-Fantino, 750 ml	2	2	0
2007 Chateauneuf Croix de Bois Magnum, Chapoutier, 1.5 L	1	1	0
2007 Chateauneuf Val de Dieu Magnum, Vaudieu, 1.5 L	1	1	0
2009 Chateauneuf Mon Aleul, Usseglio, 750 ml	4	4	0
2009 Chateauneuf du Pape, Usseglio, 750 ml	4	4	0
2009 Gevrey Champeaux, Drouhin, 750 ml	2	2	0
2010 Chapelle Chambertin, Drouhin-Laroze, 750 ml	2	2	0
2009 Pommard, Bolsson-Vadot, 750 ml	2	2	0
2010 Vougeots 1er Cru Petits Vougeots, Hudelot Noellat, 750 ml	2	0	2
2010 Nuits Murgers, Hudelot Noellat, 750 ml	2	0	2

2010 Corton Greves, Jadot, 750 ml

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