

Fill in this information to identify the case:Debtor 1 Fox Ortega Enterprises, Inc.

Debtor 2

(Spouse, if filing)

United States Bankruptcy Court Northern District of CaliforniaCase number: 16-40050

FILED

U.S. Bankruptcy Court
Northern District of California

3/15/2016

Edward J. Emmons, Clerk

**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>KENNETH C PLACE</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?	☒ 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? <u>KENNETH C PLACE</u> Name 7506 Raleigh, NC 27615 Contact phone <u>9196966110</u> Contact email <u>ken_c_place@yahoo.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 Contact phone _____ Contact email _____
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? _____	

Official Form 410

Proof of Claim

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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: 8613
7. How much is the claim?	\$ 47872.56 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 healthcare information. Goods sold 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. ☐ 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. <i>Check all that apply:</i>	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)(<u> </u>) that applies	\$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
* Amounts are subject to adjustment on 4/1/16 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 <u>3/15/2016</u> MM / DD / YYYY <u>/s/ KENNETH C PLACE</u> Signature Print the name of the person who is completing and signing this claim: Name <u>KENNETH C PLACE</u> First name Middle name Last name Title _____ Company _____ Address <u>7506 Wellesley Park S</u> Identify the corporate servicer as the company if the authorized agent is a servicer Number Street <u>Raleigh, NC 27615</u> City State ZIP Code Contact phone <u>9196966110</u> Email <u>ken_c_place@yahoo.com</u>
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Premier Cru
Pending Orders to Kenneth C. Place

Item	Unit Price	Qty	Order Number (Status)	Date	Extended Price	Status
2012 Gevrey Clos St Jacques, Rousseau, 750 ml	\$399.99	1	SO-0000457573 (Open)	10/9/2014	\$399.99	not delivererd
2012 Chambertin, Rousseau, 750 ml	\$999.99	1	SO-0000457573 (Open)	10/9/2014	\$999.99	not delivererd
2012 Clos de Beze, Rousseau, 750 ml	\$999.99	1	SO-0000457573 (Open)	10/9/2014	\$999.99	not delivererd
2012 Musigny V.V., Vogue, 750 ml	\$699.99	1	SO-0000457378 (Open)	10/6/2014	\$699.99	not delivererd
2012 Bonnes Mares, Roumier, 750 ml	\$799.99	1	SO-0000457378 (Open)	10/6/2014	\$799.99	not delivererd
2012 Richebourg, Meo Camuzet, 750 ml	\$1,099.00	1	SO-0000457373 (Open)	10/6/2014	\$1,099.00	not delivererd
2012 Gevrey Clos St Jacques, Rousseau, 750 ml	\$499.99	1	SO-0000457373 (Open)	10/6/2014	\$499.99	not delivererd
2012 Chambertin, Rousseau, 750 ml	\$1,299.00	1	SO-0000457373 (Open)	10/6/2014	\$1,299.00	not delivererd
2012 Clos de Beze, Rousseau, 750 ml	\$1,299.00	1	SO-0000457373 (Open)	10/6/2014	\$1,299.00	not delivererd
2012 Clos de la Roche V.V., Ponsot, 750 ml	\$525.00	1	SO-0000457373 (Open)	10/6/2014	\$525.00	not delivererd
2012 Batard Montrachet, Leflaive, 750 ml	\$319.99	2	SO-0000456784 (Open)	10/1/2014	\$639.98	not delivererd
2009 d'Yquem, 750 ml	\$329.99	2	SO-0000456784 (Open)	10/1/2014	\$659.98	not delivererd
2009 Doisy Daene l'Extravagant 1/2, 375 ml	\$179.99	1	SO-0000456784 (Open)	10/1/2014	\$179.99	not delivererd
2012 Beaucastel Cuvee Hommages a Jacques Perrin, 750 ml	\$375.00	1	SO-0000456424 (Open)	9/27/2014	\$375.00	not delivererd
2004 Unico, Vega Sicilia, 750 ml	\$269.99	6	SO-0000436518 (Open)	2/5/2014	\$1,619.94	not delivererd
2010 Hermitage Ex Voto Blanc, Guigal, 750 ml	\$279.99	6	SO-0000436518 (Open)	2/5/2014	\$1,679.94	not delivererd
2010 Duhart Milon, 750 ml	\$79.99	6	SO-0000435181 (Open)	1/23/2014	\$479.94	not delivererd
2007 Chateauneuf Cuvee Celestins, Henri Bonneau, 750 ml	\$279.99	4	SO-0000435181 (Open)	1/23/2014	\$1,119.96	not delivererd
2012 Ermitage l'Ermite Blanc, Chapoutier, 750 ml	\$199.99	6	SO-0000435181 (Open)	1/23/2014	\$1,199.94	not delivererd
2010 Troplong Mondot, 750 ml	\$99.99	6	SO-0000435181 (Open)	1/23/2014	\$599.94	not delivererd
2012 Mazis Chambertin V.V., Laurent, 750 ml	\$89.99	6	SO-0000435181 (Open)	1/23/2014	\$539.94	not delivererd
2010 Romanee St Vivant, l'Arlot, 750 ml	\$329.99	4	SO-0000435181 (Open)	1/23/2014	\$1,319.96	not delivererd
2012 Pavie, 750 ml	\$99.99	6	SO-0000435181 (Open)	1/23/2014	\$599.94	not delivererd
2010 Flaccianello, Fontodi, 750 ml	\$69.99	6	SO-0000435181 (Open)	1/23/2014	\$419.94	not delivererd
2010 Barolo Cerequio, Voerzio, 750 ml	\$179.99	6	SO-0000435181 (Open)	1/23/2014	\$1,079.94	not delivererd
2012 Ermitage Pavillon, Chapoutier, 750 ml	\$149.99	6	SO-0000435181 (Open)	1/23/2014	\$899.94	not delivererd
2010 Cheval Blanc, 750 ml	\$699.99	5	SO-0000435181 (Open)	1/23/2014	\$3,499.95	not delivererd
2005 Cristal Rose, 750 ml	\$299.99	6	SO-0000435181 (Open)	1/23/2014	\$1,799.94	not delivererd
2012 Le Pin, 750 ml	\$799.99	1	SO-0000435181 (Open)	1/23/2014	\$799.99	not delivererd

Premier Cru
Pending Orders to Kenneth C. Place

Item	Unit Price	Qty	Order Number (Status)	Date	Extended Price	Status
2010 Pape Clement, 750 ml	\$169.99	1	SO-0000435181 (Open)	1/23/2014	\$169.99	not delivererd
2012 Ermitage de l'Oree Blanc, Chapoutier, 750 ml	\$89.99	6	SO-0000435181 (Open)	1/23/2014	\$539.94	not delivererd
2008 Grange, Penfolds, 750 ml	\$399.99	5	SO-0000435181 (Open)	1/23/2014	\$1,999.95	not delivererd
2012 Clos de Beze, Faiveley, 750 ml	\$225.00	1	SO-0000435181 (Open)	1/23/2014	\$225.00	not delivererd
2010 Cote Rotie La Turquie, Guigal, 750 ml	\$369.99	1	SO-0000434259 (Open)	1/16/2014	\$369.99	not delivererd
2010 Cote Rotie La Mouline, Guigal, 750 ml	\$369.99	1	SO-0000434259 (Open)	1/16/2014	\$369.99	not delivererd
2010 Cote Rotie La Landonne, Guigal, 750 ml	\$369.99	1	SO-0000434259 (Open)	1/16/2014	\$369.99	not delivererd
2012 Condrieu La Doriane, Guigal, 750 ml	\$84.99	8	SO-0000433634 (Open)	1/9/2014	\$679.92	not delivererd
2011 Ermitage Meal, Chapoutier, 750 ml	\$139.99	1	SO-0000432683 (Open)	12/30/2013	\$139.99	not delivererd
2011 Ermitage l'Ermite, Chapoutier, 750 ml	\$209.99	1	SO-0000432683 (Open)	12/30/2013	\$209.99	not delivererd
2011 Ermitage Blanc Le Meal, Chapoutier, 750 ml	\$129.99	1	SO-0000432683 (Open)	12/30/2013	\$129.99	not delivererd
2011 Ermitage Pavillon, Chapoutier, 750 ml	\$189.99	1	SO-0000432683 (Open)	12/30/2013	\$189.99	not delivererd
2011 Ermitage l'Ermite Blanc, Chapoutier, 750 ml	\$279.99	1	SO-0000432683 (Open)	12/30/2013	\$279.99	not delivererd
2011 Ermitage Blanc de l'Oree, Chapoutier, 750 ml	\$159.99	1	SO-0000432683 (Open)	12/30/2013	\$159.99	not delivererd
2012 Haut Brion Blanc, 750 ml	\$499.99	1	SO-0000432560 (Open)	12/29/2013	\$499.99	not delivererd
2012 Petrus, 750 ml	\$1,249.99	1	SO-0000426960 (Open)	11/3/2013	\$1,249.99	not delivererd
2012 Ausone, 750 ml	\$350.00	1	SO-0000426960 (Open)	11/3/2013	\$350.00	not delivererd
2010 Ornellaia, Tenuta dell'Ornellaia, 750 ml	\$169.99	2	SO-0000423211 (Open)	9/18/2013	\$339.98	not delivererd
2010 Sassicaia, 750 ml	\$149.99	2	SO-0000423211 (Open)	9/18/2013	\$299.98	not delivererd
2010 Flaccianello, Fontodi, 750 ml	\$89.99	2	SO-0000422213 (Open)	9/5/2013	\$179.98	not delivererd
2011 Galatrona, Petrolo, 750 ml	\$79.99	2	SO-0000422206 (Open)	9/5/2013	\$159.98	not delivererd
2011 Redigaffi, Tua Rita, 750 ml	\$175.00	1	SO-0000422206 (Open)	9/5/2013	\$175.00	not delivererd
2009 Pape Clement Blanc, 750 ml	\$229.99	1	SO-0000422206 (Open)	9/5/2013	\$229.99	not delivererd
2010 Redigaffi, Tua Rita, 750 ml	\$179.99	1	SO-0000422206 (Open)	9/5/2013	\$179.99	not delivererd
2010 Tignanello, Antinori, 750 ml	\$79.99	2	SO-0000422206 (Open)	9/5/2013	\$159.98	not delivererd
2010 La Mission Haut Brion, 750 ml	\$499.99	1	SO-0000420501 (Open)	8/10/2013	\$499.99	not delivererd
2008 Grange, Penfolds, 750 ml	\$599.99	1	SO-0000409806 (Open)	4/9/2013	\$599.99	not delivererd
2010 Troplong Mondot, 750 ml	\$145.00	1	SO-0000406690 (Open)	3/4/2013	\$145.00	not delivererd
2010 Chateaneuf Cuvee da Capo, Pegau, 750 ml	\$319.99	1	SO-0000403976 (Open)	2/2/2013	\$319.99	not delivererd

Premier Cru
Pending Orders to Kenneth C. Place

Item	Unit Price	Qty	Order Number (Status)	Date	Extended Price	Status
2009 Cote Rotie La Turque, Guigal, 750 ml	\$369.99	1	SO-0000403976 (Open)	2/2/2013	\$369.99	not delivererd
2009 Cote Rotie La Mouline, Guigal, 750 ml	\$369.99	1	SO-0000403976 (Open)	2/2/2013	\$369.99	not delivererd
2009 Cote Rotie La Landonne, Guigal, 750 ml	\$369.99	1	SO-0000403976 (Open)	2/2/2013	\$369.99	not delivererd
2010 Ducru Beaucaillou, 750 ml	\$149.99	1	SO-0000394430 (Open)	10/15/2012	\$149.99	not delivererd
2010 Bordeaux Potential 100 Pointers Special Set, 750 ml	\$875.00	1	SO-0000394430 (Open)	10/15/2012	\$875.00	not delivererd
2010 Leoville las Cases, 750 ml	\$169.99	1	SO-0000394430 (Open)	10/15/2012	\$169.99	not delivererd
2010 Cos d'Estournel, 750 ml	\$149.99	1	SO-0000394430 (Open)	10/15/2012	\$149.99	not delivererd
2010 Pomerol Special Set, 750 ml (Château Beausejour (Duffau Lagarrosse) - Château Clinet - Château La Conseillante - Château L'Evangile - Château L'Eglise- Clinet - Château Le Gay - Vieux Château Certan)	\$899.00	1	SO-0000394430 (Open)	10/15/2012	\$899.00	not delivererd
2010 First Growth Bordeaux Special Set, 750 ml (Château Haut-Brion - Château Lafite Rothschild - Château Latour Grand Vin - Château Margaux - Château Mouton Rothschild)	\$2,999.00	1	SO-0000388003 (Open)	8/3/2012	\$2,999.00	not delivererd
2009 Bordeaux Robert Parker 100 Point Medoc Special Set, 750 ml	\$1,399.00	1	SO-0000377445 (Open)	3/19/2012	\$1,399.00	not delivererd
2009 Bordeaux Robert Parker 99 Point Right Bank Special Set, 750 ml (Château Angélus - Château Cos d'Estournel - Château Léoville Poyferré - Château Montrose - Château Troplong Mondot - Vieux Château Certan)	\$759.99	1	SO-0000377445 (Open)	3/19/2012	\$759.99	not delivererd
					\$47,872.56	