Fill in this in	nformation to identify the case:
Debtor 1	Fox Ortega Enterprise, Inc.
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.

f	Park 1: Identify the C	laim					
1.	Who is the current creditor?	Salvatore LiRosi Name of the current creditor Other names the creditor			alm)		
2.	Has this claim been acquired from someone else?	₩ No					
3.	Where should notices and payments to the creditor be sent?	Where should notice Salvatore LiRosi	s to the credito	r be sent?	Where should pa different)	yments to the creditor b	e sent? (if
	Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name 122 N Sunnycres	t Dr.	,,,,,,,,	Name		And the second s
	(, , , , , , , , , , , , , , , , , , ,	Number Street Little Silver	NJ	07739	Number Stree	t	
		City 510-91	State 0-3578	ZIP Code	City Contact phone	State	ZIP Code
		Contact email sal@lin	osi.com		Contact email		_
		Uniform claim identifier fo		nts in chapter 13 (if you u	•		
4.	Does this claim amend one already filed?	No Yes. Claim number	er on court claim	s 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	he earlier filing?	Manage Manage Control of the Control			

Give Information About the Claim as of the Date the Case Was Filed Part 2: 6. Do you have any number No No you use to identify the ☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ ___ debtor? 1,025.26. Does this amount include interest or other charges? 7. How much is the claim? No 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 Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. claim? 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, some of which are in debtor's possession. 9. Is all or part of the claim ☑ No secured? 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 M No lease? Yes. Amount necessary to cure any default as of the date of the petition. 11. Is this claim subject to a right of setoff? Yes. Identify the property:

Case 16-40050 Claim 1300 Filed 03/11/16 **Desc Main Document** Page 2 of 20 **Proof of Claim**

12. Is all or part of the claim entitled to priority under	₩ No Yes. Check	all that apply:		Amount entitled to priority
11 U.S.C. § 507(a)? A claim may be partly priority and partly	☐ Domesti	c support obligations (including alimony and child soc. § 507(a)(1)(A) or (a)(1)(B).	upport) under	\$
nonpriority. For example, in some categories, the law limits the amount	Up to \$2 personal	,775* of deposits toward purchase, lease, or rental , family, or household use. 11 U.S.C. § 507(a)(7).	of property or services for	\$
entitled to priority.	bankrupt	salaries, or commissions (up to \$12,475*) earned water petition is filed or the debtor's business ends, when the commissions of the commissions is said as the commissions of the commission of the commissions of the commission	vithin 180 days before the hichever is earlier.	\$
		penalties owed to governmental units. 11 U.S.C. §	507(a)(8).	\$
	☐ Contribu	tions to an employee benefit plan. 11 U.S.C. § 507	(a)(5).	\$
		pecify subsection of 11 U.S.C. § 507(a)() that ap		\$
		e subject to adjustment on 4/01/16 and every 3 years after		er the date of adjustment.
Part 3: Sign Below				
The person completing	Check the approp	oriate box:		
this proof of claim must sign and date it.	I am the cree			
FRBP 9011(b).		ditor's attorney or authorized agent.		
If you file this claim	am the trus	tee, or the debtor, or their authorized agent. Bankre	uptcy Rule 3004.	
electronically, FRBP 5005(a)(2) authorizes courts	lam a guara	intor, surety, endorser, or other codebtor. Bankrupt	cy Rule 3005.	
to establish local rules specifying what a signature	lda vatam d that	an authorized signature on this Droof of Claim age	ron on an acknowledgment i	that when calculating the
is.		an authorized signature on this <i>Proof of Claim</i> servim, the creditor gave the debtor credit for any paym		
A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5	I have examined and correct.	the information in this <i>Proof of Claim</i> and have a re	asonable belief that the info	ormation is true
years, or both. 18 U.S.C. §§ 152, 157, and	I declare under p	enalty of perjury that the foregoing is true and corre	ct.	
3571.	Executed on date	, 02/17/2016		
		MM / DD / YYYY		
		Auto The		
	Signature			
	Print the name o	of the person who is completing and signing this	s claim:	
	Name	Salvatore	LiRosi	
	Name	First name Middle name	Last name	
	Title			
	Company	Identify the corporate servicer as the company if the auth	norized agent is a servicer.	
		122 N Sunnycrest Dr.		
	Address	Number Street	de la companya de la	
		Little Silver	NJ 07739	
		City	State ZIP Code	
	Contact phone	510-910-3578	Email sal@lirosi.com	

Case 16-40050 Claim 1300 Filed 03/11/16 Desc Main Document Page 3 of 20 page 3

Summary of Goods and Amounts Owed Order # Date SO-0000456135 09/24 SO-0000451611 08/02 SO-000047834 06/21 SO-0000447233 06/14 SO-0000432898 01/04 SO-0000426312 10/26 SO-0000426312 10/26 SO-0000426312 08/28	Date 09/24/14 08/09/14 08/02/14 06/21/14 06/14/14 06/14/14 12/10/13 12/29/12 08/28/12	Debtor: Premier Cru Cr Total Amount (inc sales tax) Co \$106.25 Gc \$65.39 \$65.37 \$54.48 \$91.55 Gc \$98.07 \$87.18 \$87.18 \$65.33 Or \$4108.71	Debtor: Premier Cru Creditor: Salvatore LiRosi Total Amount (inc sales tax) Comments \$106.25 Goods in stock awaiting shipping. \$65.39 \$54.48 \$91.55 Goods in stock awaiting shipping. \$87.18 \$87.18 \$\$87.18 \$\$65.33 Order cancelled, refund promised but never processed. \$195.75
Totals		\$1,025.26	

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EDIT PROFILE

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ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000456135 Order Date.: Sep 24, 2014

Status: Open

PURCHASE DETAILS

IN STOCK

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price	
2011 Chateauneuf du Pape Cuvee Reservee, Pegau, 750 ml	3	0	3	3	\$32.49	\$97.48	

Subtotal:

\$97.48

Tax:

\$8.77

Total: \$106.25

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2011 Chateauneuf du Pape Cuvee Reservee, Pegau, 750 ml	3	0	3	

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Case 16-40050 Claim 1300 Filed 03/11/16 Desc Main Document Page 5 of 20

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ORDER DETAILS

Order No.: SO-0000452052 Order Date.: Aug 9, 2014 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Chianti Classico Riserva Rancia Magnum, Felsina, 1.5 L	1	0	1	0	\$59.99	\$59.99

\$59.99 Subtotal:

> Tax: \$5.40

Total: \$65.39

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2010 Chianti Classico Riserva Rancia Magnum, Felsina, 1.5 L	1	0	1	

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Tuesday-Friday; tours-tyon Saturday: (0am-5pm

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Case 16-40050 Claim 1300 Filed 03/11/16 Desc Main Document

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Order Details 1/13/16, 10:50 PM

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BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000451611 Order Date.: Aug 2, 2014 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Chianti Classico Riserva, Felsina, 750 ml	. 3	0	3	0	\$19,99	\$59.97

\$59.97 Subtotal:

> Tax: \$5.40

Total: \$65.37

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2010 Chianti Classico Riserva, Felsina, 750 ml	3	0	3	

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ORDER DETAILS

Order No.: SO-0000447834 Order Date.: Jun 21, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price	
2012 Chablis Vaillons, Fevre, 750 ml	2	0	2	0	\$24.99	\$49,98	

Subtotal:

\$49.98

Tax:

\$4.50

Total:

\$54.48

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2012 Chablis Vaillons, Fevre, 750 ml	2	0	2	

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BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000447233 Order Date.: Jun 14, 2014

Status:

Open

IN STOCK

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price	
2012 Chateauneuf Reservee, Pegau, 750 ml	2	0	2	2	\$41.99	\$83.99	

Subtotal:

\$83.99

Tax:

\$7.56 \$91.55

Total:

SHIPPING DETAILS

	Wine	Ordered	Shipped	Remain
į	2012 Chateauneuf Reservee, Pegau, 750 ml	2	0	2

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wine, region, varietal, producer

MY ACCOUNT

EDIT PROFILE

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BILLING INFORMATION

ORDER DETAILS

Order No.: \$0-0000438749 Order Date.: Mar 2, 2014 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Chablis Les Lys, Fevre, 750 ml	3	. 0	3	0	\$29.99	\$89.97

Subtotal:

\$89.97

Tax:

\$8.10

Total:

\$98.07

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2012 Chablis Les Lys, Fevre, 750 ml	3	0	3	

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Order Details 1/13/16, 10:48 PM

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wine, region, varietal, producer

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000432898 Order Date.: Jan 4, 2014 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Vieux Telegraphe, 750 ml	2	0	2	0	\$39,99	\$79.98

Subtotal:

\$79.98

Tax:

\$7.20

Total:

\$87.18

SHIPPING DETAILS

 Wine	Ordered	Shipped	Remain	
 2012 Vieux Telegraphe, 750 ml	2	0	2	

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BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000430428 Order Date.: Dec 10, 2013

Status:

Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price	
2011 Beaucastel, 750 ml	2	0	2	0	\$39.99	\$79.98	

Subtotal:

\$79.98

Tax:

\$7.20

Total:

\$87.18

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2011 Beaucastel, 750 ml	2	0	2	

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wine, region, varietal, producer

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MY ACCOUNT

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BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000426312 Order Date.: Oct 26, 2013

Status:

Closed

PURCHASE DETAILS

AMOUNT WAS TO BE CREDITED TO CREDIT CARD

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price	
2010 Bourgogne Grand Ordinaire, Roty, 750 ml	0	0	0	0	\$9,99	\$59.94	

Subtotal:

\$59.94

Tax:

\$5.39

Total:

\$65.33

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain	
2010 Bourgogne Grand Ordinaire, Roty, 750 ml	0	0	0	

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BILLING INFORMATION

ORDER DETAILS

Order No.: \$0-0000400992 Order Date.: Dec 29, 2012

Status:

Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Chablis Preuses, Fevre, 750 ml	2	0	2	0	\$45.00	\$90.00
2011 Chablis les Clos, Fevre, 750 ml	2	0	2	0	\$45,00	\$90.00

Subtotal:

\$180.00

Tax:

\$15.75

Total:

\$195.75

SHIPPING DETAILS

20111 1 110 W 50 W 11 10 10 W	government of the control of the con			
Wine	Ordered	Shipped	Remain	:
2011 Chablis Preuses, Fevre, 750 ml	2	0	2	
2011 Chablis les Clos, Fevre, 750 ml	2	0	2	

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ORDER DETAILS

Order No.: SO-0000390574 Order Date.: Aug 28, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Sociando Mallet, 750 ml	4	0	4	0	\$24.99	\$99.96

Subtotal:

\$99.96

Tax:

\$8.75

Total:

\$108.71

SHIPPING DETAILS

Wine	Ordere		Remain
2010 Sociando Mallet, 750 ml		0	4

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https://www.premiercru.net/premier/order/CustOrderDetails.do?order.orderId=SO-0000390574

Lirosi.com Mail - Re: Follow up 2/15/16, 4:15 PM



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Re: Follow up

Peter Powlovich <peter@premiercru.net>
To: Sal LiRosi <sal@lirosi.com>

Fri, Dec 11, 2015 at 6:01 PM

Hello Sal.

I have set up a pick up for all available for 12/18. We have closed the retail store and are doing scheduled pick ups only. Premier Crus new hours on 12/18 are going to be 12pm-4pm and on Saturday 12/19 are 10am-2pm. If you can, please let me know when you think you will be coming.

We should have some empty cartons available, are you referring to cardboard or wooden crates though?

I have submitted your request for a refund on the 2010 Roty.

Sincerely,
Peter N Powlovich
Premier Cru - the world's finest wines
1011 University Avenue
Berkeley, CA 94710 (directions)
phone (510) 644-9463
fax (510) 647-3833
Peter@premiercru.net

----Original Message----

From: Sal LiRosi [mailto:sal@lirosi.com] Sent: Friday, December 11, 2015 2:00 PM

To: Peter Powlovich Subject: Re: Follow up

Hi Peter.

I appreciate you staying on top of this. I will come in to collect on the 18th or 19th. If I may ask you a favor to set a aside several (8-10) empty case cartons that would be great.

Also, i would like to cancel the 6 bottles of the 2010 Roty order that was made over 2 years ago. These were meant for quick consumption and are not really worth the cost to ship.

Thanks again for your help.

Regards, Sal

Sent from my iPhone

https://mail.google.com/mail/u/0/?ui=2&ik=fe9d19436f&view=pt&q=...qs=true&search=query&msg=15193473d6a1d274&siml=15193473d6a1d274

Lirosi.com Mail - Re: Follow up



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Re: Follow up

Sal LiRosi <sal@lirosi.com>
To: Peter Powlovich <peter@premiercru.net>

Tue, Jan 12, 2016 at 4:24 AM

Hi Peter.

I moved as planned. Thanks for helping me why the empty boxes.

It's unfortunate I just missed arrival of the Pegau that's now showing ready in my account?

Can you do me a favor and ship these to my new address? Its:

122 Bay 47St Brooklyn, NY 11214

Much appreciated.

Thanks, Sal LiRosi 510-9103578

On Dec 10, 2015, at 14:37, Peter Powlovich <peter@premiercru.net> wrote:

Hello Sal,

The 2011 Chateauneuf du Pape Cuvee Reservee, Pegau and 2012 Chateauneuf Reservee, Pegau are expected to land on Tuesday 12/15 and hopefully be fully unloaded and in our warehouse within a couple of days. As soon as they are ready I can reach out and let you know that they are available.

Unfortunately, the 2011 Chablis les Clos, Fevre and 2012 Vieux Telegraphe were originally supposed to be in before the end of December, but it sounds like the container they are going to be on is going to be coming in January now. I apologize that my original estimate was wrong.

Please let me know any other questions or concerns.

Sincerely,
Peter N Powlovich
Premier Cru - the world's finest wines
1011 University Avenue
Berkeley, CA 94710 (directions)
phone (510) 644-9463
fax (510) 647-3833
Peter@premiercru.net

From: Sal LiRosi [mailto:sal@lirosi.com]

Sent: Wednesday, December 09, 2015 10:00 PM

To: Peter Powlovich Subject: Re: Follow up

Hi Peter,

Thank-you for your mail.

You had indicated the following would be due in early December:

2011 Chablis les Clos, Fevre

2011 Chateauneuf du Pape Cuvee Reservee, Pegau

2012 Chateauneuf Reservee, Pegau

2012 Vieux Telegraphe

Will these be available next week? If not, when?

Thanks, Sal

On Tue, Dec 8, 2015 at 4:49 PM, Sal LiRosi <sal@lirosi.com> wrote:

Hi Peter.

Thanks for your mail today. I did drop by the store to check on my account. As per my previous e-mail (below) I have several wines outstanding on pre-arrival - many for 2 or more years.

Do you have an update on the wines below that were due in early December?

I've been very relaxed and patient on my pre-arrivals over the 13 years of doing business with Premiercru. The problem now is that I'm in the process of relocating and would like to take possession of as many wines as possible in the next week.

I realize you can probably ship the rest later (to NJ/NY). But some of these wines may not be "ship-worthy" (as in not worth the cost).

Let me know what I will be able to pick up by the 15th. Also, would appreciate if you can let me know what the cost is for shipping to NJ for those wines that remain behind.

Thanks, Sal

On Sat, Nov 7, 2015 at 12:05 PM, Peter Powlovich

Lirosi.com Mail - Re: Follow up 2/15/16, 4:12 PM

<peter@premiercru.net> wrote:

Hello Sal,

I apologize that we have not gotten back to you yet. At this time I see

4 bottles available to ship. The following wines are going to be on the

next containers leaving 11/11 and expected in the beginning of December.

2011 Chablis les Clos, Fevre

2011 Chateauneuf du Pape Cuvee Reservee, Pegau

2012 Chateauneuf Reservee, Pegau

2012 Vieux Telegraphe

Over the next 6 months, it is my understanding that we should be

anticipating a few other containers plus some various air freights.

Please feel free to reach out to me for updates at your convenience and

I can work with you moving forward.

Sincerely,
Peter N Powlovich
Premier Cru - the world's finest wines
1011 University Avenue
Berkeley, CA 94710 (directions)
phone (510) 644-9463
fax (510) 647-3833
Peter@premiercru.net

From: Sal LiRosi [mailto:sal@lirosi.com] Sent: Saturday, November 07, 2015 9:46 AM

To: Premier Cru Subject: Re: My wines

Hi,

Seems like everyone I knew there over the many years is no longer there.

Still, I would appreciate a response to my e-mail.

Thanks, Sal LiRosi

On Oct 30, 2015, at 19:10, Sal LiRosi <sal@lirosi.com>

https://mail.google.com/mail/u/0/?ul=2&ik=fe9d19436f&view=pt&q=...search=query&msg=1523526bb056d33f&dsqt=1&siml=1523526bb056d33f

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Lirosi.com Mail - Re: Follow up

wrote:

Hi,

I reviewed the wines outstanding in my account. It appears there are still quite a few listed as "not-ready." All of these were for orders place more than 1 year ago - and some going back 3 years.

Can you please provide me with an update on availability? I will moving at year-end and therefore would like to plan accordingly.

Thanks, Sal LiRosi 510-910-3578