

**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 California  
Case number: 16-40050

FILED  
U.S. Bankruptcy Court  
Northern District of California  
3/18/2016  
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**

<b>1. Who is the current creditor?</b>	<u>Daniel Jacob</u>	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor _____	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
<b>3. Where should notices and payments to the creditor be sent?</b>  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
	<u>Daniel Jacob</u>	_____
	Name	Name
	<u>9211 Lookout Mesa</u> <u>San Antonio, TX 78255</u>	_____
	Contact phone <u>2106982121</u>	Contact phone _____
	Contact email <u>danjacobjr@gmail.com</u>	Contact email _____
	Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<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**

<b>6. Do you have any number you use to identify the debtor?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
<b>7. How much is the claim?</b>	<div style="display: flex; justify-content: space-between;"><div><b>\$</b> 20693.00</div><div><b>Does this amount include interest or other charges?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</div></div>
<b>8. What is the basis of the claim?</b>	<p>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.</p> <p>wine was purchased and paid for and never delivered</p>
<b>9. Is all or part of the claim secured?</b>	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.</div> <div><b>Nature of property:</b> <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</div> <div><b>Basis for perfection:</b> _____</div> <div>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.)</div> <div><div><b>Value of property:</b></div><div><b>\$</b> _____</div><div><b>Amount of the claim that is secured:</b></div><div><b>\$</b> _____</div><div><b>Amount of the claim that is unsecured:</b></div><div><b>\$</b> _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</div></div> <div><div><b>Amount necessary to cure any default as of the date of the petition:</b></div><div><b>\$</b> _____</div><div><b>Annual Interest Rate</b> (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div></div>
<b>10. Is this claim based on a lease?</b>	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</div>
<b>11. Is this claim subject to a right of setoff?</b>	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</div>

<b>12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply.</i>	<b>Amount entitled to priority</b>
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> 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). <input type="checkbox"/> 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). <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). <input type="checkbox"/> 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 3/18/2016  
MM / DD / YYYY

/s/ Daniel Jacob  
\_\_\_\_\_  
Signature

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

Name	<u>Daniel Jacob</u>		
	First name	Middle name	Last name
Title	_____		
Company	_____		
Address	Identify the corporate servicer as the company if the authorized agent is a servicer		
	<u>9211 lookout mesa</u>		
	Number Street		
	<u>san antonio, TX 78255</u>		
Contact phone	City State ZIP Code		Email
	<u>2106982121</u>		
	<u>danjacobjr@gmail.com</u>		

Daniel Jacob

wines purchased and paid for from Premier Cru - never delivered

**\$20,693**

sorted by Purchase DATE

							<b>\$20,693</b>
<b>Vintner</b>	<b>Vintage</b>	<b>Qty</b>	<b>Size</b>	<b>Vendor</b>	<b>Price Pd Ea</b>	<b>Date Purch</b>	<b>Total</b>
Château La Fleur Petrus	2005	1	6 Liter	Premier Cru	\$856.00	Jun-06	\$856.00
Château Le Gay	2005	3	1.5 Liter	Premier Cru	\$197.00	Jun-06	\$591.00
Château La Fleur Petrus	2005	1	3 Liter	Premier Cru	\$410.00	Aug-06	\$410.00
Château Bellevue	2005	1	3 Liter	Premier Cru	\$340.00	Aug-06	\$340.00
Château Le Gay - Le Fleur de Gay	2005	1	3 Liter	Premier Cru	\$380.00	Aug-06	\$380.00
Philipponat Brut Royale	NV	3	.375	Premier Cru	\$20.00	Jul-07	\$60.00
Château Gazin	2005	12	.750	Premier Cru	\$55.00	Oct-07	\$660.00
Montevertine - Le Pergole Torte Vino da Tavola	2007	24	.750	Premier Cru	\$80.00	May-12	\$1,920.00
Fevre (Domaine William) - Chablis Montmains 1er Cru	2011	36	.750	Premier Cru	\$22.00	Jan-13	\$792.00
Fevre (Domaine William) - Chablis Montée de Tonnerre 1er Cru	2011	12	.750	Premier Cru	\$27.00	Jan-13	\$324.00
Fevre (Domaine William) - Chablis Valmur Grand Cru	2011	12	.750	Premier Cru	\$40.00	Jan-13	\$480.00
Fevre (Domaine William) - Chablis les Preuses Grand Cru	2011	12	.750	Premier Cru	\$45.00	Jan-13	\$540.00
Fevre (Domaine William) - Chablis les Clos Grand Cru	2011	12	.750	Premier Cru	\$45.00	Jan-13	\$540.00
Fevre (Domaine William) - Chablis Fourchaume 1er Cru	2011	12	.750	Premier Cru	\$33.00	Apr-13	\$396.00
Château Pontet-Canet	2012	12	.750	Premier Cru	\$60.00	Dec-13	\$720.00
Petrolo - Galatrona IGT (Merlot)	2010	12	.750	Premier Cru	\$60.00	Mar-14	\$720.00
Petrolo - Galatrona IGT (Merlot)	2012	12	.750	Premier Cru	\$50.00	Mar-14	\$600.00
Château Pontet-Canet	2012	6	.750	Premier Cru	\$57.00	Jun-14	\$342.00
Château Léoville Las Cases	2012	12	.750	Premier Cru	\$78.00	Jun-14	\$936.00
Arnoux-Lachaux (Domaine ) - Nuits St. Georges "Les Haut Poisets" (Arnoux - N	2012	6	.750	Premier Cru	\$45.00	Jul-14	\$270.00

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Vintner	Vintage	Qty	Size	Vendor	Price Pd Ea	Date Purch	Total
Almirez - Teso la Monja	2010	12	.750	Premier Cru	\$16.00	Jul-14	\$192.00
Gros (Bernard) Frère et Soeur (Domaine) - Vosne-Romanee	2012	18	.750	Premier Cru	\$40.00	Jul-14	\$720.00
Gros (Bernard) Frère et Soeur (Domaine) - Vosne-Romanee	2012	2	.750	Premier Cru	\$60.00	Jul-14	\$120.00
Jadot - Chassagne Montrachet 1er Cru Les Chenevottes	2012	18	.750	Premier Cru	\$37.00	Jul-14	\$666.00
BOUCHARD - Beaune Teurons	2012	6	.750	Premier Cru	\$40.00	Jul-14	\$240.00
Gros (Bernard) Frère et Soeur (Domaine) - Clos Vougeot "Musigni"	2012	2	.750	Premier Cru	\$90.00	Jul-14	\$180.00
Gros (Bernard) Frère et Soeur (Domaine) - Clos Vougeot "Musigni"	2012	2	.750	Premier Cru	\$128.00	Jul-14	\$256.00
Billaud-Simon (Domaine) - Chablis Les Vaillons 1st Cru	2012	12	.750	Premier Cru	\$23.00	Jul-14	\$276.00
Chapelle (Paul & ses Filles) - Puligny-Montrachet 1er Cru Les Champs-Gain	2010	10	.750	Premier Cru	\$50.00	Sep-14	\$500.00
Fevre (Domaine William) - Chablis Vaulorent 1er Cru	2012	12	.750	Premier Cru	\$33.00	Oct-14	\$396.00
Billaud-Simon (Domaine) - Chablis Les Preuses Gran Cru	2012	6	.750	Premier Cru	\$44.00	Oct-14	\$264.00
Billaud-Simon (Domaine) - Chablis Blanchots VV Gran Cru	2009	12	.750	Premier Cru	\$45.00	Oct-14	\$540.00
Fevre (Domaine William) - Chablis les Preuses Grand Cru	2012	6	.750	Premier Cru	\$44.00	Oct-14	\$264.00
Billaud-Simon (Domaine) - Chablis Les Preuses Gran Cru	2012	12	.750	Premier Cru	\$40.00	Dec-14	\$480.00
Fevre (Domaine William) - Chablis les Clos Grand Cru	2013	6	.750	Premier Cru	\$52.00	Jan-15	\$312.00
Jadot (Domaine Louis) - Corton Charlemagne Grand Cru	2013	2	.750	Premier Cru	\$160.00	Jan-15	\$320.00
Jadot (Louis) - Corton Pougets Grand Cru	2013	6	.750	Premier Cru	\$40.00	Jan-15	\$240.00
Jadot (Louis) - Clos de Vougeot Grand Cru	2013	2	1.5 Liter	Premier Cru	\$135.00	Jan-15	\$270.00
Jadot (Louis) - Charmes-Chambertin Grand Cru	2013	3	1.5 Liter	Premier Cru	\$150.00	Jan-15	\$450.00
Campogiovanni - Brunello di Montalcino	2010	6	.750	Premier Cru	\$30.00	Jan-15	\$180.00
Cordella - Brunello di Montalcino	2010	12	.750	Premier Cru	\$35.00	Jan-15	\$420.00

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Filo di Seta Romitorio - Brunello di Montalcino	<b>2010</b>	6	.750	Premier Cru	\$55.00	Jan-15	\$330.00
Fevre (Domaine William) - Chablis les Preuses Grand Cru	<b>2013</b>	12	.750	Premier Cru	\$40.00	Mar-15	\$480.00
Jadot (Louis) - Gevrey Chambertin Les Cazetiers 1er Cru	<b>2013</b>	6	.750	Premier Cru	\$50.00	Mar-15	\$300.00
Jadot (Louis) - Echezeaux Grand Cru	<b>2013</b>	6	.750	Premier Cru	\$70.00	Mar-15	\$420.00
							<b>\$20,693.00</b>