

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

3/25/2016

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>Scott W. Siegner</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>Scott W. Siegner</u> Name <u>c/o Craig A. Burnett, Esq.</u> <u>537 Fourth St Ste A</u> <u>Santa Rosa, CA 95401</u> Contact phone <u>(707) 523-3328</u> Contact email <u>cburnett@nomoredebt.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: _____
7. How much is the claim?	\$ 140339.81 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. Good sold, never 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 <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. ☐ 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 3/25/2016
MM / DD / YYYY

/s/ Craig A. Burnett

Signature

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

Name	Craig A. Burnett		
	First name	Middle name	Last name
Title	Attorney for Creditor		
Company	Law Office of C.Burnett		
Address	Identify the corporate servicer as the company if the authorized agent is a servicer		
	537 Fourth St Ste A		
	Number Street		
	Santa Rosa, CA 95401		
Contact phone	City State ZIP Code		
	(707) 523-3328		
	Email	cburnett@nomoredebt.com	

Premier Cru Wine	/					
Australia						
07/10/2013	0000417765	47583	08 Grange, Penfolds	\$499.99	2	Pushed to Fall
07/17/2013	0000418474	47583	08 Grange, Penfolds	\$499.99	2	Pushed to Fall
07/26/2013	0000419364	47583	08 Grange, Penfolds	\$399.99	1	Pushed to Fall
06/24/2014	0000448170	47583	08 Grange, Penfolds	\$349.99	1	Pushed to Fall
10/28/2014	0000459425	51008	2010 Grange, Penfolds	\$299.99	3	Pushed to Fall
10/29/2014	0000459629	51008	2010 Grange, Penfolds	\$299.99	1	Pushed to Fall
03/16/2014	0000439684	49666	2010 Torbreck Run Rig	\$202.49	2	Winter
03/27/2014	0000440635	49666	2010 Torbreck Run Rig	\$269.99	1	Winter
French Champagne						
07/10/2013	0000417765	47357	02 Dom Perignon Rose	\$229.99	2	Not until Winter
07/17/2013	0000418474	47357	02 Dom Perignon Rose	\$229.99	1	
French Red Burgundy						
05/22/2008	0000296184	36251	05 Clos de la Roche, Ponsot	\$1,199.00	1	Being airfreighted
06/06/2008	0000297368	36251	05 Clos de la Roche, Ponsot	\$1,199.00	1	Being airfreighted
06/23/2008	0000298540	36251	05 Clos de la Roche, Ponsot	\$1,199.00	1	Being airfreighted
04/18/2009	0000316263	36251	05 Clos de la Roche, Ponsot	\$599.99	1	Being airfreighted
French White Burgundy						
11/07/2011	0000366341	41315	09 Corton Charlemagne, Bouchard	\$79.99	2	Received
07/19/2012	0000386901	41315	09 Corton Charlemagne, Bouchard	\$69.99	1	Received
07/10/2012	0000386066	45133	2010 Chevalier Montrachet La Cabotte, Bouchard	\$295.00	2	Winter
10/02/2012	0000393286	45133	2010 Chevalier Montrachet La Cabotte, Bouchard	\$199.99	1	Winter
10/18/2012	0000394656	45133	2010 Chevalier Montrachet La Cabotte, Bouchard	\$199.99	1	Winter
10/02/2012	0000393286	45131	2010 Corton Charlemagne, Bouchard	\$79.99	3	should be received next month
06/25/2012	0000384861	45134	2010 Montrachet, Bouchard	\$389.99	1 XX	
07/09/2012	0000386024	45134	2010 Montrachet, Bouchard	\$389.99	2	Wines received at French warehous
10/18/2012	0000394656	45134	2010 Montrachet, Bouchard	\$279.99	1	
01/19/2013	0000402808	47129	2011 Montrachet, Bouchard	\$249.99	2	Wines received at French warehous
08/30/2012	0000390702	44668	09 Batard Montrachet, Leflaive	\$279.99	1 XX	
10/17/2011	0000364563	44670	09 Puligny Pucelles, Leflaive	\$139.99	3 XX	
07/09/2012	0000386025	45251	2010 Puligny Pucelles, Leflaive	\$179.99	2	October
09/05/2012	0000390974	45008	2010 Montrachet, Jadot	\$249.99	2	Winter
10/18/2012	0000394656	45008	2010 Montrachet, Jadot	\$279.99	1	Winter
Italy						
12/02/2013	0000429927	48366	2010 Solaia, Antinori	\$145.00	2	Pushed to Fall
05/29/2014	0000445937	49517	2010 Masseto, Tenuta dell'Ornellaia	\$555.00	2	Pushed to Fall
09/29/2013	0000424296	48362	2010 Redigaffi, Tua Rita	\$179.99	2	Winter
09/29/2013	0000424296	48363	2011 Redigaffi, Tua Rita	\$175.00	2	Winter
02/23/2015	0000471244	51791	2012 Redigaffi, Tua Rita	\$146.25	2	
02/23/2015	0000471244	51793	2012 Syrah, Tua Rita	\$97.49	2	
Red Bordeaux						
07/16/2012	0000386671	41712	09 Angelus	\$199.99	1	Fall

07/23/2012	0000387252	41712	09 Angelus	\$199.99	1	Fall
10/06/2013	0000424832	44115	2010 Angelus	\$279.99	1	Fall
01/08/2014	0000433573	44115	2010 Angelus	\$237.99	1	Fall
03/27/2014	0000440628	44115	2010 Angelus	\$279.99	4	Fall
11/24/2010	0000345885	41771	09 Ausone	\$1,099.00	4	Fall
08/13/2012	0000389231	41771	09 Ausone	\$599.99	1	Fall
11/30/2012	0000398145	44131	2010 Ausone	\$699.99	1	Fall
10/24/2013	0000426119	44131	2010 Ausone	\$699.99	1	Fall
07/24/2010	0000341026	41924	09 First Growth Bordeaux Magnum Special Set	\$8,800.00	1	Fall
01/11/2008	0000286122	35087	05 Cheval Blanc	\$799.99	1	November arrival
06/30/2010	0000340137	41651	09 Cheval Blanc	\$995.00	3	Fall
07/01/2010	0000340219	41651	09 Cheval Blanc	\$995.00	1	Fall
11/24/2010	0000345885	41651	09 Cheval Blanc	\$599.99	2	Fall
11/24/2010	0000345885	41737	09 Cheval Blanc Magnum	\$1,199.00	1	Fall
11/30/2012	0000398145	44127	2010 Cheval Blanc	\$299.99	1	Fall
02/18/2012	0000374802	41707	09 Cos d'Estournel	\$297.99	3	Fall
11/30/2012	0000398145	41707	09 Cos d'Estournel	\$199.99	1	Fall
05/29/2007	0000267138	34953	05 Ducru Beaucaillou	\$169.95	5	Fall
04/20/2012	0000380004	41681	09 Ducru Beaucaillou	\$249.99	1	Fall
07/16/2012	0000386671	41681	09 Ducru Beaucaillou	\$179.99	1	Fall
07/20/2012	0000386982	41681	09 Ducru Beaucaillou	\$179.99	1	Fall
03/13/2013	0000407544	44063	2010 Ducru Beaucaillou	\$149.99	2	Fall
06/16/2006	0000229751	34966	05 Haut Brion	\$525.00	4	Summer
06/20/2006	0000230199	34966	05 Haut Brion	\$525.00	1	Summer
03/20/2008	0000291606	34966	05 Haut Brion	\$899.99	1	Summer
07/20/2011	0000359514	44096	2010 Haut Brion	\$550.00	3	Fall
08/10/2011	0000360771	44096	2010 Haut Brion	\$550.00	1	Fall
08/25/2011	0000361781	44096	2010 Haut Brion	\$450.00	1	Fall
09/15/2011	0000362822	44096	2010 Haut Brion	\$450.00	1	Fall
05/04/2013	0000411981	44080	2010 La Conseillante	\$99.99	4	Fall
06/28/2011	0000358543	41644	09 La Mission Haut Brion	\$499.99	2	Fall
06/29/2011	0000358609	41644	09 La Mission Haut Brion	\$499.99	1	Fall
03/14/2012	0000376946	41644	09 La Mission Haut Brion	\$599.99	1	Fall
07/09/2012	0000386015	41644	09 La Mission Haut Brion	\$399.99	1	Fall
10/18/2012	0000394656	41644	09 La Mission Haut Brion	\$349.99	1	Fall
07/17/2013	0000418474	44101	2010 La Mission Haut Brion	\$399.99	1	Fall
05/29/2007	0000267138	35004	05 Lafite Rothschild	\$575.00	1 XX	
03/20/2008	0000291603	35004	05 Lafite Rothschild	\$1,099.00	1	still pending
04/21/2008	0000293699	35004	05 Lafite Rothschild	\$1,099.00	1	still pending
06/28/2010	0000339998	41766	09 Lafite Rothschild	\$1,475.00	2 XX	Fall
06/29/2010	0000340066	41766	09 Lafite Rothschild	\$1,475.00	2	Fall
06/29/2010	0000340067	41766	09 Lafite Rothschild	\$1,475.00	1	Fall
07/11/2010	0000340533	41766	09 Lafite Rothschild	\$1,475.00	1	Fall

11/24/2010	0000345885	41766	09 Lafite Rothschild	\$799.00	3	Fall
11/24/2010	0000345885	41768	09 Lafite Rothschild Magnum	\$1,425.00	1	Fall
07/05/2011	0000358806	44086	2010 Lafite Rothschild	\$1,199.00	2	Fall
08/19/2011	0000361486	44086	2010 Lafite Rothschild	\$999.99	2	Fall
10/06/2011	0000363914	44086	2010 Lafite Rothschild	\$999.99	1	Fall
10/28/2011	0000365413	44086	2010 Lafite Rothschild	\$699.99	1	Fall
11/30/2012	0000398145	44086	2010 Lafite Rothschild	\$599.99	1	Fall
03/17/2007	0000259021	35076	05 Latour	\$799.95	1 XX	
11/24/2010	0000345885	41831	09 Latour	\$799.99	1	Fall
07/29/2011	0000360228	44123	2010 Latour	\$999.99	1	Fall
08/04/2011	0000360563	44123	2010 Latour	\$999.99	1	Fall
08/12/2011	0000361027	44123	2010 Latour	\$999.99	1	Fall
09/01/2011	0000362270	44123	2010 Latour	\$999.99	1	Fall
03/19/2012	0000377404	41789	09 l'Eglise Clinet	\$249.99	1	Fall
12/03/2012	0000398530	41789	09 l'Eglise Clinet	\$199.99	1	Fall
08/04/2011	0000360563	44116	2010 l'Eglise Clinet	\$199.99	2	Fall
11/18/2011	0000367149	41717	09 Leoville las Cases	\$199.99	4	Fall
02/17/2012	0000374734	41717	09 Leoville las Cases	\$229.99	2	Fall
03/22/2012	0000377632	41717	09 Leoville las Cases	\$229.99	1	Fall
02/01/2013	0000403906	44110	2010 Leoville las Cases	\$149.99	4	Fall
02/09/2013	0000404580	44110	2010 Leoville las Cases	\$149.99	1	Fall
08/29/2013	0000421936	44110	2010 Leoville las Cases	\$279.99	1	Fall
03/08/2012	0000376344	41544	09 l'Evangile	\$375.00	3	Fall
03/14/2012	0000376946	41544	09 l'Evangile	\$279.99	3	Fall
10/12/2013	0000425257	44047	2010 l'Evangile	\$269.99	3	Fall
06/26/2006	0000230834	35071	05 Margaux	\$725.00	2 XX	
07/05/2006	0000231415	35071	05 Margaux	\$725.00	1 XX	
03/17/2007	0000259021	35071	05 Margaux	\$725.00	1 XX	
06/01/2011	0000356965	41772	09 Margaux	\$599.99	1	Fall
07/20/2011	0000359514	44042	2010 Margaux	\$599.99	3	Fall
08/25/2011	0000361781	44042	2010 Margaux	\$499.99	2	Fall
09/01/2011	0000362270	44042	2010 Margaux	\$499.99	1	Fall
10/31/2011	0000365490	44042	2010 Margaux	\$399.99	1	Fall
03/16/2012	0000377233	41631	09 Montrose	\$249.99	3	Fall
03/16/2012	0000377268	41631	09 Montrose	\$249.99	1	Fall
08/17/2012	0000389507	41631	09 Montrose	\$229.99	1	Fall
08/30/2012	0000390702	41631	09 Montrose	\$229.99	1	Fall
07/20/2013	0000418809	43927	2010 Montrose	\$129.99	4	Fall
07/26/2013	0000419364	43927	2010 Montrose	\$129.99	1	Fall
05/20/2008	0000296046	35051	05 Mouton	\$699.99	1	still pending
05/22/2008	0000296203	35051	05 Mouton	\$699.99	1 XX	
01/26/2011	0000349529	41766	09 Mouton Rothschild	\$429.99	1	Fall
03/14/2012	0000376946	41670	09 Palmer	\$239.99	4	Fall

03/16/2012	0000377268	41670	09 Palmer	\$239.99	1	Fall	
07/20/2012	0000386982	41670	09 Palmer	\$149.99	1	Fall	
12/03/2012	0000398530	41670	09 Palmer	\$149.99	1	Fall	
05/04/2013	0000411981	44074	2010 Palmer	\$179.99	3	Fall	
07/17/2013	0000418474	44074	2010 Palmer	\$179.99	2	Fall	
01/26/2014	0000435780	44074	2010 Palmer	\$289.99	1	Fall	
04/27/2012	0000380602	41687	09 Pavie	\$229.99	3	Fall	
05/03/2012	0000380865	41687	09 Pavie	\$199.99	1	Fall	
07/19/2012	0000386901	41687	09 Pavie	\$149.99	2	Fall	
12/03/2012	0000398530	41687	09 Pavie	\$149.99	1	Fall	
07/10/2010	0000340520	41815	09 Petrus	\$2,399.00	1	Fall	
02/11/2011	0000350580	41815	09 Petrus	\$1,899.00	1	Fall	
11/24/2010	0000345885	41826	09 Petrus Magnum	\$2,999.00	1	Fall	
07/28/2011	0000360140	44157	2010 Petrus	\$2,399.99	1	Fall	
08/10/2011	0000360771	44157	2010 Petrus	\$1,899.00	3	Fall	
11/11/2011	0000366618	44157	2010 Petrus	\$1,499.00	1	Fall	
09/13/2013	0000422770	43932	2010 Pichon Baron	\$205.00	2	Fall	
09/14/2013	0000422773	43932	2010 Pichon Baron	\$205.00	1	Fall	
02/20/2012	0000374836	41531	09 Pontet Canet	\$139.95	6	Fall	
04/02/2012	0000378252	41531	09 Pontet Canet	\$159.99	1	Fall	
03/28/2013	0000408608	43864	2010 Pontet Canet	\$149.99	1	Fall	
08/19/2013	0000421162	43864	2010 Pontet Canet	\$149.99	1	Fall	
07/02/2010	0000340249	41471	09 Trotanoy	\$329.99	4	Fall	
12/31/2012	0000401478	41728	09 Vieux Chateau Certan	\$259.99	1	Fall	
08/10/2011	0000360776	44079	2010 Vieux Ch Certan	\$219.99	4	Fall	
09/15/2011	0000362822	44079	2010 Vieux Ch Certan	\$219.99	1	Fall	
Red Rhone Valley							
02/14/2009	0000312779	39461	05 Cote Rotie La Landonne, Guigal	\$335.00	1 xx	here	
06/22/2009	0000319479	39461	05 Cote Rotie La Landonne, Guigal	\$349.99	1 xx	here	
08/25/2013	0000421709	47219	09 Cote Rotie La Landonne, Guigal	\$449.99	1	Dec	
08/26/2013	0000421777	47219	09 Cote Rotie La Landonne, Guigal	\$449.99	1	October	
09/26/2013	0000423937	47219	09 Cote Rotie La Landonne, Guigal	\$449.99	1	October	
08/25/2013	0000421709	47220	09 Cote Rotie La Mouline, Guigal	\$449.99	1	October	
08/26/2013	0000421777	47220	09 Cote Rotie La Mouline, Guigal	\$449.99	1	October	
09/29/2013	0000424296	47220	09 Cote Rotie La Mouline, Guigal	\$449.99	1	October	
08/25/2013	0000421709	47221	09 Cote Rotie La Turquie, Guigal	\$449.99	1	October	
08/26/2013	0000421777	47221	09 Cote Rotie La Turquie, Guigal	\$449.99	1	October	
09/26/2013	0000423937	47221	09 Cote Rotie La Turquie, Guigal	\$449.99	1	October	
01/15/2014	0000434210	49294	2010 Cote Rotie La Landonne, Guigal	\$369.99	1	Winter	
01/15/2014	0000434222	49294	2010 Cote Rotie La Landonne, Guigal	\$369.99	1	Winter	
01/15/2014	0000434243	49294	2010 Cote Rotie La Landonne, Guigal	\$369.99	1	Winter	
01/15/2014	0000434210	49295	2010 Cote Rotie La Mouline, Guigal	\$369.99	1	Winter	
01/15/2014	0000434222	49295	2010 Cote Rotie La Mouline, Guigal	\$369.99	1	Winter	

01/15/2014	0000434243	49295	2010 Cote Rotie La Mouline, Guigal	\$369.99	1	Winter
01/15/2014	0000434210	49296	2010 Cote Rotie La Turquie, Guigal	\$369.99	1	Winter
01/15/2014	0000434222	49296	2010 Cote Rotie La Turquie, Guigal	\$369.99	1	Winter
01/15/2014	0000434243	49296	2010 Cote Rotie La Turquie, Guigal	\$369.99	1	Winter
02/05/2014	0000436492	49511	2010 Hermitage Ex Voto Rouge, Guigal	\$299.99	3	Winter
02/08/2014	0000436913	49511	2010 Hermitage Ex Voto Rouge, Guigal	\$225.00	1	Winter
12/13/2013	0000430796	43721	09 Hermitage La Chapelle, Jaboulet	\$129.99	1	Fall
10/08/2013	0000424894	47089	2010 Hermitage La Chapelle, Jaboulet	\$179.99	3	at French warehouse
11/16/2013	0000428115	44972	2010 Chateauneuf Cuvee Reservee, Pegau	\$74.99	1	at French warehouse
07/24/2014	0000450579	41735	09 d'Yquem	\$399.99	6	
09/23/2014	0000455873	41735	09 d'Yquem	\$329.99	1	
08/01/2014	0000451332	41736	09 d'Yquem 1/2	\$239.99	4	
08/02/2014	0000451592	41736	09 d'Yquem 1/2	\$239.99	2	
08/09/2014	0000452180	41736	09 d'Yquem 1/2	\$239.99	2	
10/17/2014	0000458154	41736	09 d'Yquem 1/2	\$239.99	1	
Total Expense= \$140,339.81						