

Fill In this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc.

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Northern District of California



Case number 16-40050

LM 10:46 a.m.
FILED

MAR 23 2016

BANKRUPTCY COURT
OAKLAND, CALIFORNIA

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>Austin Sharp</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?	<input type="checkbox"/> No <input type="checkbox"/> 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>Austin Sharp</u> Name <u>1518 MLK Jr Way</u> Number Street <u>Berkeley</u> <u>CA</u> <u>94709</u> City State ZIP Code Contact phone <u>707.327.8092</u> Contact email <u>austinsharp@yahoo.com</u>	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?	<input type="checkbox"/> No <input type="checkbox"/> 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?	<input 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

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? \$ 1,264.45 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.
Good paid for 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. 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).

Amount entitled to priority

\$ _____

☐ 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.

\$ _____

* 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 03/21/2016

MM / DD / YYYY

Signature

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

Name	Austin Peter Sharp		
	First name	Middle name	Last name
Title	Creditor		
Company	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	1518 MLK Jr Way		
	Number	Street	
	Berkeley	CA	94709
	City	State	ZIP Code
Contact phone	707.327.8092		Email austinsharp@yahoo.com

Premier Cru Orders

Order Number	(Status)	Amount	Qty	Shipped	Remain	Avail	Date	\$ remaining
SO-0000487391	(Open)	\$149.97	3	0	0	3	0 8/16/2015	\$149.97
SO-0000472981	(Open)	\$298.97	6	0	0	6	0 3/11/2015	\$298.97
SO-0000457541	(Open)	\$370.44	9	6	6	3	3 10/8/2014	\$106.24
SO-0000434651	(Open)	\$262.57	8	2	2	6	0 1/18/2014	\$205.42
SO-0000428607	(Open)	\$503.85	15	0	0	15	0 11/23/2013	\$503.85
		\$1,585.80						\$1,264.45

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000428607

Order Date: 11/23/2013

Web Order No: 137802

Salesperson: MR

Customer: 38025

Customer PO:

Sold To	Ship To
Austin Sharp 1518 Martin Luther King Jr Way Berkeley, CA 94709 USA	Austin Sharp 1518 Martin Luther King Jr Way Berkeley, CA 94709 USA

Phone: (707) 327-8092

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49040 2012 Vieux Telegraphe 1/2	3.00	0.00	22.99	68.97
48973 07 Brunello di Montalcino, La Serena	3.00	0.00	39.99	119.97
49044 2012 Beaucastel 1/2	3.00	0.00	24.99	74.97
49039 2012 Vieux Telegraphe	6.00	0.00	39.99	239.94

Payments: 549.20

Net Order: 503.85

Freight: 0.00

Sales Tax: 45.35

11/25/2013	VXYEB388583F	*****0779	549.20
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USD 549.20

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1
Order Number: 0000434651
Order Date: 1/18/2014
Web Order No: 142566
Salesperson: JG
Customer: 38025
Customer PO:

Sold To	Ship To
Austin Sharp 1518 Martin Luther King Jr Way Berkeley, CA 94709 USA	Austin Sharp 1518 Martin Luther King Jr Way Berkeley, CA 94709 USA

Contact: Austin P Sharp
Phone: (707) 327-8092

35% discount applied!
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49276 2012 Chablis Bougros, Fevre	2.00	0.00	38.99	77.99
49275 2012 Chablis Vaulorent, Fevre	2.00	0.00	37.04	74.09
49237 2010 Syrah Case Via, Fontodi	2.00	0.00	25.99	51.99
49273 2012 Chablis Montee de Tonnerre, Fevre	2.00	0.00	29.25	58.50

Payments:	286.20	Net Order:	262.57
		Freight:	0.00
		Sales Tax:	23.63
1/20/2014	VQCEA5159AE6 *****1130		
	286.20		
		USD	286.20

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000457541

Order Date: 10/8/2014

Web Order No: 159679

Salesperson: JG

Customer: 38025

Customer PO:

Sold To

Austin Sharp
1518 Martin Luther King Jr Way
Berkeley, CA 94709 USA

Ship To

Austin Sharp
1518 Martin Luther King Jr Way
Berkeley, CA 94709 USA

Contact: Austin P Sharp
Phone: (707) 327-8092

35% discount applied!

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
50764	08 Cote Rotie d'Ampuis, Guigal	6.00	0.00	45.49	272.96
50785	2011 Chateaucneuf du Pape Cuvée Reservee, Pegau	3.00	0.00	32.49	97.48

Payments: 403.78

Net Order: 370.44

10/9/2014 VLEAB5E71776 *****3720 403.78

Freight: 0.00

Sales Tax: 33.34

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000472981

Order Date: 3/11/2015

Web Order No: 171600

Salesperson: BW

Customer: 38025

Customer PO:

Sold To	Ship To
Austin Sharp 1518 Martin Luther King Jr Way Berkeley, CA 94709 USA	Austin Sharp 1518 Martin Luther King Jr Way Berkeley, CA 94709 USA

Contact: Austin P Sharp
Phone: (707) 327-8092

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51388 2013 Chablis Les Clos, Fevre	2.00	0.00	51.99	103.99
51387 2013 Chablis Cote de Bouguerots, Fevre	2.00	0.00	48.74	97.49
51384 2013 Chablis Preuses, Fevre	2.00	0.00	48.74	97.49

Payments:	325.88	Net Order:	298.97
3/12/2015	VREABDAF3059 *****3795 325.88	Freight:	0.00
		Sales Tax:	26.91

PREMIER CF

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1

Order Number: 0000487391

Order Date: 8/16/2015

Web Order No: 183094

Salesperson:

Customer: 38025

Customer PO:

Sold To

Austin Sharp
1518 Martin Luther King Jr Way
Berkeley, CA 94709 USA

Ship To

Austin Sharp
1518 Martin Luther King Jr Way
Berkeley, CA 94709 USA

Contact: Austin P Sharp
Phone: (707) 327-8092

Item		Ordered	Quantity Shipped	Unit Price	Amount
52222	2014 Pontet Canet	3.00	0.00	49.99	149.97

Payments: 164.22

Net Order: 149.97

Freight: 0.00

Sales Tax: 14.25

8/16/2015 AR0AC646C51A *****3795 164.22

USD 164.22

1/16/2016

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Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000487391 (Open)	\$149.97	3	0	3	0	8/16/15
SO-0000472981 (Open)	\$298.97	6	0	6	0	3/11/15
SO-0000452541 (Open)	\$370.44	9	6	3	3	10/8/14
SO-0000434651 (Open)	\$262.57	8	2	6	0	1/18/14
SO-0000428607 (Open)	\$503.85	15	0	15	0	11/23/13

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ORDER DETAILS

Order No.: SO-0000487391
 Order Date: Aug 16, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2014 Pontet Canet, 750 ml	3	0	3	0	\$49.99	\$149.97

Subtotal: \$149.97
 Tax: \$14.25
 Total: \$164.22

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2014 Pontet Canet, 750 ml	3	0	3

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ORDER DETAILS

Order No.: SO-0000472981
 Order Date.: Mar 11, 2015
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Chablis Preuses, Fevre, 750 ml	2	0	2	0	\$48.74	\$97.49
2013 Chablis Cote de Bouguerots, Fevre, 750 ml	2	0	2	0	\$48.74	\$97.49
2013 Chablis Les Clos, Fevre, 750 ml	2	0	2	0	\$51.99	\$103.99

Subtotal: \$298.97
 Tax: \$26.91
 Total: \$325.88

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2013 Chablis Preuses, Fevre, 750 ml	2	0	2
2013 Chablis Cote de Bouguerots, Fevre, 750 ml	2	0	2
2013 Chablis Les Clos, Fevre, 750 ml	2	0	2

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ORDER DETAILS

Order No.: SO-0000457541
 Order Date.: Oct 8, 2014
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2008 Cote Rotie d'Ampuis, Guigal, 750 ml	6	6	0	0	\$45.49	\$272.96
2011 Chateaneuf du Pape Cuvee Reservee, Pegau, 750 ml	3	0	3	3	\$32.49	\$97.48

Subtotal: \$370.44
 Tax: \$33.34
 Total: \$403.78

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2008 Cote Rotie d'Ampuis, Guigal, 750 ml	6	6	0
2011 Chateaneuf du Pape Cuvee Reservee, Pegau, 750 ml	3	0	3

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ORDER DETAILS

Order No.: SO-0000434651
 Order Date: Jan 18, 2014
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Syrah Case Via, Fontodi, 750 ml	2	0	2	0	\$25.99	\$51.99
2012 Chablis Montee de Tonnerre, Fevre, 750 ml	2	0	2	0	\$29.25	\$58.50
2012 Chablis Vaurorent, Fevre, 750 ml	2	2	0	0	\$37.04	\$74.09
2012 Chablis Bougros, Fevre, 750 ml	2	0	2	0	\$38.99	\$77.99

Subtotal: \$262.57
 Tax: \$23.63
 Total: \$286.20

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Syrah Case Via, Fontodi, 750 ml	2	0	2
2012 Chablis Montee de Tonnerre, Fevre, 750 ml	2	0	2
2012 Chablis Vaurorent, Fevre, 750 ml	2	2	0
2012 Chablis Bougros, Fevre, 750 ml	2	0	2

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