

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc. dba Premier Cru

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

LM 10:01 a.m.
FILED
MAR 29 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>Wendy Marie Lundeen</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 checked="" 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>Wendy Marie Lundeen</u> Name <u>223 Avondale St</u> Number Street <u>Houston TX 77006</u> City State ZIP Code Contact phone <u>504-812-6335</u> Contact email <u>wendy.lundeen@hotmail.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 _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____
4. Does this claim amend one already filed?	<input checked="" 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 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

6. Do you have any number you use to identify the debtor?	<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: _____
7. How much is the claim?	\$ <u>6,244.39</u> Does this amount include interest or other charges? <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).
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. <u>Ordered and paid for wine never received.</u>
9. Is all or part of the claim secured?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <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: _____ 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) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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).
- ☐ 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.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* 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 03/23/2015

MM / DD / YYYY


Signature WENDY MARIE LUNDEEN

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

Name Wendy Marie Lundeen
First name Middle name Last name

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 223 Avondale St
Number Street

Houston TX 77006
City State ZIP Code

Contact phone 504-812-6335 Email wendy.lundeen@hotmail.com

From: Premier Cru shipping@premiercru.net
Subject: Premier Cru Order Acknowledgement
Date: February 14, 2013 at 20:45
To: wendy.lundeen@hotmail.com

Thank you for your order!

We have received your order request SO-0000405116-120384.

qty	item	Wine	price	ext	status
6	45349	2010 Chateauneuf du Pape, Clos St Jean	29.99	179.94	pre-arrival
3	47050	2004 Bollinger Grand Annee Rose	119.99	359.97	pre-arrival
4	45364	2010 Chateauneuf Cuvee Chaupin, Janasse	89.99	359.96	pre-arrival
4	44968	2010 Chateauneuf Cuvee Imperiale, R. Usseglio	94.99	379.96	pre-arrival
6	46882	2010 Chateauneuf du Pape, Chateau Sixtine	55.00	330.00	pre-arrival
6	47174	2010 St Joseph les Challeys, Delas	19.99	119.94	pre-arrival
1	43048	2004 Roederer Cristal	179.99	179.99	pre-arrival
4	44972	2010 Chateauneuf Cuvee Reservee, Pegau	74.99	299.96	pre-arrival
2	46455	2010 Cote Rotie La Landonne, Delas	179.99	359.98	pre-arrival

Bottles : 36
Subtotal: 2569.70
Shipping: 0.00
Tax : 0.00
Total : 2569.70

Please note:
We do not ship automatically upon order.
If you wish to arrange shipping, please contact us after receiving your order confirmation and we will schedule it.
We do not charge for shipping until your bottles ship out.

If you have any questions, please email us at info@premiercru.net or call us at 510-644-9463.

Premier Cru
1011 University Avenue
Berkeley, CA 94710
(510) 644-9463

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000410347

Order Date: 4/15/2013

Web Order No: 124195

Salesperson: MR

Customer: 41073

Customer PO:

Sold To

Wendy Lundeen
409 S 30th Street
Philomath, OR 97370 USA

Ship To

Susan Matson
College of Business (OSU)
200 Bexel Hall
Corvallis, OR 97331 USA

Contact: Wendy M. Lundeen
Phone: (541) 609-8046

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
46463	05 Roederer Cristal	6.00	0.00	169.99	1,019.94
45928	03 Taittinger Comtes de Champagne Rose	2.00	0.00	139.99	279.98
47515	02 Pol Roger Brut Magnum	2.00	0.00	149.99	299.98
42923	Egly-Ouriet Les Vignes de Vrigny Brut 1er Cru	2.00	0.00	45.00	90.00
45292	98 Philipponat Clos des Goisses	2.00	0.00	159.99	319.98
45918	02 Pol Roger Brut	6.00	0.00	74.99	449.94
27802	96 Dom Perignon	1.00	0.00	239.99	239.99

Payments: 2,699.81

Net Order: 2,699.81

Freight: 0.00

Sales Tax: 0.00

4/16/2013 VRCE8D394D1A *****1427 2,699.81

USD 2,699.81

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000435082

Order Date: 1/21/2014

Web Order No: 142895

Salesperson: PB

Customer: 41073

Customer PO:

Sold To

Wendy Lundeen
409 S 30th Street
Philomath, OR 97370 USA

Ship To

Wendy Lundeen
409 S 30th Street
Philomath, OR 97370 USA

Contact: Wendy M. Lundeen
Phone: (541) 609-8046

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
49309	2010 Barolo Prapo, Ceretto	3.00	0.00	79.99	239.97
49308	2010 Barolo Brunate, Ceretto	3.00	0.00	74.99	224.97
49310	2010 Barolo Vigna Chiniera, Grasso	3.00	0.00	84.99	254.97
49311	2010 Barolo Casa Mate, Grasso	3.00	0.00	84.99	254.97

Payments: 974.88

Net Order: 974.88

Freight: 0.00

Sales Tax: 0.00

1/21/2014 VSHEB481D4BC *****2266 974.88

USD 974.88