

Fill in this information to identify the case:

Debtor 1 FOX ORTEGA ENTERPRISES
DBA PREMIER CRU

Debtor 2
 (Spouse, if filing) _____

United States Bankruptcy Court for the: NORTHERN District of CALIFORNIA

Case number 16-40050 WJL7

Q FUEED

2016 APR -7 AM 10:44

U.S. BANKRUPTCY COURT
 DISTRICT OF CALIFORNIA
 OAKLAND, CA

Official Form 410

Proof of Claim

04/16

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>RUSSELL ARTINR LOUB</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?	Where should notices to the creditor be sent? <u>RUSSELL LOUB</u> Name <u>1110 WESTLOOP</u> Number Street <u>MANHATTAN KS 66502</u> City State ZIP Code Contact phone <u>785-313-3565</u> Contact email <u>rlobb@hotmail.com</u>	Where should payments to the creditor be sent? (if different) <u>RUSSELL LOUB</u> Name <u>1110 WESTLOOP</u> Number Street <u>MANHATTAN KS 66502</u> City State ZIP Code Contact phone <u>785-313-3565</u> Contact email <u>rlobb@hotmail.com</u>
	Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
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? ☒ 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? \$ 4076.68 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.
LINE PURCHASED, NEVER 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).

☐ Up to \$2,850* 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 \$12,850*) 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 4/01/19 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 3/31/2016
MM/DD/YYYY

[Signature]
Signature

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

Name

RUSSELL
First name

ARTHUR
Middle name

LOUB
Last name

Title

Company

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

Address

1110 WESTLOOP
Number Street

MANHATTAN
City

KS
State

66502
ZIP Code

Contact phone

785-313-3565

Email

rloub@hotmail.com

March 30, 2016

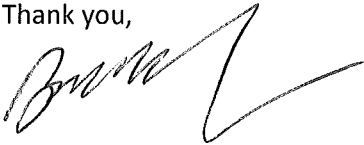
U.S. Bankruptcy Court
1300 Clay St. #300 (94612)
Post Office Box 2070
Oakland, CA 94604-2070

To Whom it May Concern,

During the period 11/8/12 through 1/24/2014, I purchased wine over the internet from Premier Cru. A total of ten purchases (see attached). The total outstanding balance for the wine I never received is \$4076.68.

I have included sales invoices for these purchases and a synopsis of the money owed.

Thank you,

A handwritten signature in black ink, appearing to read 'Russell Loub', with a stylized flourish at the end.

Russell Loub
1110 Westloop
Manhattan, Kansas 66502
785-313-3565

Order Number	Date	Original Amount	Less Wine Received	Balance Owed
396482	11/8/2012	\$509.97		\$509.97
396925	11/12/2012	\$539.92	\$239.96	\$299.96
400028	12/20/2012	\$342.93		\$342.93
400127	12/22/2012	\$179.98		\$179.98
401398	12/31/2012	\$1,659.96	\$319.96	\$1,340.00
405401	2/17/2013	\$119.96		\$119.96
406439	3/1/2013	\$598.00		\$598.00
427257	11/7/2013	\$399.96		\$399.96
431970	12/23/2013	\$159.96		\$159.96
435428	1/24/2014	\$125.96		\$125.96
Total Balance Owed				\$4,076.68

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000396482
Order Date: 11/8/2012
Web Order No: 114493
Salesperson: JG
Customer: 43704
Customer PO:

Sold To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Ship To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
45350 2010 Chateauneuf Combes de Fous, Clos St Jean	3.00	0.00	169.99	509.97

Payments: 509.97

Net Order: 509.97

Freight: 0.00

Sales Tax: 0.00

11/9/2012 VUJEA134174B *****5009 509.97

USD 509.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000396925
Order Date: 11/12/2012
Web Order No: 114795
Salesperson: MR
Customer: 43704
Customer PO:

Sold To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Ship To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
42752	09 Chateauneuf Reservee, Pegau	4.00	0.00	59.99	239.96
44972	2010 Chateauneuf Cuvée Reservee, Pegau	4.00	0.00	74.99	299.96

Payments: 539.92

11/12/2012	VXJEA218296E	*****5009	539.92
------------	--------------	-----------	--------

Net Order: 539.92

Freight: 0.00

Sales Tax: 0.00

USD 539.92

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000400028

Order Date: 12/20/2012

Web Order No: 116878

Salesperson: PB

Customer: 43704

Customer PO:

Sold To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Ship To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
43973	2010 Branon	1.00	0.00	122.95	122.95
43919	2010 Smith Haut Lafitte	2.00	0.00	109.99	219.98

Payments: 342.93

Net Order: 342.93

Freight: 0.00

Sales Tax: 0.00

12/20/2012 VPEE7DC0AC25 *****5009 342.93

USD 342.93

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000400127

Order Date: 12/22/2012

Web Order No: 116930

Salesperson: BN

Customer: 43704

Customer PO:

Sold To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Ship To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

Item		Ordered	Quantity Shipped	Unit Price	Amount
44069	2010 Troplong Mondot	2.00	0.00	89.99	179.98

Payments: 179.98

Net Order: 179.98

Freight: 0.00

Sales Tax: 0.00

12/22/2012	VRCE7E46AB76	*****5009	179.98
------------	--------------	-----------	--------

USD 179.98

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000401398

Order Date: 12/31/2012

Web Order No: 117852

Salesperson: PB

Customer: 43704

Customer PO:

Sold To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Ship To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
43899	2010 Le Dome	4.00	0.00	79.99	319.96
44856	2010 Bordeaux Super Value Special Set	4.00	0.00	335.00	1,340.00

Payments: 1,659.96

Net Order: 1,659.96

Freight: 0.00

Sales Tax: 0.00

12/31/2012 VREE7E98726A *****5009 1,659.96

USD 1,659.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000405401
Order Date: 2/17/2013
Web Order No: 120589
Salesperson: JG
Customer: 43704
Customer PO:

Sold To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Ship To

Russell Loub
1110 Westloop
Little Apple Brewing Co.
Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
43900	2010 Les Asteries	4.00	0.00	29.99	119.96

Payments: 119.96

2/18/2013	VUJEA57FE508	*****5009	119.96
-----------	--------------	-----------	--------

Net Order: 119.96

Freight: 0.00
Sales Tax: 0.00

USD 119.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000406439
Order Date: 3/1/2013
Web Order No: 121342
Salesperson: JG
Customer: 43704
Customer PO:

Sold To	Ship To
Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA	Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
44851 2010 Graves Special Set	2.00	0.00	299.00	598.00

				Net Order:	598.00
Payments:	598.00			Freight:	0.00
3/1/2013	VS YE A4A9639C	*****5009	598.00	Sales Tax:	0.00
				USD	598.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000427257

Order Date: 11/7/2013

Web Order No: 136743

Salesperson: PB

Customer: 43704

Customer PO:

Sold To	Ship To
Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA	Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47524 2011 Chateauneuf Combes des Fous, Clos St Jean	3.00	0.00	89.99	269.97
47525 2011 Chateauneuf Deus ex Machina, Clos St Jean	1.00	0.00	129.99	129.99

				Net Order:	399.96
Payments: 399.96				Freight:	0.00
11/7/2013	VXHEB29CF319	*****5009	399.96	Sales Tax:	0.00
				USD	399.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000431970
Order Date: 12/23/2013
Web Order No: 140505
Salesperson: JG
Customer: 43704
Customer PO:

Sold To	Ship To
Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA	Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
41362 07 Giusto di Notri, Tua Rita	4.00	0.00	39.99	159.96

Payments: 159.96

Net Order: 159.96

Freight: 0.00

Sales Tax: 0.00

12/23/2013 VUHEB46553B4 *****5009 159.96

USD 159.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000435428

Order Date: 1/24/2014

Web Order No: 143125

Salesperson: JG

Customer: 43704

Customer PO:

Sold To	Ship To
Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA	Russell Loub 1110 Westloop Little Apple Brewing Co. Manhattan, KS 66502 USA

Contact: Russell Loub
Phone: (785) 539-5500

25% discount applied!

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49399 2012 Chateaufeuf du Pape, Clos St Jean	6.00	0.00	20.99	125.96

Payments: 125.96

Net Order: 125.96

Freight: 0.00

Sales Tax: 0.00

1/24/2014	VUHEB62117E3	*****5009	125.96
-----------	--------------	-----------	--------

USD 125.96