

Debtor 1 \_\_\_\_\_

Debtor 2  
(Spouse, if filing) \_\_\_\_\_

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_

Case number 16-40050

CL FILED

2016 APR -8 AM 10:06

U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
SAN FRANCISCO, CA.

# 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>WineWise LLC</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>WineWise LLC</u> Name <u>5655 College Ave</u> Number Street <u>Oakland CA 94618</u> City State ZIP Code Contact phone <u>510-848-6879</u> Contact email <u>Brian @ WineWise.biz</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 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? _____	

16-40050

**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?

\$ 23,686.00

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.

Goods Sold - 2 orders of wine 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 all that apply:

☐ 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 8011(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 3/11/2016

MM / DD / YYYY

Bria Greenwood

Signature

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

Name

BRIAN KEITH GREENWOOD

First name

Middle name

Last name

Title

Partner

Company

WineWise

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

Address

Number

Street

City

State

ZIP Code

Contact phone

Email

WineWise / The Vienna Wine Company  
5655 College Avenue  
Oakland, CA 94618

# Invoice

Number: 00077913

Date: 11/19/2015

Page: 1

Delivery Instructions:

Voice 510-848-6879

Fax 510-848-6880

www.winewise.biz

Sold To:

**Premier Cru**  
**1011 University Avenue**  
**Berkeley, CA 94710**

Ship To:

**Premier Cru**  
**1011 University Avenue**  
**Berkeley, CA 94710**

Customer PO		Payment Terms From Delivery	Sales Rep.	Shipping Method	Due Date	
		Net 30	Marc Teixeira-West	Zephyr Express North	12/19/2015 *	
Qty.	Item No.	Description		Unit Price	Disc. %	Extension
2	ABY-339	Bründlmayer 2013 Zöbinger Heiligenstein Riesling Alte Reben [6/750]		\$320.00		\$640.00
5	AZZ-221	Schloss Gobelsburg 2013 Riesling Gaisberg [6/750]		\$146.00		\$730.00
						</

**Thank You!**

1 1/2% Finance Charge per month on all past due balances.

16-40050

WineWise / The Vienna Wine Company  
5655 College Avenue  
Oakland, CA 94618

# Invoice

Number: 00076605

Date: 11/19/2015

Page: 1

Delivery Instructions:

Voice 510-848-6879

Fax 510-848-6880

www.winewise.biz

Sold To:

Premier Cru  
1011 University Avenue  
Berkeley, CA 94710

Ship To:

Premier Cru  
1011 University Avenue  
Berkeley, CA 94710

Customer PO		Payment Terms From Delivery	Sales Rep.	Shipping Method	Due Date	
		Net 30		Zephyr Express North	12/19/2015 *	
Qty.	Item No.	Description		Unit Price	Disc. %	Extension
2	GCL-086	Loewen 2014 Longuicher Herrenberg Riesling Kabinett		\$164.00		\$328.00
4	GCL-088	Loewen 2014 Leiwener Laurentiuslay Riesling Spätlese		\$198.00		\$792.00
0.5	GCL-090	6 bt. : Loewen 2014 Thörnicher Ritsch Riesling Auslese		\$272.00		\$136.00
2	GDD-116	von Winning 2014 Pechstein Riesling Grosses Gewächs [6/750]		\$416.00		\$832.00
6	GDD-118	von Winning 2013 Sauvignon Blanc trocken "I"		\$326.00		\$1,956.00
4	GDD-119	von Winning 2013 Sauvignon Blanc trocken "500" [6/750]		\$262.00		\$1,048.00
2	GEM-143H	Eugen Müller 2013 Forster Kirchenstück Riesling Auslese [12/500]		\$248.00		\$496.00
2	GEM-151H	Eugen Müller 2014 Forster Kirchenstück Riesling Auslese [12/500]		\$258.00		\$516.00
2	GHX-109	Hexamer 2003 Sobernheimer Marbach Riesling Spätlese		\$330.00		\$660.00
10	GHX-118	Hexamer 2001 Meddersheimer Altenberg Riesling "Hochgewächs"		\$248.00		\$2,480.00
2	GJC-218	Christoffel 2014 Urziger Würzgarten Riesling Spätlese		\$224.00		\$448.00
2	GJC-219	Christoffel 2014 Erdener Treppchen Riesling Spätlese		\$224.00		\$448.00
2	GJC-221	Christoffel 2014 Erdener Treppchen Riesling Kabinett		\$214.00		\$428.00
2	GJC-223	Christoffel 2014 Urziger Würzgarten Riesling Auslese (3-star) Kranklay [6/750]		\$220.00		\$440.00
10	GJS-116	Jakob Schneider 2012 Niederhäuser Hermannshöhle Riesling Auslese [6/750]		\$170.00		\$1,700.00
10	GJS-133L	Schneider 2014 Riesling Kabinett [12/1000]		\$136.00		\$1,360.00
2	GJS-135	Schneider 2014 Norheimer Kirschheck Riesling Spätlese		\$222.00		\$444.00
2	GJS-136	Schneider 2014 Niederhäuser Hermannshöhle Riesling Spätlese		\$242.00		\$484.00
3	GKF-095	Kruger-Rumpf 2004 Münsterer Dautenpflänzer Riesling Spätlese		\$162.00		\$486.00
3	GKF-096	Kruger-Rumpf 2004 Münsterer Pittersberg Riesling Spätlese		\$162.00		\$486.00
1cs GCL-088 not on truck; redelivered 11/20 LFR - completed 11.25				Subtotal		
				Freight		
				Sales Tax		
Thank You!				Total Invoice Amt		
				Amount Paid		
1 1/2% Finance Charge per month on all past due balances.				Balance Due		

WineWise / The Vienna Wine Company  
5655 College Avenue  
Oakland, CA 94618

Voice 510-848-6879  
Fax 510-848-6880  
www.winewise.biz

# Invoice

Number: 00076605  
Date: 11/19/2015  
Page: 2

Delivery Instructions:

Sold To:  
**Premier Cru**  
**1011 University Avenue**  
**Berkeley, CA 94710**

Ship To:  
**Premier Cru**  
**1011 University Avenue**  
**Berkeley, CA 94710**

Customer PO		Payment Terms From Delivery	Sales Rep.	Shipping Method	Due Date	
		Net 30		Zephyr Express North	12/19/2015 *	
Qty.	Item No.	Description		Unit Price	Disc. %	Extension
3	GKF-214	Kruger-Rumpf 2014 Münsterer Dautenpflänzer Riesling Spätlese		\$194.00		\$582.00
3	GKF-216	Kruger-Rumpf 2014 Scheurebe Spätlese		\$194.00		\$582.00
2	GKU-024	Künstler 2014 Hochheimer Kirchenstück Riesling Kabinett trocken		\$234.00		\$468.00
2	GKU-025	Künstler 2014 Hochheimer Domdechane Riesling trocken		\$374.00		\$748.00
2	GKU-027	Künstler 2013 Rüdesheimer Berg Rottland Riesling Grosses Gewächs [6/750]		\$302.00		\$604.00
2	GKU-028	Künstler 2013 Hochheimer Hölle Riesling Grosses Gewächs [6/750]		\$278.00		\$556.00
2	GSD-164	Diel 2014 Burgberg Riesling Grosses Gewächs [6/750]		\$314.00		\$628.00
2	GSD-167	Diel 2014 Dorsheimer Pittermännchen Riesling Spätlese [6/750]		\$234.00		\$468.00
5	GSP-106	Spreitzer 2014 Riesling '101'		\$124.00		\$620.00
2	GSP-114	Spreitzer 2014 Winkeler Jesuitengarten Riesling Spätlese		\$258.00		\$516.00
3	GST-195	Strub 2014 Niersteiner Hipping Riesling Spätlese "Flächenhahl"		\$192.00		\$576.00
1cs GCL-088 not on truck; redelivered 11/20 LFR - completed 11.25				Subtotal		\$22,316.00
				Freight		\$0.00
				Sales Tax		\$0.00
				Total Invoice Amt		\$22,316.00
				Amount Paid		\$0.00
<div>Thank You!</div> <div>1 1/2% Finance Charge per month on all past due balances.</div>				Balance Due		\$22,316.00

**Thank You!**

1 1/2% Finance Charge per month on all past due balances.

16-40050

**STRAIGHT BILL OF LADING - SHORT FORM - ORIGINAL - NOT NEGOTIABLE**  
 RECEIVED, subject to the classifications and tariffs in effect on the date of issue of this Bill of Lading.



**Zephyr Express** Excellence in Fine Wine Delivery

4325 Industrial Way  
 Benicia, CA 94510  
 Phone: (707) 226-2314 Fax: (707) 226-1086

**SHIPPER NO**

CN000913239  
 CN000781927

NAME

DATE

FOR THE ACCOUNT OF

WINO - Winewisdom Vienna Wine Co.  
 5655 College Ave.  
 Oakland, CA 94618- US  
 510-473-5482

Page 1 of 3

RETURN TO STOCK

**CONSIGNEE AND DESTINATION**

CN28556 - Premier Cru  
 1011 University Ave  
 Berkeley, CA 94704- US

Order Date	Winery Order No.	Special Instructions		Carrier	Ship Date
11/18/2015	76605-WINO			ZEPHYR	11/19/2015
Quantity Cases / Btls.	Description				Total Weight
2	Case-750	WINOGCL086	2014 Loewen Longuicher Herrenberg Riesling Kabinett 2014 12/750ml	78.00	
3/4	Case-750	WINOGCL088	2014 Loewen Leiwener Laurentiuslay Riesling Spatlese 2014 12/750ml - 1 case short	156.00	
6	Bot-750	WINOGCL090	2014 Loewen Thornicher Ritsch Riesling Auslese 2014 12/750ml	19.50	
2	Case-750	WINOGDD116	2014 Von Winning 2014 Pechstein Riesling Grosses Gewachs 6/750ml	39.00	
6	Case-750	WINOGDD118	2013 Von Winning 2013 Sauvignon Blanc trocken "I" 12/750ml	234.00	
4	Case-750	WINOGDD119	2013 Von Winning 2013 Sauvignon Blanc trocken "500" 6/750ml	78.00	
2	Case-500	WINOGEM143H	2013 Eugen Muller 2013 Forster Kirchenstuck Riesling Auslese 12/5	78.00	
2	Case-500	WINOGEM151H	2014 Eugen Muller 2014 Forster Kirchenstuck Riesling Auslese 12/5	78.00	
2	Case-750	WINOGHX109	2003 Hexamer Sobernheimer Marbach Riesling Spatlese 2003 12/750ml	78.00	
10	Case-750	WINOGHX118	2001 Hexamer 2001 Meddersheimer Altenberg Riesling "Hochgewachs"	390.00	
2	Case-750	WINOGJC218	2014 Christoffel 2014 Urziger Wurzgarten Riesling Spatlese 12/75	78.00	
2	Case-750	WINOGJC219	2014 Christoffel 2014 Erdener Treppchen Riesling Spatlese 12/750	78.00	
2	Case-750	WINOGJC221	2014 Christoffel 2014 Erdener Treppchen Riesling Kabinett 12/750	78.00	
2	Case-750	WINOGJC223	2014 Christoffel 2014 Urziger Wurzgarten Riesling Auslese 3-Star	39.00	
10	Case-750	WINOGJS116	2012 Niederhauser Herman Ries Auslese 2012 6/750ml	180.00	

SIGNATURE ON FACE ACKNOWLEDGES RECEIPT OF THE PROPERTY DESCRIBED THEREON, IN APPARENT GOOD ORDER, EXCEPT AS NOTED (CONTENTS AND CONDITIONS OF CONTENTS OF PACKAGES UNKNOWN), MARKED CONSIGNED AND DESTINED AS INDICATED ON FACE.			
CLAIMS OF SHORTAGE MUST BE MADE IMMEDIATELY UPON RECEIPT OF GOODS.		Subject of Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement. The carrier shall not make a deliver of this shipment without payment of freight and all other lawful charges.	
RECEIVED BY X	PRINT NAME	Pallets Out:	Pallets In:
DATE	NUMBER OF PKGS.	Per (SIGNATURE OF CONSIGNOR)	
TIME	(AM / PM)		

ORION GILBERT INVOICE WILL FOLLOW - PLEASE PAY FROM INVOICE



## STRAIGHT BILL OF LADING - SHORT FORM - ORIGINAL - NOT NEGOTIABLE

RECEIVED, subject to the classifications and tariffs in effect on the date of issue of this Bill of Lading.

Zephyr Express *Excellence in Fine Wine Delivery*4325 Industrial Way  
Benicia, CA 94510

Phone: (707) 226-2314 Fax: (707) 226-1086

SHIPPER NO

CN000913313

CN000782008

## CONSIGNEE AND DESTINATION

CN28556 - Premier Cru  
1011 University Ave  
Berkeley, CA 94704- US

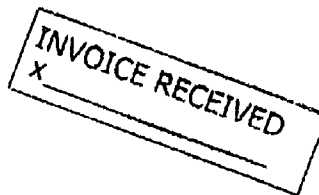
## FOR THE ACCOUNT OF

WINO - Winewise/the Vienna Wine Co.  
5655 College Ave.  
Oakland, CA 94618- US  
510-473-5482

PAGE

Page 1 of 1

Order Date	Winery Order No.	Special Instructions			Carrier	Ship Date
11/18/2015	77913WINO				ZEPHYR	11/19/2015
Quantity Cases / Btls.	Description					Total Weight
5	Case-750	WINOAZZ221	2013 Schloss Gobelsburg Riesling Gaissberg 2013 6/750ml			97.50
2	Case-750	WINOABY339	2013 Willi Brundlmayer Zobinger Heiligenstein Riesling Alte Reben			39.00
			Cases	Btls	Gls	Ltr
NO58 - 008	Bill of Lading Total		7	0	8.3214	31.50 136.50



ORON Giffa

SIGNATURE ON FACE ACKNOWLEDGES RECEIPT OF THE PROPERTY DESCRIBED THEREON, IN APPARENT GOOD ORDER, EXCEPT AS NOTED (CONTENTS AND CONDITIONS OF CONTENTS OF PACKAGES UNKNOWN), MARKED CONSIGNED AND DESTINED AS INDICATED ON FACE.				
CLAIMS OF SHORTAGE MUST BE MADE IMMEDIATELY UPON RECEIPT OF GOODS.		Subject of Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement. The carrier shall not make a deliver of this shipment without payment of freight and all other lawful charges.	Pallets Out:	Pallets In:
RECEIVED BY X PRINT NAME <u>11-19</u> DATE <u>11-19</u> NUMBER OF PKGS. <u>7</u> TIME _____ (AM / PM)				
		Per _____ (SIGNATURE OF CONSIGNOR)		

INVOICE WILL FOLLOW - PLEASE PAY FROM INVOICE

16-40050