

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

FILED
 2015 APR 11 AM 10:21
 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?

Ivor Muroff
 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?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Ivor Muroff
 Name
1036 Park Ave #11C
 Number Street
NY NY 10028
 City State ZIP Code

 Name

 Number Street

 City State ZIP Code

Contact phone _____

Contact email imuroff@earthlink.net

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

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? _____

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? \$ 2095.76 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.
Wine and Port Purchases items stored in warehouse
Purchases Prior 8/1/2014

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: wine and port
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: \$ 2095.76
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ 2095.76 (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: \$ 2095.76

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. 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

04 04 2016
MM / DD / YYYY

Signature

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

Name

First name

Middle name

Last name

Title

Company

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

Address

Number

Street

City

State

ZIP Code

Contact phone

Email

[My Account](#)[Hi Ivor](#)[Log Out](#)[Shopping Cart](#)[wine, region, varietal, producer](#)[SEARCH](#)[MY ACCOUNT](#)[EDIT PROFILE](#)[ADDRESS BOOK](#)[BILLING INFORMATION](#)**ORDER HISTORY**

All Time

Sort By Order No

[GO](#)

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000484835 (Open)	\$140.98	2	0	2	1	7/22/15
SO-0000483175 (Open)	\$100.75	1	0	1	0	7/5/15
SO-0000479412 (Open)	\$109.99	1	0	1	0	5/23/15
SO-0000470522 (Open)	\$475.00	1	0	1	0	2/17/15
SO-0000465756 (Open)	\$71.99	1	0	1	0	12/28/14
SO-0000461832 (Open)	\$299.96	4	0	4	4	11/22/14
SO-0000460001 (Open)	\$79.99	1	0	1	0	11/2/14
SO-0000457016 (Open)	\$139.99	1	0	1	0	10/4/14
SO-0000451268 (Open)	\$259.99	1	0	1	0	8/1/14
SO-0000440013 (Open)	\$110.97	3	0	3	3	3/21/14
SO-0000436113 (Open)	\$36.00	1	0	1	1	2/1/14
SO-0000429311 (Open)	\$227.96	4	0	4	4	11/27/13
SO-0000428556 (Open)	\$73.98	2	0	2	2	11/23/13
SO-0000412565 (Open)	\$120.97	3	0	3	3	5/11/13
SO-0000397372 (Open)	\$118.97	3	0	3	3	11/19/12
SO-0000397371 (Open)	\$79.95	1	0	1	1	11/19/12
SO-0000395878 (Open)	\$71.98	2	0	2	2	11/1/12
SO-0000389579 (Open)	\$79.99	1	0	1	1	8/17/12
SO-0000388069 (Open)	\$95.00	1	0	1	1	8/3/12
SO-0000388058 (Open)	\$190.00	2	0	2	2	8/3/12
SO-0000383538 (Open)	\$159.99	1	0	1	1	6/12/12
SO-0000371350 (Open)	\$730.00	12	0	12	12	1/7/12

disputed via credit card company

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We source the world's finest wines at extremely competitive prices to provide exceptional experiences for collectors, connoisseurs, and everyday wine lovers.

Become a fan!

Premier Cru

1011 University Ave
Berkeley, CA 94710
[Click here for directions](#)

Store Hours

Tuesday-Friday: 10am-6pm
Saturday: 10am-5pm
Sunday: Closed

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PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000371350

Order Date: 1/7/2012

Web Order No: 89992

Salesperson: MR

Customer: 42256

Customer PO:

Sold To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Ship To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

	Item	Ordered	Quantity Shipped	Unit Price	Amount
35347	05 Oberhauser Brucke Auslese 1/2, Donnhoff	2.00	0.00	35.00	70.00
43692	06 Oberhauser Brucke BA 1/2 , Donnhoff	7.00	0.00	75.00	525.00
44808	2010 Niederhauser Hermannshohle Auslese Goldkapsel 1/2, Donnhoff	3.00	0.00	45.00	135.00

Payments: 730.00

Net Order: 730.00

Freight: 0.00

Sales Tax: 0.00

1/7/2012 VUHE8B44683C *****6678 730.00

USD 730.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000383538

Order Date: 6/12/2012

Web Order No: 97612

Salesperson: JG

Customer: 42256

Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
RR596 77 Fonseca	1.00	0.00	159.99	159.99

				Net Order:	159.99
Payments: 159.99				Freight:	0.00
				Sales Tax:	0.00
6/12/2012	VDNE4CA69D28	*****6678	159.99		
				USD	159.99

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000388058

Order Date: 8/3/2012

Salesperson: MR

Customer: 42256

Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
26234 01 Wehlener Sonnenuhr Auslese Goldkap, JJ Prum	2.00	0.00	95.00	190.00

Net Order: 190.00

Payments: 190.00

Freight: 0.00

Sales Tax: 0.00

8/3/2012	VDVE4EC49DA5	*****6678	190.00
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USD 190.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000388069

Order Date: 8/3/2012

Salesperson: MR

Customer: 42256

Customer PO:

Sold To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Ship To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
26234	01 Wehlener Sonnenuhr Auslese Goldkap, JJ Prum	1.00	0.00	95.00	95.00

Payments: 95.00

Net Order: 95.00

Freight: 0.00

Sales Tax: 0.00

8/3/2012 VXHE9E09CBA8 *****6678 95.00

USD 95.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000389579

Order Date: 8/17/2012

Web Order No: 101651

Salesperson: MR

Customer: 42256

Customer PO:

Sold To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Ship To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
45360	2010 Wehlener Sonnenuhr Auslese Goldkapsel, JJ Prum	1.00	0.00	79.99	79.99

Payments: 79.99

Net Order: 79.99

Freight: 0.00

Sales Tax: 0.00

8/17/2012	VTYE9E69B327	*****6678	79.99
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USD 79.99

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000395878
Order Date: 11/1/2012
Web Order No: 114095
Salesperson: PB
Customer: 42256
Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

to be combined with previous orders. Thanks!
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
46572 2011 Schlossbockelheimer Felsenberg Spatlese 'Felsenturmchen', Donnhoff	2.00	0.00	35.99	71.98

Payments:	71.98	Net Order:	71.98
11/1/2012	VPEE7BD22708	*****6678	71.98
Freight:			0.00
Sales Tax:			0.00
USD			71.98

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000397371

Order Date: 11/19/2012

Web Order No: 115046

Salesperson: MC

Customer: 42256

Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

Item	Ordered	Quantity Shipped	Unit Price	Amount
24835 01 Oberhauser Brucke Spatlese, Donnhoff	1.00	0.00	79.95	79.95

				Net Order:	79.95
Payments:	79.95				
11/19/2012	VUYEA196776D	*****6678	79.95	Freight:	0.00
				Sales Tax:	0.00
				USD	79.95

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000397372

Order Date: 11/19/2012

Web Order No: 115047

Salesperson: PB

Customer: 42256

Customer PO:

Sold To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Ship To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

	Item	Ordered	Quantity Shipped	Unit Price	Amount
46569	2011 Oberhauser Brucke Auslese GoldKapsel 1/2, Donnhoff	1.00	0.00	38.99	38.99
46574	2011 Niederhauser Hermannshohle Auslese GoldKapsel 1/2, Donnhoff	2.00	0.00	39.99	79.98

Payments: 118.97

Net Order: 118.97

Freight: 0.00

Sales Tax: 0.00

11/19/2012	VUJEA196AE8C	*****6678	118.97
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USD 118.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000412565

Order Date: 5/11/2013

Web Order No: 125866

Salesperson: JG

Customer: 42256

Customer PO:

Sold To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Ship To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47796	2011 Taylor 1/2	1.00	0.00	36.99	36.99
47793	2011 Fonseca 1/2	2.00	0.00	41.99	83.98

Payments: 120.97

Net Order: 120.97

Freight: 0.00

Sales Tax: 0.00

5/11/2013	VUJEA92A7908	*****9534	120.97
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USD 120.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000428556

Order Date: 11/23/2013

Web Order No: 137756

Salesperson: MR

Customer: 42256

Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
48697 2012 Zeltinger Schlossberg Spatlese 'Schmitt', Selbach-Oster	2.00	0.00	36.99	73.98

Payments:	73.98	Net Order:	73.98
11/23/2013 VQFEA1F9BBD3 *****5185 73.98		Freight:	0.00
		Sales Tax:	0.00
		USD	73.98

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000429311

Order Date: 11/27/2013

Web Order No: 138366

Salesperson:

Customer: 42256

Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

Item	Ordered	Quantity Shipped	Unit Price	Amount
47799 2011 Graham 1/2	2.00	0.00	38.99	77.98
47801 2011 Dow	2.00	0.00	74.99	149.98

				Net Order:	227.96
Payments:	227.96				
11/29/2013	VPEEA1F18462	*****5185	227.96	Freight:	0.00
				Sales Tax:	0.00
				USD	227.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000436113

Order Date: 2/1/2014

Web Order No: 143635

Salesperson:

Customer: 42256

Customer PO:

Sold To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Ship To

Ivor Muroff
1036 Park Avenue
11C
New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

2011 Cockburn sold out
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
46710 09 Graham's Malvedos	1.00	0.00	36.00	36.00

Payments: 36.00

Net Order: 36.00

Freight: 0.00

Sales Tax: 0.00

2/1/2014 VPFEA5868DB3 *****5185 36.00

USD 36.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000440013

Order Date: 3/21/2014

Web Order No: 146615

Salesperson: JG

Customer: 42256

Customer PO:

Sold To	Ship To
Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA	Ivor Muroff 1036 Park Avenue 11C New York, NY 10028 USA

Contact: Ivor Muroff
Phone: (646) 461-8437

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47796 2011 Taylor 1/2	3.00	0.00	36.99	110.97

Payments:	110.97	Net Order:	110.97
3/21/2014 VTJEB648422 *****5185 110.97		Freight:	0.00
		Sales Tax:	0.00
		USD	110.97