

FILED

2016 APR 12 AM 9:56

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

Fill in this information to identify the case:

Debtor 1 John Eugene Fox / Fox Ortega Enterprises  
Debtor 2 \_\_\_\_\_  
(Spouse, if filing)  
United States Bankruptcy Court for the: Northern District of California  
Case number 16-40540 WJL 7 / 16-40050

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>Raymond Chan</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?	Where should payments to the creditor be sent? (if different)
	<p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p> <p>Name <u>Raymond Chan</u> Number <u>1829</u> Street <u>Fallbrook Dr</u> City <u>Alamo</u> State <u>CA</u> ZIP Code <u>94507</u> Contact phone <u>917-306-8159</u> Contact email <u>raymondchan@hotmail.com</u></p> <p>Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____</p>	<p>Name _____ Number _____ Street _____ City _____ State _____ ZIP Code _____ Contact phone _____ Contact email _____</p>
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? \$ 1,324.89. 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 - ordered w/ no delivery (see attached sales order)

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)?**

☒ 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 04/08/2016  
MM / DD / YYYY

Signature

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

Name Raymond K Chan  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address 1829 Fallbrook Dr  
Number Street

Alamo CA 94507  
City State ZIP Code

Contact phone 917-306-8159 Email raymond.k.chan@hotmail.com

Debtors may request to receive Court notices and orders by email instead of U.S. mail. Sign Up at [www.canb.uscourts.gov](http://www.canb.uscourts.gov)

**Information to identify the case:**

Debtor Fox Ortega Enterprises, Inc. EIN 94-3660341  
Name  
United States Bankruptcy Court **Northern District of California** Date case filed for chapter **7** **1/8/16**  
Case number: **16-40050**

**Official Form 309D (For Corporations or Partnerships)**

**Notice of Chapter 7 Bankruptcy Case -- Proof of Claim Deadline Set**

12/15

For the debtor listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**Do not file this notice with any proof of claim or other filing in the case.**

1. Debtor's full name	Fox Ortega Enterprises, Inc.	
2. All other names used in the last 8 years	dba Premier Cru	
3. Address	1011 University Ave. Berkeley, CA 94710	
4. Debtor's attorney Name and address	Stephen D. Finestone Law Offices of Stephen D. Finestone 456 Montgomery St. 20th Fl. San Francisco, CA 94104	Contact phone (415) 421-2624
5. Bankruptcy trustee Name and address	Michael G. Kasolas P.O. Box 26650 San Francisco, CA 94126	Contact phone (415) 504-1926 Email: <a href="mailto:trustee@kasolas.net">trustee@kasolas.net</a>
6. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	1300 Clay Street #300 (94612) Post Office Box 2070 Oakland, CA 94604-2070	Hours open: 9:00 am to 4:30 pm, Monday - Friday Contact phone 510-879-3600 Date: 1/12/16
7. Meeting of creditors The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.	<b>February 24, 2016 at 08:30 AM</b> The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	Location: <b>Office of the U.S. Trustee, 1301 Clay St. Room 680N, Oakland, CA 94612</b>

**Important Notice to Individual Debtors:** The United States Trustee requires all debtors who are individuals to provide government-issued photo identification and proof of social security number to the trustee at the meeting of creditors

For more information, see page 2 >

**Information to identify the case:**

Debtor 1 **John Eugene Fox** Social Security number or ITIN **566-80-5212**  
 First Name Middle Name Last Name EIN \_\_\_\_\_  
 Debtor 2 \_\_\_\_\_ Social Security number or ITIN \_\_\_\_\_  
 (Spouse, if filing) First Name Middle Name Last Name EIN \_\_\_\_\_  
 United States Bankruptcy Court Northern District of California Date case filed for chapter **7** **2/8/16**  
 Case number: **16-40340 WJL 7**

## Official Form 309A (For Individuals or Joint Debtors)

### Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline 12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

About Debtor 1:		About Debtor 2:
1. Debtor's full name	John Eugene Fox	
2. All other names used in the last 8 years		
3. Address	1110 Trailside Circle Concord, CA 94518	
4. Debtor's attorney Name and address	Sarah Lampi Little Kornfield, Nyberg, Bendes & Kuhner, P.C 1970 Broadway #225 Oakland, CA 94612	Contact phone (510) 763-1000
5. Bankruptcy trustee Name and address	Marlene G. Weinstein 1511 M Sycamore Ave. #259 Hercules, CA 94547	Contact phone (925) 482-8982 Email: <a href="mailto:mawtrustee@mawtrustee.com">mawtrustee@mawtrustee.com</a>
6. Bankruptcy clerk's office  Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	1300 Clay Street #300 (94612) Post Office Box 2070 Oakland, CA 94604-2070	Hours open: 9:00 am to 4:30 pm, Monday - Friday  Contact phone: 510-879-3600  Date: 2/9/16

For more information, see page 2 >

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000486932  
Order Date: 8/11/2015

Salesperson: SA  
Customer: 44212  
Customer PO:

### Sold To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

### Ship To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

Contact: Raymond Chan  
Phone: (917) 306-8159

\$122.66 visa \$123.72 store credit

Item		Ordered	Quantity Shipped	Unit Price	Amount
52215	2014 Margaux	1.00	0.00	225.00	225.00

Payments: 246.38

Net Order: 225.00

Freight: 0.00

Sales Tax: 21.38

8/11/2015	486932		123.72
8/11/2015	AQ0AC5CBA871	*****2650	122.66

USD 246.38

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000486365

Order Date: 8/7/2015

Salesperson: SA

Customer: 44212

Customer PO:

### Sold To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

### Ship To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

Contact: Raymond Chan  
Phone: (917) 306-8159

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52207 2014 Figeac	1.00	0.00	74.99	74.99

Payments: 82.11

Net Order: 74.99

Freight: 0.00

Sales Tax: 7.12

8/7/2015	AR0AC5CA9B86	*****2650	82.11
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USD 82.11

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000486311  
Order Date: 8/5/2015

Salesperson: SA  
Customer: 44212  
Customer PO:

### Sold To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

### Ship To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

Contact: Raymond Chan  
Phone: (917) 306-8159

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52222 2014 Pontet Canet	1.00	0.00	79.99	79.99

Payments: 87.59

8/5/2015	AP0AC40957C0	*****2650	87.59
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Net Order: 79.99

Freight: 0.00

Sales Tax: 7.60

USD 87.59



# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000486304  
Order Date: 8/5/2015

Salesperson: SA  
Customer: 44212  
Customer PO:

### Sold To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

### Ship To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

Contact: Raymond Chan  
Phone: (917) 306-8159

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
52380	2014 Montrose	1.00	0.00	77.99	77.99
52213	2014 Leoville las Cases	1.00	0.00	109.99	109.99

Payments: 205.84

Net Order: 187.98

Freight: 0.00

Sales Tax: 17.86

8/5/2015 AS0AD50047CC \*\*\*\*\*2650 205.84

USD 205.84

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000449834

Order Date: 7/18/2014

Salesperson: BW

Customer: 44212

Customer PO:

### Sold To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

### Ship To

Raymond Chan  
1829 Fallbrook Drive  
Alamo, CA 94507 USA

Contact: Raymond Chan  
Phone: (917) 306-8159

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
44069	2010 Troplong Mondot	1.00	0.00	155.00	155.00

Payments: 168.95

Net Order: 155.00

Freight: 0.00

Sales Tax: 13.95

7/18/2014 VUJAC09E0A35 \*\*\*\*\*7777 168.95

USD 168.95

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000449833  
Order Date: 7/18/2014

Salesperson: BW  
Customer: 44212  
Customer PO:

Sold To	Ship To
Raymond Chan 1829 Fallbrook Drive Alamo, CA 94507 USA	Raymond Chan 1829 Fallbrook Drive Alamo, CA 94507 USA

Contact: Raymond Chan  
Phone: (917) 306-8159

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47893 2012 Clos Fourtet	1.00	0.00	49.99	49.99

Payments: 54.49

Net Order: 49.99

Freight: 0.00

Sales Tax: 4.50

7/18/2014 VSYABF2F4180 \*\*\*\*\*7777 54.49

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000406277  
Order Date: 2/28/2013

Salesperson: BW  
Customer: 44212  
Customer PO:

Sold To	Ship To	Change Order:
Raymond Chan 1829 Fallbrook Drive Alamo, CA 94507 USA	Raymond Chan 1829 Fallbrook Drive Alamo, CA 94507 USA	1

Contact: Raymond Chan  
Phone: (917) 306-8159

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
44110 2010 Leoville las Cases	1.00	0.00	279.99	279.99
43864 2010 Pontet Canet	1.00	0.00	159.95	159.95

Payments:	904.61	Net Order:	439.94
2/28/2013 VLEE8CA299EB *****7502 425.08		Freight:	0.00
2/28/2013 VLCE8CA493D7 *****7502 479.53		Sales Tax:	39.59
		USD	479.53