

Fill in this information to identify the case:

Debtor 1

FOX ORTEGA ENTERPRISES, INC

Debtor 2

(Spouse, if filing)

PREMIER CRU

United States Bankruptcy Court for the:

Oakland District of Northern California

Case number

16-40050-WJL

FILED

2016 APR 14 AM 9:32

U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CA.
OAKLAND, 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?

HAL BLUMBERG

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?

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

Where should notices to the creditor be sent?

HAL BLUMBERG

Name

4620 SUNNYSIDE AVE N

Number

Street

SEATTLE

WA

98103

City

State

ZIP Code

Contact phone

206.556.0114

Contact email

BLUMBERGHAL@gmail.com

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?

☒ 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? \$ 7681.14 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.

Wines purchased but not delivered by PremierCru.
Claim is replacement value based on winesearcher.com website.

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 all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ 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 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

04/09/2016
MM / DD / YYYY

Signature

The Blumberg

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

Name

First name

HAL

Middle name

—

Last name

BLUMBERG

Title

Company

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

Address

Number

Street

4620 SUNNYSIDE AVE N

City

SEATTLE, WA

State

ZIP Code

98103-6941

Contact phone

206.556.0114

Email

BLUMBERGHAL@

GMAIL.COM

HAL BLUMBERG CLAIM AGAINST
 FOX ORTEGA ENTERPRISES, INC.
 16-40050-WJC

Wine	Year	Quantity	Date of Purchase	Price/Bottle	Total Price	Running Total	Replacement Price/Bottle	Replacement Cost	Replacement Running Total	Replacement Source
Gosset Celebris	2002	3	8/28/15	59.99	179.97	179.97	89	267	267	Somm Picks
Feyre Chablis Valloirent	2013	3	4/25/15	29.99	89.97	269.94	56	188	435	European Wine Resource
Feyre Chablis Preuses	2013	3	4/25/15	39.99	119.97	389.91	60	180	615	Vins Rare
Fonseca Port	1994	2	1/12/15	116	232	621.91	145	290	905	Chevalier
Po Roger Cuvee Winston Churchill	2002	2	12/6/14	149.99	299.98	920.89	202.46	404.32	1309.32	Wine Library
La Rioja Alta Grand Reserva 804	2004	3	11/28/14	29.89	89.67	1010.56	40.95	122.85	1432.17	Empire Wine
Cuvoleto Brisco Bescchi	2010	3	10/30/14	39	116.9	addition	50	150	1582.17	Circle Liquors
G Conterno Cascina Francia Barolo	2010	2	10/22/14	149.99	299.98	1309.54	275	550	2132.17	Rare Wine Co
Po Roger Blanc du Blanc	2004	3	10/4/14	39.99	119.97	1429.51	100	300	2432.17	Gary's
Billaud-Simon Chablis Clos	2012	3	9/27/14	39.99	119.97	1549.48	70	210	2642.17	Sekellin
Voge Cornas VV	2011	4	9/26/14	38.99	155.97	1666.45	60	240	2882.17	Flickinger
Billaud-Simon Chablis Preuses	2012	2	7/26/14	39.99	79.98	1746.43	100	200	3082.17	PLCB
Billaud-Simon Chablis Vaudesir	2012	2	7/26/14	39.99	79.98	1826.41	65	190	3212.17	Envoyer
Dauvisat Chablis Forest	2012	3	7/16/14	59.99	179.97	2006.38	72	216	3428.17	State Line
Billaud-Simon Chablis Montee de Tonnerre	2012	3	6/28/14	24.99	74.97	2081.35	47	141	3569.17	Millisime
Feyre Chablis Valloirent	2012	4	6/21/14	36.99	147.96	2229.31	56	224	3793.17	European Wine Resource
Tattinger Comtes de Champagne	2005	2	4/19/14	100.12	200.24	2429.55	109.5	219	4012.17	Chicago Wine Co
Vietti Castiglione	2010	3	4/6/14	39.99	119.97	2549.52	45	135	4147.17	PLCB
Feyre Chablis Montee de Tonnerre	2012	4	1/18/14	29.25	117	2666.52	45	180	4327.17	European Wine Resource
Caion Segur	2010	4	12/18/13	74.99	297.96	2964.48	105	420	4747.17	Flickinger
Clos du Papes Chateau-neuf	2011	4	12/14/13	49.99	199.96	3164.43	75	300	5047.17	K&L
Charvin Chateau-neuf	2011	3	11/27/13	34.99	104.97	3269.41	43.49	130.47	5177.64	Super Wine Sales
Vieux Telegraph Chateau-neuf	2012	3	11/24/13	39.99	119.97	3389.38	59	117	5294.64	Wine Anthology
Egly-Oruet Vp Extra Brut Grand Cru	NV	2	7/20/13	49.99	99.98	3489.36	60	120	5414.64	JJ Buckley
Tattinger Comtes de Champagne	2004	3	6/15/13	99.99	299.97	3789.33	119.5	358.5	5773.14	Chicago Wine Co
Feyre Chablis Vaincur	2011	2	1/5/13	39.99	79.98	3869.31	60	120	5893.14	Grand Vin
Feyre Chablis Les Clos	2011	2	1/5/13	45	90	3959.31	59	118	6011.14	Grand Vin
P Useglio Chateau-neuf Mon Aleu	2010	3	10/16/12	59.99	179.97	4274.28	70	210	6221.14	Grand Vin
Chevillon Nuits Les Caillies	2010	2	8/28/12	95	190	4464.28	85	255	6471.14	Westminster
Tattinger Comtes de Champagne	2002	4	4/26/12	119.99	479.96	4944.24	155	300	6781.14	Arlequin
							225	900	7681.14	Benchmark