

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc.
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court Northern District of California
Case number: 16-40050

FILED
U.S. Bankruptcy Court
Northern District of California
5/4/2016
Edward J. Emmons, Clerk

**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>Stanley L. Gibson</u>	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor	<u>Stan Gibson, Sr.</u>
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?	Where should payments to the creditor be sent? (if different)
	<u>Stanley L. Gibson</u>	_____
	Name	Name
	<u>70 La Salle Ave. Piedmont, CA 94611</u>	_____
	Contact phone <u>415-850-7756</u>	Contact phone _____
	Contact email <u>sgibson@gibsonrobb.com</u>	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? _____	

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?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____</div>														
7. How much is the claim?	<div><div>\$ 1320.85</div><div>Does this amount include interest or other charges? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</div></div>														
8. What is the basis of the claim?	<p>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 healthcare information.</p> <p>Wines paid for but not received</p>														
9. Is all or part of the claim secured?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <div><input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</div> 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.) <table style="width: 100%;"><tr><td style="width: 50%;">Value of property:</td><td style="width: 50%;">\$ _____</td></tr><tr><td>Amount of the claim that is secured:</td><td>\$ _____</td></tr><tr><td>Amount of the claim that is unsecured:</td><td>\$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</td></tr></table> <table style="width: 100%;"><tr><td style="width: 60%;">Amount necessary to cure any default as of the date of the petition:</td><td style="width: 40%;">\$ _____</td></tr><tr><td>Annual Interest Rate (when case was filed)</td><td>_____ %</td></tr><tr><td><input type="checkbox"/> Fixed</td><td></td></tr><tr><td><input type="checkbox"/> Variable</td><td></td></tr></table></div>	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)	_____ %	<input type="checkbox"/> Fixed		<input type="checkbox"/> Variable	
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)	_____ %														
<input type="checkbox"/> Fixed															
<input type="checkbox"/> Variable															
10. Is this claim based on a lease?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</div>														
11. Is this claim subject to a right of setoff?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. Identify the property: _____</div>														

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input checked="checked" type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply.</i>	Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> 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). <input type="checkbox"/> 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). <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(<u> </u>) that applies	\$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
* 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 5/4/2016
MM / DD / YYYY

/s/ Stanley L. Gibson

Signature

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

Name Stanley L. Gibson

First name	Middle name	Last name
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Title _____

Company _____

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

70 La Salle Ave.

Number Street

Piedmont, CA 94611

City State ZIP Code

Contact phone 415-850-7756 Email sgibson@gibsonrobb.com

wine, region, varietal, producer

MY ACCOUNT

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BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000470082

Order Date: Feb 14, 2016

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Brunello di Montalcino, Cipressi, 750 ml	3	0	3	0	\$29.99	\$89.97
Subtotal:						\$89.97
Tax:						\$8.10
Total:						\$98.07

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Brunello di Montalcino, Cipressi, 750 ml	3	0	3

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wine, region, estate, producer

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ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: 47114448804
 Order Date: 01/05/2016
 Status: Shipped

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Melville Pinot Noir Estate Santa Rita Hills, 750 ml	4	4	0	0	\$29.99	\$119.96
2010 Brunello di Montalcino, Campogiovanni, 750 ml	4	0	4	0	\$29.99	\$119.96
Subtotal:						\$239.92
Tax:						\$22.79
Total:						\$262.71

Received

\$ 131.36

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Melville Pinot Noir Estate Santa Rita Hills, 750 ml	4	4	0
2010 Brunello di Montalcino, Campogiovanni, 750 ml	4	0	4

Wine

Enter Wine

Wine

Enter Wine

wine, region, vintage, product

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: 80-0001-10000

Order Date: May 29, 2016

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Chateauneuf du Pape Cuvée Origines Magnum, Grand Veneur, 1.5 L	1	0	1	0	\$69.99	\$69.99
Subtotal:						\$69.99
Tax:						\$6.30
Total:						\$76.29

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Chateauneuf du Pape Cuvée Origines Magnum, Grand Veneur, 1.5 L	1	0	1

ENTER A WINE

Enter Wine

ENTER AN EMAIL

Enter Email

wine, region, varietal, producer

MY ACCOUNT

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BILLING INFORMATION

ORDER DETAILS

Order No: 0000446000

Order Date: Jan 1, 2016

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Chateauneuf Cuvee Chaupin, Janasse, 750 ml	2	0	2	0	\$39.99	\$79.98
Subtotal:						\$79.98
Tax:						\$7.20
Total:						\$87.18

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Chateauneuf Cuvee Chaupin, Janasse, 750 ml	2	0	2

FIND A WINE

Enter Wine

OR FIND A REGION

Enter Email

name, region, varietal, producer[MY ACCOUNT](#)[EDIT PROFILE](#)[ADDRESS BOOK](#)[BILLING INFORMATION](#)**ORDER DETAILS***Order Number: 0000447550**Order Date: 04/04/2016**Order Status: Pending***PURCHASE DETAILS**

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Chateauneuf Tradition, Olivier Hillaire, 750 ml	3	0	3	3	\$29.99	\$89.98
Subtotal:						\$89.98
Tax:						\$8.10
Total:						\$98.08

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Chateauneuf Tradition, Olivier Hillaire, 750 ml	3	0	3

[EDIT ORDER](#)[EDIT ORDER NUMBER](#)[Edit Wine](#)[Print Email](#)

wine, region, varietal, producer

MY ACCOUNT

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ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000447666

Order Date: Jan 11, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Barbaresco, Marchesi di Barolo, 750 ml	6	6	0	0	\$17.99	\$107.94
2004 Barolo Riserva, Marchesi di Barolo, 750 ml	2	0	2	0	\$57.99	\$115.98
Subtotal:						\$223.92
Tax:						\$20.15
Total:						\$244.07

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Barbaresco, Marchesi di Barolo, 750 ml	6	6	0
2004 Barolo Riserva, Marchesi di Barolo, 750 ml	2	0	2

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Order No.: SO000049516

Order Date: Jul 12, 2016

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Chateauneuf Barbe Rac, Chapoutier, 750 ml	1	0	1	0	\$39.99	\$39.99
2007 Chateauneuf du Pape Magnum, Charvin, 1.5 L	1	0	1	0	\$139.99	\$139.99
Subtotal:						\$179.98
Tax:						\$16.20
Total:						\$196.18

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Chateauneuf Barbe Rac, Chapoutier, 750 ml	1	0	1
2007 Chateauneuf du Pape Magnum, Charvin, 1.5 L	1	0	1

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wine, region, varietal, producer

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ORDER DETAILS

Order No: 80-0000451443

Order Date: Aug 2, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Pichon Baron, 750 ml	1	0	1	0	\$149.99	\$149.99
2010 Chianti Classico Riserva, Felsina, 750 ml	6	0	6	0	\$19.99	\$119.94
Subtotal:						\$269.93
Tax:						\$24.29
Total:						\$294.22

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Pichon Baron, 750 ml	1	0	1
2010 Chianti Classico Riserva, Felsina, 750 ml	6	0	6

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occultum lapidum producer[MY ACCOUNT](#)[EDIT PROFILE](#)[ADDRESS BOOK](#)[BILLING INFORMATION](#)**ORDER DETAILS**

Order Number: SQ-0000455018
 Order Date: September 28, 2015
 Status: **Shipped**

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2013 Cotes-du-Roussillon Villages Occultum Lapidem, Bila-Haut, 750 ml	12	0	12	0	\$16.24	\$194.88
Subtotal:						\$194.88
Tax:						\$17.54
Total:						\$212.42

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2013 Cotes-du-Roussillon Villages Occultum Lapidem, Bila-Haut, 750 ml	12	0	12

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