

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc.

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

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

LM 11:34AM  
**FILED**  
APR 25 2016  
BANKRUPTCY COURT  
OAKLAND, CALIFORNIA

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>HERBERT D. HUESMAN</u> <small>Name of the current creditor (the person or entity to be paid for this claim)</small>  <small>Other names the creditor used with the debtor</small> _____	
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?  <small>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</small>	<b>Where should notices to the creditor be sent?</b>  <u>HERBERT D HUESMAN</u> <small>Name</small> <u>6768 JENNIFER LYNN DRIVE</u> <small>Number Street</small> <u>CINCINNATI OH 45248</u> <small>City State ZIP Code</small>  <small>Contact phone</small> <u>202.834.7086</u> <small>Contact email</small> <u>HHUESMAN@GMAIL.COM</u>	<b>Where should payments to the creditor be sent? (if different)</b>  <small>Name</small> _____ <small>Number Street</small> _____ <small>City State ZIP Code</small> _____  <small>Contact phone</small> _____ <small>Contact email</small> _____
<small>Uniform claim identifier for electronic payments in chapter 13 (if you use one):</small> _____		
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) _____	
		<small>Filed on</small> _____ <small>MM / DD / YYYY</small>
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? \$ 5,919.91 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 (Wine) sold but never 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)?

☐ No

☒ Yes. Check all that apply:

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.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ \_\_\_\_\_

☒ 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).

\$ 2,775.00

☐ 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.

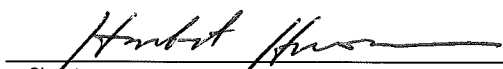
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

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 01/20/2016  
MM / DD / YYYY

  
Signature

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

Name HERBERT D HUESMAN  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address 6768 JENNIFER LYNN DRIVE

Number Street

CINCINNATI OH 45248

City State ZIP Code

Contact phone 202.834.7086 Email HHUESMAN@GMAIL.COM

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000422637  
Order Date: 9/10/2013  
Web Order No: 133094  
Salesperson: MR  
Customer: 45064  
Customer PO:

Sold To	Ship To
HERBERT HUESMAN 6768 JENNIFER LYNN DR Cincinnati, OH 45248 USA	HERBERT HUESMAN 6768 JENNIFER LYNN DR Cincinnati, OH 45248 USA

Contact: HERBERT HUESMAN  
Phone: (202) 834-7086

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47890 2012 Troplong Mondot	3.00	0.00	78.99	236.97
47899 2012 Fleur Cardinale	12.00	0.00	31.95	383.40
47657 2012 Mouton Rothschild	1.00	0.00	339.99	339.99
47903 2012 Gazin	12.00	0.00	58.99	707.88
46752 2010 Volnay Pitures, Bitouzet-Prieur	6.00	0.00	45.00	270.00
47897 2012 l'Eglise Clinet	3.00	0.00	187.99	563.97

Payments: 2,502.21

Net Order: 2,502.21

Freight: 0.00

Sales Tax: 0.00

9/10/2013	VUJEAEE47DFE	*****1891	2,502.21
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USD 2,502.21

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000439227

Order Date: 3/9/2014

Web Order No: 146024

Salesperson: JG

Customer: 45064

Customer PO:

### Sold To

HERBERT HUESMAN  
6768 JENNIFER LYNN DR  
Cincinnati, OH 45248 USA

### Ship To

HERBERT HUESMAN  
6768 JENNIFER LYNN DR  
Cincinnati, OH 45248 USA

Contact: HERBERT D HUESMAN  
Phone: (202) 834-7086

This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47657	2012 Mouton Rothschild	2.00	0.00	275.00	550.00

Payments: 550.00

Net Order: 550.00

Freight: 0.00

Sales Tax: 0.00

3/10/2014	VSIEB7A562D2	*****4005	550.00
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USD 550.00

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000431376

Order Date: 12/19/2013

Web Order No: 140052

Salesperson: JG

Customer: 45064

Customer PO:

### Sold To

HERBERT HUESMAN  
6768 JENNIFER LYNN DR  
Cincinnati, OH 45248 USA

### Ship To

HERBERT HUESMAN  
6768 JENNIFER LYNN DR  
Cincinnati, OH 45248 USA

Contact: HERBERT HUESMAN  
Phone: (202) 834-7086

15% discount applied to 2010 Bordeaux  
This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
43937	2010 Clinet	6.00	0.00	127.99	767.94
43885	2010 Leoville Poyferre	6.00	0.00	134.99	809.94
47900	2012 Larcis Ducasse	12.00	0.00	49.99	599.88
43947	2010 Larcis Ducasse	6.00	0.00	114.99	689.94

Payments: 2,527.53

Net Order: 2,867.70

Freight: 0.00

Sales Tax: 0.00

12/19/2013	VTJEB4B5C803	*****1891	2,527.53
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USD 2,527.53