

Fill in this information to identify the case:

Debtor 1 FOX ORTEGA ENTERPRISES, INC.
 Debtor 2 (ORCA PREMIER CAP)
 (Spouse, if filing)
 United States Bankruptcy Court for the: NORTHERN District of CALIFORNIA
 Case number 16-40050 WTL7

FILED

2016 APR 25 AM 11:31

U.S. BANKRUPTCY COURT
 DISTRICT OF CALIFORNIA
 SAN FRANCISCO

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>RONALD L. BROWN</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? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>RONALD L. BROWN</u> Name <u>5002 FAIRLAWN CRESCENT CT.</u> Number Street <u>CHARLOTTE</u> <u>NC</u> <u>28226</u> City State ZIP Code Contact phone <u>704-517-2521</u> Contact email <u>RB@CAROLINAHEALTHSPAN.COM</u>	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?	<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? \$ 7748.98. 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

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)?

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

☒ 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).

Amount entitled to priority

\$ _____

☐ 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.

\$ _____

* 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

Ronald L. Brown
Signature

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

Name

RONALD LAUCHLIN BROWN
First name Middle name Last name

Title

Company

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

Address

5002 FAIRLAWN CRESCENT CT,
Number Street
CHARLOTTE NC 28226
City ZIP Code

Contact phone

704-517-2521

Email - RB@CAROLINAHEALTHSPAN.COM

April 19, 2016
carolinahealthspaninstitute

Dear Sir:

Due to a mail forwarding error by the USPS I have just received notification of the bankruptcy of Premier Inc. I realize the response date for filing a proof of claim had past but I am nevertheless requesting that you include my claim in the settlement as the error was due to no fault of my own. Thank you for consideration.

Enclosed is an inventory of wines that I have purchased

from Premier Inc amounting to a total of \$7743.95 paid. In about October, 2015 I had a phone conversation with an employee ~~of~~ there, and he informed me that I had 4 cases and 2

magnums of wine in their warehouse with my name on the label. These wines were being held by them awaiting pickup or shipment to me and is being sold. These wines are also designated on our accompanying list.

I don't know about the list details in such a case, but I don't since I did pay for the wine and it has my name

on it, one could make the case that it would not be a possession of Peewee's Crew.

I believe I have adequate documentation of my losses in the accompanying documents, but if not, I hope someone will contact me.

Again thank you for your consideration.

Ronald L. Brown

cell phone: 704-517-2521

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

MY ACCOUNT

RECENT ORDERS

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000464730 (Open)	\$1,439.76	24	0	24	0	12/18/14
SO-0000437230 (Open)	\$3,153.58	44	0	44	14	2/12/14
SO-0000436316 (Open)	\$1,475.76	24	0	24	24	2/3/14
SO-0000428838 (Open)	\$479.88	12	0	12	12	11/25/13
SO-0000427473 (Open)	\$1,200.00	24	0	24	0	11/9/13

[View all orders](#)

3A 11
7748.98

VIEW ORDERS

☒ Open☐ Closed☐ All

VIEW

VIEW ITEMS

☒ Open☐ Closed☐ All☐ Ready to Ship

VIEW

RECENT SHIPMENTS

Ship Tran ID	Ship Method	Ship Date	Shipped
0000265635-SH	UPS 2-Day	Feb 25, 2008	20
0000256222-SH	Customer Pickup	Jun 30, 2007	1
0000256220-SH	Customer Pickup	Jun 30, 2007	1
0000256221-SH	Customer Pickup	Jun 30, 2007	2
0000252728-SH	Frozen Foods Express	Mar 21, 2007	382

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Present in warehouse:

2010 ^{CDP} - Sabon - 12 x 56.99 = 683.88
 09 Cdo de Paper - 2 x 185 = 370.00
~~09 CDP Chateau 12 x 48.99 = 587.88~~
 '11 Sauvign, Fournaux - 12 x 57.99 = 695.88
 '11 " Verglesse - 12 x 64.99 = 779.88
 '09 Chellis, Ferre - 12 x 39.89 = 478.68
 \$3009.52

total of 50 bottles

~~not received by PC:~~

7746 24
 7748.94 30
 24

\$4739.46 = 78 bottles

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000428838

Order Date.: Nov 25, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Chablis Vaudesir, Fevre, 750 ml	12	0	12	12	\$39.99	\$479.88

Subtotal: \$479.88

Tax: \$0.00

Total: \$479.88

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Chablis Vaudesir, Fevre, 750 ml	12	0	12

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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

101 University Ave

Berkeley, CA 94710

Check here for directions

Store Hours

Tuesday-Friday: 10am-6pm

Saturday: 10am-5pm

Sunday: Closed

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000436316

Order Date.: Feb 3, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Savigny-les-Beaune Fourneaux, Bize, 750 ml	12	0	12	12	\$57.99	\$695.88
2011 Savigny-les-Beaune Vergelesses, Bize, 750 ml	12	0	12	12	\$64.99	\$779.88

Subtotal: \$1,475.76

Tax: \$0.00

Total: \$1,475.76

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Savigny-les-Beaune Fourneaux, Bize, 750 ml	12	0	12
2011 Savigny-les-Beaune Vergelesses, Bize, 750 ml	12	0	12

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MY ACCOUNT

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ORDER DETAILS

Order No.: SO-0000437230

Order Date.: Feb 12, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Chateaufeuf Cuvee Prestige, Sabon, 750 ml	12	0	12	12	\$56.99	\$683.88
2009 Chateaufeuf du Pape, Charvin, 750 ml	12	0	12	0	\$49.99	\$599.88
2009 Chateaufeuf Clos des Papes Magnum, Avril, 1.5 L	2	0	2	2	\$185.00	\$370.00
2012 Chablis Bougros Cote de Bouguerots, Fevre, 750 ml	12	0	12	0	\$79.99	\$959.88
2012 Chablis Clos, Fevre, 750 ml	6	0	6	0	\$89.99	\$539.94

Subtotal: \$3,153.58

Tax: \$0.00

Total: \$3,153.58

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Chateaufeuf Cuvee Prestige, Sabon, 750 ml	12	0	12
2009 Chateaufeuf du Pape, Charvin, 750 ml	12	0	12
2009 Chateaufeuf Clos des Papes Magnum, Avril, 1.5 L	2	0	2
2012 Chablis Bougros Cote de Bouguerots, Fevre, 750 ml	12	0	12
2012 Chablis Clos, Fevre, 750 ml	6	0	6

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