

**Fill in this information to identify the case:**Debtor 1 Fox Ortega Enterprises, Inc. dba: Premier CruDebtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 72:47 pm  
**FILED** 

MAY 13 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?**Anthony Tsia

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?**Anthony Tsia

Name

783 - 36th Avenue

Number Street

San Francisco

CA

94121

City

State

ZIP Code

Contact phone 415-720-5288Contact email tony@baycalfinancial.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? \$ 6,811.23 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.  
Paid Purchase Orders/ 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)?

☒ 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).

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

☐ 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 05/12/2016  
MM / DD / YYYY

Signature

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

Name Anthony Tsia  
First name Middle name Last name

Title Customer of Premier Cru

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

Address 783 - 36th Avenue  
Number Street

San Francisco CA 94121  
City State ZIP Code

Contact phone 415-720-5288 Email tony@baycalfinancial.com

Debtor: Fox Ortega Enterprises, Inc.  
dba: Premier Cru

Deadline: 5/24/2016

Case #: 16-40050  
Claimant: Anthony Tsia

List of Wine/Invoice Outstanding from Premier Cru as of May 2016					
Customer #	Date of Order	Internal Order #	Web Order #	Payment of Credit Card #	Amount Paid
3746	11/28/2015	495444	189598	5995	\$ 952.56
3746	8/16/2015	487454	183157	5995	\$ 933.03
3746	7/26/2015	485240	181346	5995	\$ 1,202.01
3746	7/18/2015	484435	180672	5995	\$ 2,358.43
3746	6/13/2015	481215	178070	5995	\$ 236.47
3746	5/30/2015	479920	177106	5995	\$ 952.63
3746	3/2/2015	472002	MR	5995	\$ 176.10
Total:					\$ 6,811.23

Claimant: Anthony Tsia

Contact #: (415) 720-5288  
Email: tony@baycalfinancial.com

Address: 783 - 36th Avenue San Francisco, CA 94121

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000495444

Order Date: 11/28/2015

Web Order No: 189598

Salesperson:

Customer: 3746

Customer PO:

Sold To	Ship To
Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA	Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA

Contact: Anthony Tsia  
Phone: (650) 347-8828  
Fax: (650) 347-9020

Item	Ordered	Quantity Shipped	Unit Price	Amount
44143 2010 Clos l'Eglise	3.00	0.00	83.99	251.98
40717 07 Chablis Preuses, Billaud Simon	1.00	0.00	47.99	47.99
49670 2010 Feytit Clinet	2.00	0.00	59.99	119.99
30156 03 Leoville las Cases	6.00	0.00	74.99	449.96

				Net Order:	869.92
Payments:		952.56		Freight:	0.00
11/29/2015	AR0ACC2259B9	*****5995	952.56	Sales Tax:	82.64
				USD	952.56

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000487454

Order Date: 8/16/2015

Web Order No: 183157

Salesperson:

Customer: 3746

Customer PO:

Sold To	Ship To
Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA	Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA

Contact: Anthony Tsia  
Phone: (650) 347-8828  
Fax: (650) 347-9020

Item	Ordered	Quantity Shipped	Unit Price	Amount
52220 2014 Pichon Lalande	3.00	0.00	50.04	150.13
34809 05 Pontet Canet	6.00	0.00	84.49	506.96
52376 2014 l'Eglise Clinet Magnum	1.00	0.00	194.99	194.99

Payments:	933.03	Net Order:	852.08
8/16/2015	AP0AC4A12795	*****5995	933.03
		Freight:	0.00
		Sales Tax:	80.95
		USD	933.03

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000485240

Order Date: 7/26/2015

Web Order No: 181346

Salesperson:

Customer: 3746

Customer PO:

Sold To	Ship To
Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA	Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA

Contact: Anthony Tsia  
Phone: (650) 347-8828  
Fax: (650) 347-9020

Item	Ordered	Quantity Shipped	Unit Price	Amount
51545 2013 Chassagne Morgeot Abbaye de Morgeot 1/2, Jadot	3.00	0.00	29.24	87.73
51547 2013 Chassagne Morgeot Clos de la Chappelle 1/2, Jadot	3.00	0.00	24.69	74.08
52380 2014 Montrose	12.00	0.00	77.99	935.92

Payments: 1,202.01

Net Order: 1,097.73

Freight: 0.00

Sales Tax: 104.28

7/26/2015	AR0AC51B3F9D	*****5995	1,202.01
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USD 1,202.01

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000484435

Order Date: 7/18/2015

Web Order No: 180672

Salesperson: TG

Customer: 3746

Customer PO:

Sold To	Ship To
Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA	Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA

Contact: Anthony Tsia  
Phone: (650) 347-8828  
Fax: (650) 347-9020

Item	Ordered	Quantity Shipped	Unit Price	Amount
49238 2012 La Mission Haut Brion	6.00	0.00	124.99	749.94
52216 2014 La Mission Haut Brion	12.00	0.00	116.99	1,403.88

Payments: 2,358.43	Net Order: 2,153.82
	Freight: 0.00
	Sales Tax: 204.61
7/18/2015 AQ0AC478F457 *****5995 2,358.43	USD 2,358.43

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000481215

Order Date: 6/13/2015

Web Order No: 178070

Salesperson:

Customer: 3746

Customer PO:

Sold To	Ship To
Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA	Anthony Tsia 783 36th Ave tonytsia98@gmail.com San Francisco, CA 94121 USA

Contact: Anthony Tsia  
Phone: (650) 347-8828  
Fax: (650) 347-9020

Item	Ordered	Quantity Shipped	Unit Price	Amount
51867 2013 Escarpment Pinot Noir Kupe	2.00	0.00	59.99	119.98
52092 2013 Escarpment Pinot Noir Martinborough	3.00	0.00	31.99	95.97

				Net Order:	215.95
Payments:		236.47			
6/13/2015	AR0AC2D638F1	*****5995	236.47	Freight:	0.00
				Sales Tax:	20.52
				USD	236.47

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000479920

Order Date: 5/30/2015

Web Order No: 177106

Salesperson:

Customer: 3746

Customer PO:

### Sold To

Anthony Tsia  
783 36th Ave  
tonytsia98@gmail.com  
San Francisco, CA 94121 USA

### Ship To

Anthony Tsia  
783 36th Ave  
tonytsia98@gmail.com  
San Francisco, CA 94121 USA

Contact: Anthony Tsia

Phone: (650) 347-8828

Fax: (650) 347-9020

Item		Ordered	Quantity Shipped	Unit Price	Amount
95B16	95 Margaux	2.00	0.00	395.00	790.00
52087	2010 Beaux Freres Pinot Noir Williamette Valley	2.00	0.00	39.99	79.98

Payments: 952.63

Net Order: 869.98

Freight: 0.00

Sales Tax: 82.65

5/31/2015 AP0AC0747DF6 \*\*\*\*\*6995 952.63

USD 952.63

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000472002

Order Date: 3/2/2015

Salesperson: MR

Customer: 3746

Customer PO:

### Sold To

Anthony Tsia  
783 36th Ave  
tonytsia98@gmail.com  
San Francisco, CA 94121 USA

### Ship To

Anthony Tsia  
783 36th Ave  
tonytsia98@gmail.com  
San Francisco, CA 94121 USA

Contact: Anthony Tsia

Phone: (650) 347-8828

Fax: (650) 347-9020

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
50923	2013 Oberhauser Brucke Spatlese, Donnhoff	2.00	0.00	36.79	73.58
50929	2013 Oberhauser Brucke Auslese Goldkapsel 1/2, Donnhoff	1.00	0.00	31.99	31.99
51603	2013 Pahlmeyer Chardonnay	1.00	0.00	55.99	55.99

Payments: 176.10

Net Order: 161.56

Freight: 0.00

Sales Tax: 14.54

3/2/2015	VXJACE4CC4ED	*****5995	176.10
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USD 176.10