

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
5/23/2016
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>Irene Pedraza</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>Irene Pedraza</u> Name <u>60 The Uplands</u> <u>Berkeley, CA 94705</u> Contact phone <u>3059049596</u> Contact email <u>irene-usbk@b.panacota.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different) _____ Name _____ Contact phone _____ Contact email _____
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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
7. How much is the claim?	<div style="display: flex; justify-content: space-between;"><div>\$ <u>4412.66</u></div><div>Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input 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 style="text-align: center;"><u>Goods Sold</u></p>
9. Is all or part of the claim secured?	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.</div> <div>Nature of property: <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> <div>Basis for perfection: _____</div> <div>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.)</div> <div style="display: flex; justify-content: space-between;"><div>Value of property:</div><div>\$ _____</div></div> <div style="display: flex; justify-content: space-between;"><div>Amount of the claim that is secured:</div><div>\$ _____</div></div> <div style="display: flex; justify-content: space-between;"><div>Amount of the claim that is unsecured:</div><div>\$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</div></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div>Amount necessary to cure any default as of the date of the petition:</div><div>\$ _____</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>Annual Interest Rate (when case was filed)</div><div>_____ %</div></div> <div><input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div>
10. Is this claim based on a lease?	<div><input checked="" type="checkbox"/> No <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 <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="" 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)() 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 5/23/2016
MM / DD / YYYY

/s/ Irene Pedraza

Signature

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

Name Irene Pedraza

First name Middle name Last name

Title _____

Company _____

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

60 The Uplands

Number Street

Berkeley, CA 94705

City State ZIP Code

Contact phone 3059049596 Email irene-usbk@b.panacota.com

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000398439

Order Date.: Dec 2, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2005 Roederer Cristal, 750 ml	3	0	3	0	\$139.99	\$419.97

Subtotal: \$419.97

Tax: \$36.75

Total: \$456.72

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2005 Roederer Cristal, 750 ml	3	0	3

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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

1011 University Ave

Berkeley, CA 94710

[Click here for directions](#)

Store Hours

Tuesday-Friday: 10am-6pm

Saturday: 10am-5pm

Sunday: Closed

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000393122

Order Date: 9/28/2012

Web Order No: 112261

Salesperson: MC

Customer: 39312

Customer PO:

Sold To

Irene Pedraza
33 Domingo Ave.
Berkeley, CA 94705 USA

Ship To

Irene Pedraza
33 Domingo Ave.
Berkeley, CA 94705 USA

Contact: Irene Pedraza
Phone: (305) 904-9596

Item	Ordered	Quantity Shipped	Unit Price	Amount
44973 2010 Chateaufeuf Cuvee da Capo, Pegau	1.00	0.00	279.99	279.99

Payments: 304.49

9/29/2012	VXJEA05F852B	*****2003	304.49
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Net Order: 279.99

Freight: 0.00

Sales Tax: 24.50

USD 304.49

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000421573

Order Date: 8/24/2013

Web Order No: 132306

Salesperson: JG

Customer: 39312

Customer PO:

Sold To	Ship To
Irene Pedraza 60 The Uplands Berkeley, CA 94705 USA	Irene Pedraza 60 The Uplands Berkeley, CA 94705 USA

Contact: Irene Pedraza
Phone: (305) 904-9596

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
47890 2012 Troplong Mondot	3.00	0.00	59.99	179.97

Payments: 196.17

Net Order: 179.97

Freight: 0.00

Sales Tax: 16.20

8/24/2013 VRFE9D4A6FC3 *****3001 196.17

USD 196.17

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000400506

Order Date: 12/27/2012

Web Order No: 117169

Salesperson: JG

Customer: 39312

Customer PO:

Sold To	Ship To
Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA	Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA

Contact: Irene Pedraza
Phone: (305) 904-9596

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
44110 2010 Leoville las Cases	2.00	0.00	169.99	339.98
44127 2010 Cheval Blanc	2.00	0.00	399.99	799.98
44063 2010 Ducru Beaucaillou	2.00	0.00	149.99	299.98
44048 2010 Cos d'Estournel	2.00	0.00	149.99	299.98

Payments: 1,892.16

Net Order: 1,739.92

Freight: 0.00

Sales Tax: 152.24

12/27/2012 VPCE7DFC5CB0 *****2003 1,892.16

USD 1,892.16

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000404395

Order Date: 2/6/2013

Web Order No: 119880

Salesperson: MR

Customer: 39312

Customer PO:

Sold To	Ship To
Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA	Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA

Contact: Irene Pedraza
Phone: (305) 904-9596

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
44973 2010 Chateaufeuf Cuvee da Capo, Pegau	2.00	0.00	319.99	639.98

Payments: 697.58

Net Order: 639.98

Freight: 0.00

Sales Tax: 57.60

2/6/2013	VXJEA5BC2793	*****2003	697.58
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USD 697.58

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000401822

Order Date: 1/5/2013

Web Order No: 118162

Salesperson: MC

Customer: 39312

Customer PO:

Sold To	Ship To
Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA	Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA

Contact: Irene Pedraza
Phone: (305) 904-9596

Item	Ordered	Quantity Shipped	Unit Price	Amount
46854 2010 Chateaufeuf du Pape Reserve, Clos de Caillou	3.00	0.00	99.99	299.97
47067 2011 Chablis Bougros Cote de Bouguerots, Fevre	3.00	0.00	39.99	119.97
47063 2011 Chablis Preuscs, Fevre	3.00	0.00	45.00	135.00
47064 2011 Chablis les Clos, Fevre	3.00	0.00	45.00	135.00

Payments: 750.31

Net Order: 689.94

Freight: 0.00

Sales Tax: 60.37

1/5/2013	VQCE7EB6FF61	*****2003	750.31
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USD 750.31

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000421571

Order Date: 8/24/2013

Web Order No: 132304

Salesperson: PB

Customer: 39312

Customer PO:

Sold To	Ship To
Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA	Irene Pedraza 33 Domingo Ave. Berkeley, CA 94705 USA

Contact: Irene Pedraza
Phone: (305) 904-9596

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
46463 05 Roederer Cristal	3.00	0.00	135.00	405.00

Payments: 441.45

Net Order: 405.00

Freight: 0.00

Sales Tax: 36.45

8/24/2013	VTYAE99EC62	*****3001	441.45
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USD 441.45