

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>Chris Burt</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>Chris Burt</u> Name <u>679 Lombardy Place</u> <u>San Marino, CA 91108</u> Contact phone <u>213-486-9200</u> Contact email <u>christburt@yahoo.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>\$ 26904.07</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>Wine paid for, but not delivered.</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><div>Value of property:</div><div>\$ _____</div><div>Amount of the claim that is secured:</div><div>\$ _____</div><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><div>Amount necessary to cure any default as of the date of the petition:</div><div>\$ _____</div><div>Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div></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="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

<p>The person completing this proof of claim must sign and date it. FRBP 9011(b).</p> <p>If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.</p> <p>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.</p>	<p>Check the appropriate box:</p> <p><input checked="checked" type="checkbox"/> I am the creditor. <input type="checkbox"/> I am the creditor's attorney or authorized agent. <input type="checkbox"/> I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004. <input type="checkbox"/> I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.</p> <p>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.</p> <p>I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.</p> <p>I declare under penalty of perjury that the foregoing is true and correct.</p> <p>Executed on date <u>5/23/2016</u> MM / DD / YYYY</p> <p><u>/s/ Chris Burt</u> _____ Signature</p> <p>Print the name of the person who is completing and signing this claim:</p> <p>Name <u>Chris Burt</u> _____ First name Middle name Last name</p> <p>Title _____</p> <p>Company _____</p> <p>Address _____ _____ Identify the corporate servicer as the company if the authorized agent is a servicer <u>679 Lombardy Place</u> _____ Number Street <u>San Marino, CA 91108</u> _____ City State ZIP Code</p> <p>Contact phone <u>213-486-9200</u> Email <u>christburt@yahoo.com</u></p>
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claim amounts include sales tax paid to Premier Cru

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EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

ORDER HISTORY

All Time

Sort By Order No.

GO

Item	Unit Price	Qty	Shipped	Remain	Avail	Order Number (Status)	Date
2014 Gevrey Clos St Jacques, Jadot, 750 ml \$372.26	\$84.99	4	0	4	0	SO-0000492403 (Open)	10/17/15
2014 Vieux Chateau Certan, 750 ml \$443.48	\$101.25	4	0	4	0	SO-0000487134 (Open)	8/13/15
2012 Hermitage, Chave, 750 ml \$640.58	\$195.00	3	0	3	0	SO-0000484485 (Open)	7/19/15
2014 Montrose, 750 ml \$341.60	\$77.99	4	0	4	0	SO-0000483934 (Open)	7/12/15
2013 Clos Vougeot, Chateau de la Tour, 750 ml \$370.08	\$84.49	4	0	4	0	SO-0000483934 (Open)	7/12/15
2005 Clos de Beze, Jadot, 750 ml \$656.98	\$299.99	2	0	2	0	SO-0000483797 (Open)	7/11/15
2014 Cheval Blanc, 750 ml \$656.98	\$299.99	2	0	2	0	SO-0000483797 (Open)	7/11/15
2013 Clos de Beze, Jadot, 750 ml \$394.18	\$179.99	2	0	2	0	SO-0000482792 (Open)	7/1/15
2013 Gevrey Clos St Jacques, Jadot, 750 ml \$439.27	\$100.75	4	0	4	0	SO-0000470340 (Open)	2/15/15
2011 Musigny V.V., Vogue, 750 ml \$1115.89	\$341.25	3	0	3	0	SO-0000464393 (Open)	12/14/14
2011 Hermitage, Chave, 750 ml \$470.86	\$215.99	2	0	2	0	SO-0000462014 (Open)	11/23/14
2001 d'Yquem 1/2, 375 ml \$708.50	\$325.00	2	0	2	0	SO-0000457644 (Open)	10/10/14
2009 d'Yquem 1/2, 375 ml \$524.28	\$240.49	2	0	2	0	SO-0000457644 (Open)	10/10/14
2011 Vieux Chateau Certan, 750 ml \$261.58	\$119.99	2	0	2	0	SO-0000443094 (Open)	4/22/14
2012 Clos de Beze, Jadot, 750 ml \$763.00	\$350.00	2	0	2	0	SO-0000443094 (Open)	4/22/14
2010 Cheval Blanc, 750 ml \$1,853.00	\$850.00	2	0	2	0	SO-0000436989 (Open)	2/9/14
2010 Musigny V.V., Vogue, 750 ml \$1,743.98	\$799.99	2	0	2	0	SO-0000428015 (Open)	11/15/13
2010 Chateaufeuf du Pape, Charvin, 750 ml \$128.60	\$58.99	2	0	2	0	SO-0000427658 (Open)	11/10/13
2012 Ducru Beaune, 750 ml \$153.58	\$69.99	2	0	2	0	SO-	11/10/13

						0000427658 (Open)	
2011 Chateaufeuf du Pape, Charvin, 750 ml	\$45.00	2	0	2	0	SO- 0000427658 (Open)	11/10/13
\$98.10							
2011 Ducru Beaucaillou, 750 ml	\$95.00	4	0	4	0	SO- 0000423597 (Open)	9/21/13
\$414.20							
2012 Mouton Rothschild, 750 ml	\$275.00	2	0	2	0	SO- 0000423597 (Open)	9/21/13
\$599.50							
2012 Leoville las Cases, 750 ml	\$79.99	4	0	4	0	SO- 0000417521 (Open)	7/7/13
\$348.76							
2010 Ducru Beaucaillou, 750 ml	\$219.99	4	0	4	0	SO- 0000416491 (Open)	6/23/13
\$959.16							
2011 Nuits les Cailles, Cheillon, 750 ml	\$89.99	2	0	2	0	SO- 0000410535 (Open)	4/20/13
\$196.18							
2011 Assorted Case de Grand Crus, Ponsot, 750 ml	\$5,750.00	1	0	1	0	SO- 0000409929 (Open)	4/11/13
\$6,267.50							
2010 Volnay Champans, d'Angerville, 750 ml	\$129.99	2	0	2	0	SO- 0000406148 (Open)	2/26/13
\$283.38							
2011 Clos des Beze, Jadot, 750 ml	\$279.99	2	0	2	0	SO- 0000402777 (Open)	1/18/13
\$609.12							
2011 Gevrey Chambertin Clos St Jacques, Jadot, 750 ml	\$129.99	2	0	2	0	SO- 0000402777 (Open)	1/18/13
\$282.73							
2010 Vosne Romanee Suchots, Bouchard, 750 ml	\$59.99	2	0	2	0	SO- 0000401451 (Open)	12/31/12
\$130.48							
2011 Margaux, 750 ml	\$249.99	2	0	2	0	SO- 0000390656 (Open)	8/29/12
\$543.73							
2010 Clos des Lambrays, 750 ml	\$135.00	2	0	2	0	SO- 0000379462 (Open)	4/13/12
\$293.63							
2010 Clos de Beze, Bouchard, 750 ml	\$179.99	2	0	2	0	SO- 0000371183 (Open)	1/5/12
\$391.48							
2010 Margaux, 750 ml	\$899.99	2	0	2	0	SO- 0000359047 (Open)	7/9/11
\$1957.48							

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Berkeley, CA 94710
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Store Hours

Tuesday-Friday: 10am-6pm
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ORDER DETAILS

Order No.: SO-0000354889

Order Date.: Apr 28, 2011

Status: Closed

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2008 Chablis Bougros Cote de Bouguerots, Fevre, 750 ml	2	2	0	0	\$59.99	\$119.98
2008 Chablis Vaudesir, Fevre, 750 ml	2	2	0	0	\$59.99	\$119.98
2008 Chambolle Fues, Faiveley, 750 ml	0	0	0	0	\$99.99	\$199.98

Subtotal: \$439.94

Tax: \$42.89

Total: \$482.83

claim: \$219.48

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2008 Chablis Bougros Cote de Bouguerots, Fevre, 750 ml	2	2	0
2008 Chablis Vaudesir, Fevre, 750 ml	2	2	0
2008 Chambolle Fues, Faiveley, 750 ml	0	0	0

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ORDER DETAILS

Order No.: SO-0000379252

Order Date.: Apr 10, 2012

Status: Closed

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Romanee St Vivant, Hudelot Noellat, 750 ml	0	0	0	0	\$350.00	\$700.00

Subtotal: \$700.00

Tax: \$61.25

claim:

Total: \$761.25

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Romanee St Vivant, Hudelot Noellat, 750 ml	0	0	0

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ORDER DETAILS

Order No.: SO-0000379456

Order Date.: Apr 13, 2012

Status: Closed

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Clos de Beze, Faiveley, 750 ml	0	0	0	0	\$229.99	\$459.98

Subtotal: \$459.98

Tax: \$40.25

Total: \$500.23

claim!

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Clos de Beze, Faiveley, 750 ml	0	0	0

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