

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
5/24/2016
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>Brian Bilonis</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?	Where should payments to the creditor be sent? (if different)
	<u>Brian Bilonis</u>	_____
	Name	Name
	<u>412 McKinley Ave</u>	
	<u>Libertyville, IL 60048</u>	
	Contact phone <u>3122965301</u>	Contact phone _____
	Contact email <u>brian_bilonis@msn.com</u>	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?	<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>\$ 18720.73</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>Goods sold 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="" 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="" 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>5/24/2016</u> MM / DD / YYYY</p> <p><u>/s/ Brian Bilonis</u> _____ Signature</p> <p>Print the name of the person who is completing and signing this claim:</p> <p>Name <u>Brian Bilonis</u> _____ First name Middle name Last name</p> <p>Title _____</p> <p>Company _____</p> <p>Address <u>412 McKinley Ave</u> _____ Identify the corporate servicer as the company if the authorized agent is a servicer Number Street <u>Libertyville, IL 60048</u> _____ City State ZIP Code</p> <p>Contact phone <u>3122965301</u> Email <u>brian_bilonis@msn.com</u></p>
--	--

Brian Bilonis (Creditor)
CASE NO. 16-40050
Claim Summary

Premier Cru Order Info						Credit Card Transaction Info		
Purch Date	Order #	Item #	Wine Desc	Btl Price (excl tax)	Qty	Trans Date	Trans Amount	Undelivered Goods Claim Amount
8-Aug-12	388754	45937	2009 Montrachet, DRC	\$2,599.00	3	9-Aug-12	\$8,479.24	\$8,479.24
28-Aug-12	390586	44133	2010 Ausone 3 Liter	\$2,999.00	1	29-Aug-12	\$2,999.00	\$2,999.00
9-Nov-12	396767	45255	2010 Chateauneuf Clos des Papes, Avril	\$95.00	12	10-Nov-12	\$2,365.15	\$1,239.75
15-Dec-12	399727	46063	2011 La Mission Haut Brion	\$179.99	12	17-Dec-12	\$2,348.87	\$2,348.87
16-Dec-12	399790	46089	2011 Latour	\$279.99	12	17-Dec-12	\$3,653.87	\$3,653.87
Total								\$18,720.73

Note: Charges above disputed with Credit Card provider (in progress). If disputed amounts are permanently applied to account (estimate 14-Jul-2016), this bankruptcy claim will be adjusted or withdrawn as appropriate.

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000388754

Order Date: 8/8/2012

Web Order No: 101102

Salesperson: JG

Customer: 43305

Customer PO:

Sold To	Ship To
---------	---------

Brian Bilonis
412 McKinley Ave
WANTS OWC!
Libertyville, IL 60048 USA

Brian Bilonis
17162 Murphy Ave
Unit A
Wine Cellar Club
(949) 252-1828
, CA 92614 USA

Contact: Brian L Bilonis
Phone: (312) 296-5301

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
45937	09 Montrachet, DRC	3.00	0.00	2,599.00	7,797.00

Payments: 8,479.24

8/9/2012	VZME4DE79E59	*****1004	8,479.24
----------	--------------	-----------	----------

Net Order: 7,797.00

Freight: 0.00

Sales Tax: 682.24

USD 8,479.24

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000390586
Order Date: 8/28/2012
Web Order No: 110548
Salesperson: MR
Customer: 43305
Customer PO:

Sold To	Ship To
Brian Bilonis 412 McKinley Ave WANTS OWC! Libertyville, IL 60048 USA	Brian Bilonis 412 McKinley Ave WANTS OWC! Libertyville, IL 60048 USA

Contact: Brian L Bilonis
Phone: (312) 296-5301

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
44133 2010 Ausone 3 Liter	1.00	0.00	2,999.00	2,999.00

Payments:	2,999.00	Net Order:	2,999.00
8/29/2012	VXHE9F28B337	*****1004	2,999.00
		Freight:	0.00
		Sales Tax:	0.00
		USD	2,999.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000396767
Order Date: 11/9/2012
Web Order No: 114694
Salesperson: JG
Customer: 43305
Customer PO:

Sold To	Ship To
Brian Bilonis 412 McKinley Ave WANTS OWC! Libertyville, IL 60048 USA	Brian Bilonis 17162 Murphy Ave Unit A Wine Cellar Club (949) 252-1828 , CA 92614 USA

Contact: Brian L Bilonis
Phone: (312) 296-5301

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
40793	09 Grands Echezeaux, Jadot	3.00	0.00	139.99	419.97
46851	2010 Vieux Telegraphe 1/2	3.00	0.00	35.00	105.00
42752	09 Chateauneuf Reservee, Pegau	3.00	0.00	59.99	179.97
46754	2010 Meursault Charmes, Bitouzet-Prieur	3.00	0.00	29.99	89.97
46807	07 Chateauneuf Cuvee Anonyme, Xavier Vins	3.00	0.00	39.99	119.97
43418	09 Gevrey Chambertin V.V., Mortet	3.00	0.00	39.99	119.97
45255	2010 Chateauneuf Clos des Papes, Avril	12.00	0.00	95.00	1,140.00

Payments: 2,365.15		Net Order:	2,174.85
		Freight:	0.00
		Sales Tax:	190.30
		USD	2,365.15

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000399727
Order Date: 12/15/2012
Web Order No: 116683
Salesperson: MC
Customer: 43305
Customer PO:

Sold To	Ship To
Brian Bilonis 412 McKinley Ave WANTS OWC! Libertyville, IL 60048 USA	Brian Bilonis 17162 Murphy Ave Unit A Wine Cellar Club (949) 252-1828 , CA 92614 USA

Contact: Brian L Bilonis
Phone: (312) 296-5301

Item	Ordered	Quantity Shipped	Unit Price	Amount
46063 2011 La Mission Haut Brion	12.00	0.00	179.99	2,159.88

Payments:	2,348.87	Net Order:	2,159.88
		Freight:	0.00
		Sales Tax:	188.99
12/17/2012 VTHEA3608B20 *****1004 2,348.87			
		USD	2,348.87

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000399790
Order Date: 12/16/2012
Web Order No: 116754
Salesperson: JG
Customer: 43305
Customer PO:

Sold To	Ship To
Brian Bilonis 412 McKinley Ave WANTS OWC! Libertyville, IL 60048 USA	Brian Bilonis 17162 Murphy Ave Unit A Wine Cellar Club (949) 252-1828 , CA 92614 USA

Contact: Brian L Bilonis
Phone: (312) 296-5301

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
46089 2011 Latour	12.00	0.00	279.99	3,359.88

Payments:	3,653.87	Net Order:	3,359.88
		Freight:	0.00
		Sales Tax:	293.99
12/17/2012	VPFE7D9D14A9 *****1004		
	3,653.87		
		USD	3,653.87

Bilionis, Brian

From: Tony Gray [tony@premiercru.net]
Sent: Friday, November 20, 2015 9:57 AM
To: brian_bilionis@msn.com
Subject: Account Overview

Hello Brian,

Here is the latest account overview with arrival estimates.

06/06/2015	0000480554	29909	90 Krug	\$299.99	3	Summer / Fall '16
06/06/2015	0000480554	37369	96 Krug	\$289.99	6	Summer / Fall '16
08/19/2012	0000389790	CEF16	Krug Grand Cuvee	\$119.99	2XX	one bottle here / the other to arrive early '16
08/15/2015	0000487245	52037	07 Roederer Cristal	\$104.99	6	Summer / Fall '16
09/14/2013	0000422855	47588	2011 Chapelle Chambertin, Ponsot	\$145.00	1	30 - 90 days
08/08/2012	0000388754	45937	09 Montrachet, DRC	\$2,599.00	3	Early 1st Quarter '16
12/22/2012	0000400264	21399	97 Barolo Conteisa Magnum, Gaja	\$350.00	1	1st quarter '16
09/14/2013	0000422855	48378	2010 Sassicaia Magnum	\$269.99	1	End of Winter / Early Spring
08/28/2012	0000390586	44133	2010 Ausone 3 Liter	\$2,999.00	1	End of Winter / Early Spring
12/15/2012	0000399727	46063	2011 La Mission Haut Brion	\$179.99	12	Spring / summer '16
12/31/2012	0000401494	44189	2010 Lafleur Magnum	\$1,199.00	2	End of Winter / Early Spring
12/16/2012	0000399790	46089	2011 Latour	\$279.99	12	Spring / summer '16
12/01/2012	0000398369	44116	2010 l'Eglise Clinet	\$249.99	12	End of Winter / Early Spring
11/09/2012	0000396767	45255	2010 Chateaneuf Clos des Papes, Avril	\$95.00	12	End of Winter / Early Spring

best,

Tony Gray
[Premier Cru](#) - the world's finest wines
1011 University Avenue
Berkeley, CA 94710 ([directions](#))
phone (510) 644-9463
fax (510) 647-3833
Tony@premiercru.net