

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
5/26/2016
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?	Mark Christenson _____ 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? Mark Christenson _____ Name 1207 Sand Dollar Way San Marcos, CA 92078 Contact phone <u>6198716216</u> Contact email <u>mchristenson@md7.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>1328.70</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).</p> <p>Limit disclosing information that is entitled to privacy, such as healthcare information.</p> <p>Purchased goods that were never delivered.</p> <p>_____</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>5/26/2016</u> MM / DD / YYYY</p> <p><u>/s/ Mark Christenson</u> _____ Signature</p> <p>Print the name of the person who is completing and signing this claim:</p> <p>Name <u>Mark Christenson</u> _____ First name Middle name Last name</p> <p>Title _____</p> <p>Company _____</p> <p>Address <u>1207 Sand Dollar Way</u> _____ Identify the corporate servicer as the company if the authorized agent is a servicer Number Street <u>San Marcos, CA 92078</u> _____ City State ZIP Code</p> <p>Contact phone <u>6198716216</u> Email <u>mchristenson@md7.com</u></p>
--	---

[My Account](#)[Hi Terry](#)[Log Out](#)[Shopping Cart](#)[wine, region, varietal, producer](#)[SEARCH](#)

TERMS AND CONDITIONS

Purchasing and Shipping Wine Legally

You must be 21 years of age to purchase and/or receive wine from us.

Premier Cru can only ship to states where it is legal to ship alcoholic beverages. If you live in a state which is not legal to ship alcoholic beverages, please provide an alternative shipping address in a legal state, or the address of a "third party" storage facility (taxes will be applied as appropriate).

A complete list of the states and their shipping restrictions is included on this page. We can also hold your shipment for a limited time for you to pick up at our retail location, located minutes from downtown San Francisco. See special sales tax note below.

Any wine sold to you by Premier Cru is sold in California, and title passes to you, the buyer, in California. All orders are shipped by a licensed California wine retailer. The buyer is solely responsible for the shipment of wine. We make no representations concerning your legal right to ship or receive wine into any state outside California or any country outside the United States. By placing any wine order with Premier Cru, you authorize Premier Cru to act on your behalf to engage a common carrier to deliver your order to your selected destination.

Sales Tax: We must collect sales tax for shipments to the following states:

California - 9.0%

Hew Hampshire - 8%

Note that any order delivered to a wine storage facility based in one of those states must be charged the appropriate sales tax.

All orders picked up at Premier Cru's store (and not shipped by a licensed carrier to an out of state destination) must be charged 9% sales tax regardless of where the purchaser lives or where the wine will be taken.

Returns and Cancellations

There will be a 15% restocking/cancellation fee enforced for any order that is cancelled by the customer, including pre-arrival orders.

By law, we are only able to accept returns on wines purchased in error. After the wine has been in your possession for at least six months, we are unable to accept returns for any reason. We do not accept any returns on bottles that have been opened.

Pricing Errors

Prices are subject to change without notice. Premier Cru is not responsible for pricing errors that may occur on our website from time to time.



Pre-Arrival Wines versus In-Stock Wines

The term "Pre-Arrival" is applied to wines we have purchased (typically abroad) that have not arrived yet. Depending on the particular wine, the arrival time is typically 6+ months to over two years (in the case of Bordeaux Futures, for example).

Many new releases of highly desirable, limited-production wines (ie - Burgundy, Rhone, Italian, etc.) are offered on a "Pre-Arrival" basis by our suppliers. These offerings typically take 6 to 18 months to arrive and are often the only way to source the wines before they sell out (and at optimal prices). We send an email notification when your wines arrive.

States We Ship To

Below is a list of the states that we can ship to at the present time:

AZ, CA, CO, CT, DC, GA, HI, IA, ID, IL, LA, MO, NC, ND, NE, NM, NV, NY, OH, OR, SC, TX, VA, WA, WI, WV, WY.

This list is subject to change without notice.



States We Don't Ship To

If you live in a state other than one listed above, we encourage you to contact your state representatives and ask them to change their laws and allow you to enjoy the same rights as wine lovers in other states.

In the meantime, we suggest that you consider contracting with a professional wine storage facility. If you transfer wines purchased to a storage facility in California, you are required to pay CA sales tax.



Age Verification

You must be at least 21 years of age or older to buy wine. By placing an order with Premier Cru, whether through our website, over the phone or in person, you certify under penalty of perjury that you and the recipient are at least 21 years old. When the wine is delivered, the recipient will be required to show identification proving that he or she is at least 21 years old. The willful misrepresentation of your age or the age of the recipient is a crime in most states, and if it appears to us or to the authorities that you have done so, we will cooperate with the authorities to prosecute you to the fullest extent of the law.

Adult Signature Required

Because of strict alcoholic beverage laws in the states to which we can legally ship wine, an adult must be present to sign for your wine order. For this reason, we encourage you to use a business address, if possible, where an adult is present during business hours. Neither we nor the shipping companies we use are authorized to accept a "signature on file" or leave a wine package at the door or with a neighbor. Shipping to a business address will also minimize the chance that a delivery will be attempted when no one is there, resulting in the wine spending more time in delivery trucks and warehouses, where it can be exposed to temperature extremes.

Shipping Companies

Currently, we only ship via UPS, FedEx and GSO. These companies accept wine shipments and are committed to delivering them legally. It is not legal to ship wine via the US Postal Service. We can also ship by common carrier (truck), which makes sense for larger shipments, as you can then receive your wine in its original box. Please call for more information.

No PO Boxes

A street address must be provided, since UPS, FedEx and GSO are unable to deliver to PO Boxes. You should also provide a daytime phone number for the recipient's location, so we or the shipping company can reach you if necessary.

Browse Wines

Featured Wines

What's New
Newsletters

Learn About Wine

Regions
Producers
Feature Articles
Wine Expert Reviews

Customer Service

Pre-Arrival vs. In-Stock
Shipping Info
Terms and Conditions
RSS Center
My Account
Contact Customer Service

About Us

Company History
Our Staff
We Buy Wine
Retail Store
Contact Us

[RSS Center](#)

FIND A WINE

SEARCH

GET OUR NEWSLETTER

SUBSCRIBE

About Us

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

© Copyright 2013 Premier Cru. All Rights Reserved. Privacy Policy.

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000415818
Order Date: 6/15/2013
Web Order No: 128240
Salesperson: JG
Customer: 43554
Customer PO:

Sold To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Ship To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Contact: Mark Christenson
Phone: (619) 871-6216

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47492	04 Taittinger Comtes de Champagne Blanc de Blancs	3.00	0.00	99.99	299.97

Payments: 326.97

6/17/2013	VTHEAB561654	*****5844	326.97
-----------	--------------	-----------	--------

Net Order: 299.97

Freight: 0.00

Sales Tax: 27.00

USD 326.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000420723
Order Date: 8/13/2013
Web Order No: 131719
Salesperson: MC
Customer: 43554
Customer PO:

Sold To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Ship To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Contact: Mark Christenson
Phone: (619) 871-6216

Item		Ordered	Quantity Shipped	Unit Price	Amount
48129	09 San Roman, Bodegas Y Vinedos Maurodos	3.00	0.00	31.99	95.97

Payments: 104.61

8/13/2013	VUYEAD818D94	*****5844	104.61
-----------	--------------	-----------	--------

Net Order: 95.97

Freight: 0.00

Sales Tax: 8.64

USD 104.61

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000398663
Order Date: 12/5/2012
Web Order No: 115975
Salesperson: PB
Customer: 43554
Customer PO:

Sold To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Ship To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Contact: Mark Christenson
Phone: (619) 871-6216

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
45255	2010 Chateauneuf Clos des Papes, Avril	3.00	0.00	105.00	315.00

Payments: 342.56

12/5/2012	VUYEA24AD6D5	*****0016	342.56
-----------	--------------	-----------	--------

Net Order: 315.00

Freight: 0.00

Sales Tax: 27.56

USD 342.56

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000396399
Order Date: 11/7/2012
Web Order No: 114443
Salesperson: PB
Customer: 43554
Customer PO:

Sold To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Ship To

Mark Christenson
1207 Sand Dollar Way
San Marcos, CA 92078 USA

Contact: Mark Christenson
Phone: (619) 871-6216

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
44970	2010 Chateaufeuf Mon Aieul, P. Usseglio	3.00	0.00	79.99	239.97

Payments: 260.97

11/7/2012	VUYEA121E3AE	*****0016	260.97
-----------	--------------	-----------	--------

Net Order: 239.97

Freight: 0.00

Sales Tax: 21.00

USD 260.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000396398
Order Date: 11/7/2012
Web Order No: 114442
Salesperson: PB
Customer: 43554
Customer PO:

Sold To	Ship To
Mark Christenson 1207 Sand Dollar Way San Marcos, CA 92078 USA	Mark Christenson 1207 Sand Dollar Way San Marcos, CA 92078 USA

Contact: Mark Christenson
Phone: (619) 871-6216

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
45364 2010 Chateauneuf Cuvee Chaupin, Janasse	3.00	0.00	89.99	269.97

Payments:	293.59	Net Order:	269.97
		Freight:	0.00
		Sales Tax:	23.62
11/7/2012	VLFE7DD3D984 *****0016		
	293.59		
		USD	293.59