

Fill in this information to identify the case:

Debtor 1

Fox Ortega Enterprises

Debtor 2  
(Spouse, if filing)

dba - Premier Cva

United States Bankruptcy Court for the

Oakland

District of

Northern CA

Case number

16-40050 - WJR

CR FILED

2016 MAY 19 PM 3:05

U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
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?

FRITZ KASTEN

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?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

FRITZ KASTEN

Name

SAME

Name

P.O. Box 620098

Number

Street

Number

Street

Woodside

City

State

ZIP Code

City

State

ZIP Code

CA 94062

Contact phone

650/3691521

Contact phone

Contact email

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: Bankruptcy # 16-40050

7. How much is the claim? \$ 2839<sup>88</sup> 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.

*enclosed PC sheet indicates wine paid for - not shipped or picked up*

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:

*wine inventory / building - 10th University Berkeley*

**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 5/14/16  
MM / DD / YYYY

Signature

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

Name

First name

Middle name

Last name

Title

Company

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

Address

Number

Street

City

State

ZIP Code

Contact phone

Email

Premier Cru

My Account

Hi Full

Log Out

My Shopping Cart

wine, region, varietal, producer

SEARCH

510/644.9463

1011 University Ave Berkeley 94710

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

## MY ACCOUNT

~~XXXXXXXXXX~~

## RECENT ORDERS

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000437384 (Open) 12 C. Charl. Bon.	\$270.00	2	0	2	0	2/14/14
SO-0000428584 (Open) 11 Chevalier M. Bon	\$199.99	1	0	1	0	11/23/13
SO-0000438642 (Open) 11 C. Charl. Bon	\$259.98	2	0	2	0	11/23/13
SO-0000427814 (Open) 11 4 Rouchotte/2 Batard	\$939.94	6	0	6	0	11/12/13
SO-0000404465 (Open) 11 3 Mont. Bon.	\$1,169.97	3	0	3	0	2/5/13

[View all orders](#)

\$ 2,839.89 — does not include  
CA sales tax charged  
at time of purchase

## VIEW ORDERS

☒ Open☐ Closed☐ All

VIEW

## VIEW ITEMS

☒ Open☐ Closed☐ All☐ Ready to Ship

VIEW

## RECENT SHIPMENTS

Ship Tran ID	Ship Method	Ship Date	Shipped
0000334865-SH	Customer Pickup	Jun 18, 2015	4
0000328395-SH	Customer Pickup	Oct 9, 2014	2
0000327627-SH	Customer Pickup	Aug 8, 2014	7
0000318248-SH	In Store Purchase	May 29, 2013	7
0000318248-SH	Customer Pickup	May 29, 2013	2

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KC

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Berkeley, CA 94710  
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**Store Hours**

Tuesday-Friday: 10am-6pm  
Saturday: 10am-5pm  
Sunday: Closed

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**Summary Continued**

	Pay In Full	Pay Over Time ♦	Total
ANNE M KASTEN 8-71512	\$520.07	\$994.44	\$1,514.51
<b>Total New Charges</b>	<b>\$1,684.53</b>	<b>\$10,502.10</b>	<b>\$12,186.63</b>

**Detail**

♦ denotes Pay Over Time activity

**FRITZ F KASTEN**

Card Ending 8-73005

*Amex billing reflects CA sales tax*For more information, visit  
[americanexpress.com/payovertimeinfo](http://americanexpress.com/payovertimeinfo)

			Amount
12/24/12	MENLO PARK HARDWARE MENLO PARK CA HARDWARE STORE		\$74.08
12/24/12	MENLO PARK HARDWARE MENLO PARK CA HARDWARE STORE		\$25.94
12/26/12	CVS #9330 09330 MENLO PARK CA DRUG STORE/PHARMACY SIGN & TRAVEL® / EXTENDED PAYMENT OPTION		\$128.42 ♦
12/26/12	PEET'S #00202 MENLO PARK CA FAST FOOD-RESTAURANT		\$14.50
12/30/12	AMAZON.COM AMZN.COM/BILL WA MERCHANDISE		\$23.26
12/30/12	UNION 76 10095917 MENLO PARK CA UNION 76		\$55.48
12/31/12	VINOPOLIS WINE SHOP PORTLAND OR 503-223-6002 SIGN & TRAVEL® / EXTENDED PAYMENT OPTION		\$556.00 ♦
01/02/13	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA MERCHANDISE		\$66.95
01/03/13	AMAZON.COM AMZN.COM/BILL WA MERCHANDISE		\$17.15
01/03/13	AMAZON.COM AMZN.COM/BILL WA MERCHANDISE		\$23.78
01/06/13	VINOPOLIS WINE SHOP PORTLAND OR 503-223-6002		\$32.00
01/12/13	PREMIER CRU 510-655-6691 CA 5106449463 SIGN & TRAVEL® / EXTENDED PAYMENT OPTION		\$1,294.13 ♦
01/17/13	PREMIER CRU 510-655-6691 CA 5106449463 SIGN & TRAVEL® / EXTENDED PAYMENT OPTION		\$848.23 ♦

**ANNE M KASTEN**

Card Ending 8-74029

		Amount
12/24/12	GARNET HILL 800-622-6216 NH NATURAL FIBERS	\$60.00
12/26/12	DRAEGERS SPRKT100 SRMENLO PARK CA 6502446500 Description GROCERY STORE	\$14.88
12/27/12	ITUNES MUSICUSA ITUNCUPERTINO CA ITUNES MUSIC STORE	\$2.99





Platinum Card®

FRITZ F KASTEN  
Closing Date 11/24/13

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Account Ending 8-73005

## Payments and Credits

## Summary

	Pay In Full	Pay Over Time ♦	Total
Payments	-\$113.70	-\$2,571.00	-\$2,684.70
Credits	\$0.00	\$0.00	\$0.00
Total Payments and Credits	-\$113.70	-\$2,571.00	-\$2,684.70

## Detail

\*Indicates posting date

## Payments

Amount

11/19/13*	FRITZ F KASTEN	AUTOPAY PAYMENT RECEIVED - THANK YOU COMERICA BANK	-\$2,684.70
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## New Charges

## Summary

	Pay In Full	Pay Over Time ♦	Total
FRITZ F KASTEN 8-73005	\$138.73	\$1,525.90	\$1,664.63
ANNE M KASTEN 8-74029	\$73.00	\$1,713.85	\$1,786.85
Total New Charges	\$211.73	\$3,239.75	\$3,451.48

## Detail

♦ denotes Pay Over Time activity

For more information, visit

americanexpress.com/payovertimeinfo



FRITZ F KASTEN

Card Ending 8-73005

				Amount
11/11/13	AMAZON MKTPLACE PMTSAMZN.COM/BILL	WA		\$17.99
	MERCHANDISE			
11/11/13	AMAZON.COM AMZN.COM/BILL	WA		\$68.86
	MERCHANDISE			
11/12/13	PREMIER CRU 510-655-6691	CA		\$1,024.53 ♦
	5106449463			
11/13/13	AMAZON MKTPLACE PMTSAMZN.COM/BILL	WA		\$28.94
	MERCHANDISE			
11/13/13	AMAZON MKTPLACE PMTSAMZN.COM/BILL	WA		\$22.94
	MERCHANDISE			
11/23/13	PREMIER CRU 510-655-6691	CA		\$283.38 ♦
	5106449463			
11/23/13	PREMIER CRU 510-655-6691	CA		\$217.99 ♦
	5106449463			



ANNE M KASTEN

Card Ending 8-74029

				Amount
10/26/13	ITUNES MUSICUSA ITUNCUPERTINO	CA		\$2.99
	ITUNES MUSIC STORE			
10/28/13	NETFLIX WWW.NETFLIX.LOS GATOS	CA		\$5.44
	WWW.NETFLIX.COM/CC			

FRITZ F KASTEN  
Closing Date 02/21/14

Account Ending 8-73005

## Payments and Credits

### Summary

	Pay In Full	Pay Over Time ♦	Total
<b>Payments</b>			
	\$0.00	-\$1,674.53	-\$1,674.53
<b>Credits</b>			
FRITZ F KASTEN 8-73005	\$0.00	\$0.00	\$0.00
ANNE M KASTEN 8-74029	-\$85.99	\$0.00	-\$85.99
<b>Total Payments and Credits</b>	<b>-\$85.99</b>	<b>-\$1,674.53</b>	<b>-\$1,760.52</b>

### Detail

\*Indicates posting date

			Amount
<b>Payments</b>			
02/18/14*	FRITZ F KASTEN	AUTOPAY PAYMENT RECEIVED - THANK YOU COMERICA BANK	-\$1,674.53
<b>Credits</b>			
01/29/14	ANNE M KASTEN	ECCO INTERNET 0000 LONDON DERRY NH 603-537-7300 Description SHOE STORES	-\$85.99

## New Charges

### Summary

	Pay In Full	Pay Over Time ♦	Total
FRITZ F KASTEN 8-73005	\$0.00	\$294.30	\$294.30
ANNE M KASTEN 8-74029	\$129.29	\$1,711.61	\$1,840.90
<b>Total New Charges</b>	<b>\$129.29</b>	<b>\$2,005.91</b>	<b>\$2,135.20</b>

### Detail

♦ - denotes Pay Over Time activity

For more information, visit  
[americanexpress.com/payovertimeinfo](http://americanexpress.com/payovertimeinfo)



FRITZ F KASTEN  
Card Ending 8-73005

	Amount
02/14/14 PREMIER CRU 510-655-6691 CA 5106449463	\$294.30 ♦



ANNE M KASTEN  
Card Ending 8-74029

	Amount
01/26/14 ITUNES MUSICUSA ITUNCUPERTINO CA ITUNES MUSIC STORE	\$2.99
01/28/14 NETFLIX WWW.NETFLIX.LOS GATOS CA WWW.NETFLIX.COM/CC	\$5.44
01/31/14 ITUNES MUSICUSA ITUNCUPERTINO CA ITUNES MUSIC STORE	\$7.99
02/01/14 SAF KEEP SELF STORAG6503061850 160619 94063 PUBLIC WAREHOUSING	\$329.00 ♦