B10 (Official Form 10) (04/13)					
UNITED STATES BANKRUPTCY COURT	PROOF OF CLAIM				
Name of Debtor: Case Number:	ch will				
Name of Debtor: Case Number: 16 - 400. Aba Premièr CRY	FLED B				
aba Premièr CRY	AUG 3 0 2016				
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy may file a request for payment of an administrative expense according to 11 U.S.C. § 503.	filing. You BANKRUPTCY COURT				
	OAKLAND, CALIFORNIA				
GDWALD W. SZALAPSKI JR.	COURT USE ONLY				
Name and address where notices should be sent:	Check this box if this claim amends a				
Name of Creditor (the person or other entity to whom the debtor owes money or property): GOWALD W. SZALAPSKI JK. Name and address where notices should be sent: Edward W. SZALAPSKI SZALAPSKI Telephone number: GONALD W. SZALAPSKI Telephone n	previously filed claim. New John				
Telephone number: Man has Sterly	(If known) Filed on: 5-27-16				
962-470-4488 VICTSKIOMSN.COM	Filed on:				
Name and address where payment should be sent (if different from above):	Check this box if you are aware that				
Sel 9 ho v 4	anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.				
Telephone number: email:					
1. Amount of Claim as of Date Case Filed: \$ 3 4 7 9 8 8					
If all or part of the claim is secured, complete item 4.					
If all or part of the claim is entitled to priority, complete item 5.					
Check this box if the claim includes interest or other charges in addition to the principal amount of the claim					
2. Basis for Claim: 60005 SOIG, DEBTOR RECEIVEG C	redit card payment d -see attached spages				
(See instruction #2) GOODS NOT DELIVERE	d -see attached spages				
3. Last four digits of any number by which creditor identifies debtor: 3a. Debtor may have scheduled account as: 3b. Uniform C	laim Identifier (optional):				
(See instruction #3a) (See instruction					
	earage and other charges, as of the time case was filed, ured claim, if any:				
Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.	\$				
Nature of property or right of setoff:	rtion:				
	ured Claim: \$				
value of a topolity.	a 4-7988				
Annual Interest Rate					
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.					
☐ Domestic support obligations under 11 ☐ Wages, salaries, or commissions (up to \$12,475*) ☐	Contributions to an				
	nployee benefit plan — I U.S.C. § 507 (a)(5). Amount entitled to priority:				
☐ Up to \$2,775* of deposits toward ☐ Taxes or penalties owed to governmental units — ☐	J Other – Specify \$				
purchase, lease, or rental of property or 11 U.S.C. § 507 (a)(8).	pplicable paragraph of I U.S.C. § 507 (a)().				
*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.					
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)					

B10 (Official Form 10) (04/13) 7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(e)(3)(A). If the claim is secured, box 4 has been completed, and reducted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Montgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".) DO NOT SEND ORIGINAL DOCUMENTS, ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING, If the documents are not available, please explain: 8. Signature: (See instruction #8) Check the appropriate box. I am the trustee, or the debtor, I am a guarantor, surety, indorser, or other codebtor. or their authorized agent. (See Bankruptcy Rule 3005.) (See Bankruptcy Rule 3004.) I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief VICTORIA BEECROST SZALAPSKI 7/B/O Edward W. Jzulyski J. MIS Attornex at Law

Stephone number (if different from notice address above):

Pleasant View ky

Notoria Beecroft Szalapske Company: Address and telephone number (if different from notice address above): 850 PLEASUNT VIEW RA
WANNASSEN, MN 55317

INSTRUCTIONS FOR PROOF OF CLAIM FORM

Mr. Edward W. Szalapski, Jr. 850 Pleasant View Rd Chanhassen, MN 55317

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not file exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptey filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor: State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

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.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

FW: Web Order # 131346 from edward Szalapski

edward

Sun 3/13/2016 4:29 PM

To:victski <victski@msn.com>;

Subject: RE: Web Order # 131346 from edward Szalapski

Date: Tue, 4 Aug 2015 14:04:41 -0700

From: sales@premiercru.net To: edward_szalapski@msn.com

Hello Edward,

We are expecting to finally bring in the vast majority of our '10 Bordeaux this Fall and should have nearly all orders filled by the end of this year. Sorry about the long wait times on these wines. Our logistics got held up with some of our Bordeaux suppliers and affected our importing over several vintages. Also the port closures in California set everything back at least four months. Moving forward, we are confident we will be able to ship our allocations in a much more timely fashion. Your order is now at the 24 month mark, and you are more than welcome to a full refund if that is what you choose, however the delivery of the '10 Palmer is likely to be this Fall. Let me know if I can be of further assistance.

Many thanks,

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

From: edward [mailto:edward_szalapski@msn.com]

Sent: Sunday, August 02, 2015 7:46 PM

To: Premier Cru

Subject: RE: Web Order # 131346 from edward Szalapski

It has now been two years since I entrusted just shy of \$3500.00 to you with the expectation of receiving a case of Chateau Palmer. Your last communication indicated late spring, early summer arrival. It was not my intention to award you a no interest long term loan. I think it's time to deliver or talk refund. Each of your prior replies has simply afforded delay. When might I receive my wine?

Ed

Subject: RE: Web Order # 131346 from edward Szalapski

Date: Sat, 28 Feb 2015 11:04:25 -0800

From: sales@premiercru.net
To: edward_szalapski@msn.com

Case 16-40050 Claim 2224 Filed 08/30/16 Desc Main Document Page 3 of 6

Hi Ed,

The strike at the Port of Oakland has not helped us but they went back to work last week and it looks like the strike is resolving. Therefore, we can now get our containers on the water for late Spring, early summer arrival.

Thanks for your patience. We didn't put any containers on the water for risk of losing refrigeration in the backlog.

Regards, Phil

From: edward [mailto:edward_szalapski@msn.com]

Sent: Monday, February 23, 2015 5:46 PM

To: Premier Cru

Subject: RE: Web Order # 131346 from edward Szalapski

It has now been the requisite 18 months. Any encouraging word?

Thank you

Subject: RE: Web Order # 131346 from edward Szalapski

Date: Tue, 1 Jul 2014 12:54:35 -0700 From: sales@premiercru.net To: edward_szalapski@msn.com

Hello Ed.

Thanks for your email. Currently, the wine is still at the negoce in climate controlled storage. Our buyers were overly optimistic in getting all of the 2010 Bordeaux in that quickly. We do fulfill orders sequentially and you are close to the top of the queue. Checking today, it won't be until fall as we are working on another 4 containers (about 60,000 bottles) for fall. It is too hot to ship right now as well.

Your order date is 8-5-13. Prearrivals typically take 6+ to 18 months to arrive (as noted on the website). Thanks for your patience.

Regards, Phil

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.

From: edward [mailto:edward_szalapski@msn.com]

Sent: Tuesday, July 01, 2014 12:16 PM

To: Premier Cru

Subject: RE: Web Order # 131346 from edward Szalapski

I would like to check on the status of order #131346. Your August 5, 2013 originally indicated arrival near the end of the year. Your February 12, 2014 email said late spring/early summer.

Case 16-40050 Claim 2224 Filed 08/30/16 Desc Main Document Page 4 of 6

Thank you, Ed

Subject: RE: Web Order # 131346 from edward Szalapski

Date: Wed, 12 Feb 2014 16:46:59 -0800

From: sales@premiercru.net To: edward_szalapski@msn.com

Hello Edward,

Thanks for your email. Your case of 2010 Palmer is not expected to arrive until late Spring/ early Summer. We do fulfill orders first in, first out and many people ordered before you. Prearrivals typically take at least 9 months to arrive as noted on the website.

We will email you on arrival and we never ship automatically.

Have a good week.

Kind regards,

Phil

From: edward [mailto:edward_szalapski@msn.com] **Sent:** Wednesday, February 12, 2014 4:15 PM

To: Premier Cru

Subject: RE: Web Order # 131346 from edward Szalapski

Any news on the 2010 Chateau Palmer order? I receive your many enticing e-mail offers, and they are tempting. This is however my first order with your company, and I'm waiting for it to come to fruition before I place additional orders.

Thank you, Ed Szalapski Jr.

- > Subject: RE: Web Order # 131346 from edward Szalapski
- > Date: Mon, 5 Aug 2013 14:46:34 -0700
- > From: sales@premiercru.net
- > To: edward_szalapski@msn.com
- > _
- > Edward,
- >
- > Thank you for your order. These are pre arrival wines, and should arrive
- > toward the end of the year. We will send you an email notification upon
- > arrival, and we can make shipping arrangements at that time. Please let
- > me know if there is anything else I can help you with.
- > Thank you,
- > >
- > Matt Cormier
- > Premier Cru
- > 1011 University Ave.
- > Berkeley, CA 94710
- > 510-644-9463 ex11
- > matt@premiercru.net
- >
- > ----Original Message----
- > From: Premier Cru

- > If you wish to arrange shipping, please contact us after receiving your
- > order confirmation and we will schedule it.
- > We do not charge for shipping until your bottles ship out.
- > If you have any questions, please email us at info@premiercru.net or
- > call us at 510-644-9463.
- > Premier Cru
- > 1011 University Avenue
- > Berkeley, CA 94710

> -----

> (510) 644-9463

Fill in this information	on to identify the case	9:	
Debtor 1	Fox	ortegg	ENTERNISM
Debtor 2 (Spouse, if filing)	10.0		
United States Bankrupto	y Court for the:	District of	-77
Case number	16 - 700	70	



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?	Sdwgrd W. Szug pSki JR. 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? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Edward W. SZAGPSAT Name STOPLEGANT VIEW RA Number Street City State ZIP Code Contact phone 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		
5.	Do you know if anyone else has filed a proof of claim for this claim?	No Yes. Who made the earlier filing?		

Official Form 410 Proof of Claim page 1

F	art 2: Give Information	n 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: 43 1 346		
7.	How much is the claim?	\$ 3, 4, 79, 88. Does this amount include interest or other charges? No		
	see attalog	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.		
		600ds Sold, never received		
		8/5/20/3		
9.	Is all or part of the claim secured?	No		
		Ves. 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 <i>Mortgage Proof of Claim</i>		
		Attachment (Official Form 410-A) with this Proof of Claim.		
		✓ Motor vehicle ✓ Other. Describe:		
		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		Kno		
	lease?	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	₩ No	
11 U.S.C. § 507(a)?	☐ Yes. Check all that apply:	Amount entitled to priority
A claim may be partly priority and partly	Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$
nonpriority. For example, in some categories, the law limits the amount entitled to priority.	☐ 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	r the date of adjustment.
		00 ANNO 100
Part-3: Sign Below		
The person completing	Check the appropriate box:	
this proof of claim must sign and date it.	☐ I am the creditor.	
FRBP 9011(b).	I am the creditor's attorney or authorized agent.	
If you file this claim	I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.	
electronically, FRBP 5005(a)(2) authorizes courts	I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.	
to establish local rules		
specifying what a signature is.	I understand that an authorized signature on this <i>Proof of Claim</i> serves as an acknowledgment the amount of the claim, the creditor gave the debtor credit for any payments received toward the de	nat when calculating the
A person who files a	bt.	
fraudulent claim could be fined up to \$500,000, imprisoned for up to 5	I have examined the information in this <i>Proof of Claim</i> and have a reasonable belief that the information correct.	mation is true
years, or both. 18 U.S.C. §§ 152, 157, and	I declare under penalty of perjury that the foregoing is true and correct.	
Executed on date 0.5192016 8 MM / DD // YYYY 8 MM / DD // YYYY		
	// // MM / DD V YYYY	
	Markey 1 - 1 Als Secre	1 10
	8 Mah Malphe, 259. Signature - 45 All Signature - 4	
	Print the name of the person who is completing and signing this claim:	
	Name VICTONIG BEECROST SZ4	(9 ps/c)
	Title Attorney	
	Company	
Identify the corporate servicer as the company if the authorized agent is a servicer.		
	Address 850 Pleasant View Ld	
	Chumber Chunhassen mn 553	6/-
	Contact phone $\frac{\text{City}}{952 - 470 - 4488}$ State ZIP Code VIC+S	Ci @ msn.o p

FW: Web Order # 131346 from edward Szalapski

edward

Sun 3/13/2016 4:29 PM

To:victski <victski@msn.com>;

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Case 16-40050 Claim 2224 Filed 05/27/16 Desc Main Document Page 4 of 8

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Your order date is 8-5-13. Prearrivals typically take 6+ to 18 months to arrive (as noted on the website). Thanks for your patience.

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Pre-Arrival Wines versus In-Stock Wines

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From: edward [mailto:edward_szalapski@msn.com]

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To: Premier Cru

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Date: Wed, 12 Feb 2014 16:46:59 -0800
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 Edward,
 Thank you for your order. These are pre arrival wines, and should arrive
 toward the end of the year. We will send you an email notification upon
 arrival, and we can make shipping arrangements at that time. Please let
 me know if there is anything else I can help you with.
 Thank you,
 Thank you,
- > Matt Cormier > Premier Cru
- > 1011 University Ave.
- > Berkeley, CA 94710
- > 510-644-9463 ex11
- > matt@premiercru.net
- > -----Original Message-----
- > From: Premier Cru

3 of 5

3/13/2016 4::

T

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> Sent: Monday, August 05, 2013 2:41 PM
> To: Premier Cru
> Subject: Web Order # 131346 from edward Szalapski
> Order Number: 131346
> Placed: Aug 5 2013 2:38PM
> Cust Name: edward Szalapski
> Email Address: edward_szalapski@msn.com
> Cust Id: 44903
> Order No: SO-0000420223
> Order Status: OK
> Billing Address:
> edward Szalapski
> 850 Pleasant veiw rd
> Chanhassen, MN 55317
> Day Phone: 952 470-4488
> Eve Phone:
> Cel Phone:
> Shipping Address:
> Day Phone: 0
> Eve Phone: 0
> Cel Phone: 0
> Ship Via: HOLD
> Payment: 9594 exp: 02 16
> Name on Card: edward w szalapski jr
> gty item Wine price
> ext status
> 12 44074 2010 Palmer 289.99
> 3479.88 pre-arrival
> Bottles: 12
> Subtotal: 3479.88
> Shipping: 0.00
> Tax: 0.00
> Total: 3479.88
>
> Please note:
> We do not ship automatically upon order.
```

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- > If you wish to arrange shipping, please contact us after receiving your
- > order confirmation and we will schedule it.
- > We do not charge for shipping until your bottles ship out.
- > If you have any questions, please email us at info@premiercru.net or
- > call us at 510-644-9463.
- > Premier Cru
- > 1011 University Avenue
- > Berkeley, CA 94710
- > (510) 644-9463