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U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE, CALIF.

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc., dba Premier Cru

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050-WJL

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>Kenneth Criss</u> Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor <u>Kenneth L. Criss</u>	
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>Kenneth L. Criss</u> Name	<u>same</u> Name
	<u>2358 Riverside Ave., Unit 203</u> Number Street	 Number Street
	<u>Jacksonville</u> <u>FL</u> <u>32204</u> City State ZIP Code	 City State ZIP Code
	Contact phone <u>904-614-5439</u> Contact email <u>kencriss@att.net</u>	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?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>161</u>	
		Filed on <u>01/24/2016</u> 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? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 1,684.41 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.
Wines invoiced to creditor, paid for by creditor, undelivered by debtor

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: _____
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: \$ 1,684.41
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ 1,684.41 (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: \$ 1,684.41

Annual Interest Rate (when case was filed) 18.00 %
☒ 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 one:

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 \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).
☐ 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).
☐ 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.

Amount entitled to priority

\$ _____
 \$ 1,684.41
 \$ _____
 \$ _____
 \$ _____
 \$ _____

* 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

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 06/13/2016
 MM / DD / YYYY

Signature

Kenneth L. Criss

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

Name Kenneth L. Criss
 First name Middle name Last name
 Title individual
 Company _____
 Identify the corporate servicer as the company if the authorized agent is a servicer.
 Address 2358 Riverside Ave., Unit 203
 Number Street
Jacksonville FL 32204
 City State ZIP Code
 Contact phone 904-614-5439 Email kencriss@att.net

Kenneth L. Criss - Unsecured Creditor

U.S. Bankruptcy Court, Northern District of CA, Case No. 16-40050 WJL 7, Chapter 7
Debtor - Fox Ortega Enterprises, Inc. dba Premier Cru

Wines Orders Paid For By Kenneth L. Criss and Not Filled by Premier Cru

	<u>Date Paid</u>	<u>Web Order #</u>	<u>No. of bottles</u>	<u>Bottle \$</u>	<u>Attached Invoice</u>	<u>Received</u>	<u>Creditor Claim</u>
2012 Chablis Le Clos, Billaud-Simon	9/27/2014	158895	4	39.99	159.96		160
2012 Beaucastel	8/1/2014	155063	6	45.49	272.94		272.94
2012 Chateauneuf Cuvee V.V. Janasse	6/21/2014	152658	4	59.99	239.96		239.96
2011 Troplong Mondot	5/3/2014	149997	3	59.99	179.97		179.97
2011 Chateauneuf Chante Merle VV, Bosquet des Papes	2/15/2014	144736	3	33.75	101.25		101.25
2012 Chateauneuf Tradition, Bosquet des Papes	2/15/2014	144736	3	22.49	67.47		67.47
2012 Chateauneuf a la Gloire de Mon Grand Pere, Bosquet des Papes							
2009 Clos Magador	2/15/2014	144736	3	35.99	107.97		107.97
2008 Clos Magador	7/20/2013	130477	3	39.99	119.97	119.97	0.00
2011 Beaune Clos des Ursules, Jadot	7/20/2013	130477	3	39.99	119.97	119.97	0.00
2004 Dom Perignon	7/20/2013	130477	3	49.99	149.97		149.97
2011 Chablis Clos, Billaud Simon	6/22/2013	128657	1	99.99	99.99		99.99
2006 Troplong Mondot	2/2/2013	119691	3	39.99	119.97		119.97
2008 Ex Acquo, Bento & Chapoutier	2/2/2013	119691	3	49.99	149.97	149.97	0.00
2009 Clos des Jacobins	2/2/2013	119691	4	21.99	87.96	87.96	0.00
2007 Chryseia, Prats & Symington	2/2/2013	119691	3	39.95	119.85	119.85	0.00
2008 Ermitage Meal Rouge, Chapoutier	2/2/2013	119691	4	22.99	91.96	91.96	0.00
2012 Chateauneuf Cuvee Quartz, Clos du Caillou	2/2/2013	119691	1	49.99	49.99		49.99
	6/15/2014	Item ID 49558*	3	44.99	134.97		134.97
Totals					2,374.09	689.68	1,684.41

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000456467

Order Date: 9/27/2014

Web Order No: 158895

Salesperson: PB

Customer: KCris

Customer PO:

Sold To	Ship To
Kenneth Criss 2358 Riverside Ave. #203 Jacksonville, FL 32204 USA	Kenneth Criss 2358 Riverside Ave. #203 Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
50287 2012 Chablis Clos. Billaud-Simon	4.00	0.00	39.99	159.96

Payments: 159.96

Net Order: 159.96

Freight: 0.00

Sales Tax: 0.00

9/28/2014	VRFA83C65BEF	*****1016	159.96
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USD 159.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451287

Order Date: 8/1/2014

Web Order No: 155063

Salesperson: JG

Customer: KCris

Customer PO:

Sold To	Ship To
Kenneth Criss 2358 Riverside Ave. #203 Jacksonville, FL 32204 USA	Kenneth Criss 2358 Riverside Ave. #203 Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

35% discount applied!

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
49043 2012 Beaucastel	6.00	0.00	45.49	272.96

Payments:	272.96	Net Order:	272.96	
8/1/2014	VREAB0871B1B *****1016	272.96	Freight:	0.00
			Sales Tax:	0.00
			USD	272.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000447985

Order Date: 6/21/2014

Web Order No: 152658

Salesperson: JG

Customer: KCris

Customer PO:

Sold To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Ship To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
49923 2012 Chateaufeuf Cuvee V.V., Janasse	4.00	0.00	59.99	239.96

Payments: 239.96

Net Order: 239.96

6/21/2014 VLFAB005149D *****1016 239.96

Freight: 0.00
Sales Tax: 0.00

USD 239.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000444272

Order Date: 5/3/2014

Web Order No: 149997

Salesperson: SA

Customer: KCris

Customer PO:

Sold To	Ship To
Kenneth Criss 2358 Riverside Ave. #203 Jacksonville, FL 32204 USA	Kenneth Criss 2358 Riverside Ave. #203 Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
46073 2011 Troplong Mondot	3.00	0.00	59.99	179.97

Payments:	179.97	Net Order:	179.97
5/3/2014	VPCEAB4D7C23 *****1016	Freight:	0.00
	179.97	Sales Tax:	0.00
		USD	179.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000437530

Order Date: 2/15/2014

Web Order No: 144736

Salesperson: MR

Customer: KCris

Customer PO:

Sold To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Ship To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Contact: Kenneth L. Criss
Phone: (904) 388-9016

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
49562	2011 Chateaufort Chante Merle VV, Bosquet des Papes	3.00	0.00	33.75	101.25
49512	2012 Chateaufort Tradition, Bosquet des Papes	3.00	0.00	22.49	67.48
49513	2012 Chateaufort A la Gloire de Mon Grand Pere, Bosquet des Papes	3.00	0.00	35.99	107.98

Payments: 276.71

Net Order: 276.71

Freight: 0.00

Sales Tax: 0.00

2/15/2014	VPFEA66C1E48	*****1016	276.71
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USD 276.71

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000418942

Order Date: 7/20/2013

Web Order No: 130477

Salesperson: JG

Customer: KCris

Customer PO:

Sold To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Ship To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
45469	09 Clos Mogador	3.00	0.00	39.99	119.97
44279	08 Clos Mogador	3.00	0.00	39.99	119.97
46761	2011 Beaune Clos des Ursules, Jadot	3.00	0.00	49.99	149.97

Payments: 389.91

Net Order: 389.91

7/20/2013 VQEE9B7DEAE8 *****1016 389.91

Freight: 0.00

Sales Tax: 0.00

USD 389.91

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000416397

Order Date: 6/22/2013

Web Order No: 128657

Salesperson: MC

Customer: KCris

Customer PO:

Sold To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Ship To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

Item		Ordered	Quantity Shipped	Unit Price	Amount
48077	04 Dom Perignon	1.00	0.00	99.99	99.99

Payments: 99.99

Net Order: 99.99

6/22/2013	VXHEABB1EF46	*****1016	99.99
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Freight: 0.00
Sales Tax: 0.00

USD 99.99

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000404115

Order Date: 2/2/2013

Web Order No: 119691

Salesperson: JG

Customer: KCris

Customer PO:

Sold To

Ship To

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Kenneth Criss
2358 Riverside Ave.
#203
Jacksonville, FL 32204 USA

Contact: Kenneth L Criss
Phone: (904) 388-9016

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
47228	2011 Chablis Clos. Billaud-Simon	3.00	0.00	39.99	119.97
38738	06 Tropicang Mondot	3.00	0.00	49.99	149.97
17211	08 Ex Aquo. Bento & Chapoutier	4.00	0.00	21.99	87.96
11109	09 Clos des Jacobins	3.00	0.00	39.95	119.85
17206	07 Chryseia. Prats & Symington	4.00	0.00	22.99	91.96
44538	08 Ermitage Meul Rouge. Chapoutier	1.00	0.00	49.99	49.99

Payments: 619.70

Net Order: 619.70

2/2/2013 VPCE7F9FEBF7 *****1016 619.70

Freight: 0.00

Sales Tax: 0.00

USD 619.70