

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

LM 10:53 am.
FILED
JUL 8 - 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

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>MATTHEW M. MAUDE</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? <u>MATTHEW M. MAUDE</u> Name <u>6409 WINDING RIDGE CIRCLE</u> Number Street <u>LINCOLN</u> <u>NE</u> <u>68512</u> City State ZIP Code Contact phone <u>402-430-5030</u> Contact email <u>MMAUDE@RLCOMMUNITIES.COM</u>	Where should payments to the creditor be sent? (if different) _____ Name _____ 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?	<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? ☐ No
☒ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 7 3 4 7

7. How much is the claim? \$ 779.98. 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.
GOODS SOLD, PAID, AND NOT DELIVERED

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: \$ _____
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 one:

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

\$ 779.98

☐ 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.

\$ _____

* 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 06/20/2016

MM / DD / YYYY



Signature

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

Name MATTHEW MICHAEL MAUDE

First name

Middle name

Last name

Title

Company

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

Address

6409 WINDING RIDGE CIRCLE

Number Street

LINCOLN

NE

68512

City

State

ZIP Code

Contact phone

402-430-5030

Email MMAUDE@RLCOMMUNITIES.COM

Matthew M. Maude

From: Premier Cru <sales@premiercru.net>
Sent: Friday, January 09, 2015 12:07 PM
To: Matthew M. Maude
Subject: RE: Web Order # 166542 from Matthew Maude

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Matthew,

Thank you for your order, emailed to you under separate cover. As noted on the website and during checkout, your order contains pre-arrival bottles. You will be notified as these arrive and can make appropriate shipping (or pickup) arrangements at that time. You can also check your arrival status of your orders on our website under "my account" after the website syncs overnight.

We never automatically ship upon arrival here. You have been billed for the wine but not yet for any shipping costs, and will not be charged for shipping until these actually ship out. Thanks for your business.

Kind regards,

Sunita Aggarwal
Premier Cru - the world's finest wines
1011 University Avenue
Berkeley, CA 94710 (directions)
phone (510) 644-9463 ext. 11
fax (510) 647-3833
sunita@premiercru.net

-----Original Message-----

From: Premier Cru
Sent: Friday, January 09, 2015 10:01 AM
To: Premier Cru
Subject: Web Order # 166542 from Matthew Maude

Order Number: 166542
Placed: Jan 9 2015 9:59AM
Cust Name: Matthew Maude
Email Address: mmaude@rlcommunities.com
Cust Id: 47347
Order No: SO-0000466554
Order Status: OK

Billing Address:

Matthew Maude
6409 Winding Ridge Circle

Lincoln, NE 68512

Day Phone: 4024305030

Eve Phone:

Cel Phone:

Shipping Address:

Day Phone: 0

Eve Phone: 0

Cel Phone: 0

Ship On or After: ASAP

Ship Via: HOLD

Payment: 4594 exp: 08 16

Name on Card: Matthew M Maude

qty	item	Wine	price
ext	status		

2	51008	2010 Grange Hermitage, Penfolds	389.99
779.98	pre-arrival		

Bottles : 2			
Subtotal:		779.98	
Shipping (estimate):		0.00	
Tax :		0.00	
Total :		779.98	

Please note:

We do not ship automatically upon order.

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

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000466554

Order Date: 1/9/2015

Web Order No: 166542

Salesperson: SA

Customer: 47347

Customer PO:

Sold To	Ship To
Matthew Maude 6409 Winding Ridge Circle Lincoln, NE 68512 USA	Matthew Maude 6409 Winding Ridge Circle Lincoln, NE 68512 USA

Contact: Matthew M Maude
Phone: (402) 430-5030

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
51008 2010 Grange Hermitage, Penfolds	2.00	0.00	389.99	779.98

Payments:	779.98	Net Order:	779.98	
1/9/2015	VTHACB8FECFA *****4594	779.98	Freight:	0.00
			Sales Tax:	<u>0.00</u>
			USD	779.98

MATTHEW M MAUDE

Member Since 1992 Account number ending in: 4594

Billing Period: 12/27/14-01/28/15

How to reach us

www.citicards.com

1-888-766-CITI(2484)

BOX 6062 SIOUX FALLS, SD 57117

Minimum payment due:

New balance:

Payment due date:

02/24/15

Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay a late fee of up to \$37 and your APRs may be increased up to the variable Penalty APR of 29.99%.

For information about credit counseling services, call 1-877-337-8187.

Account Summary

Previous balance

Payments

Credits

Purchases

Cash advances

+\$0.00

Fees

+\$0.00

Interest

+\$0.00

New balance**Credit Limit**

Revolving Credit limit

Includes Credit limit

Available Revolving credit

Includes Available for cash advances

PARTIALLY
REDACTED

American Airlines

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to American Airlines» See page 3 for more information
about your rewards

P.O. Box 6004
Sioux Falls, SD 57117-6004



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(2484)

Pay by mail Use this coupon

- Enclose a valid check or money order payable to CITI CARDS. No cash or foreign currency.
- Write the last four digits of your account number on your check.

Please print Address Changes on the reverse side

Minimum payment due

New balance

Payment due date

02/24/15

Amount enclosed:

Account number ending in 4594

MATTHEW M MAUDE
00000

CITI CARDS
PO BOX 78045
Phoenix, AZ 85062-8045

Account Summary

Trans. date	Post date	Description	Amount
----------------	--------------	-------------	--------

Payments, Credits and Adjustments

Trans. date	Post date	Description	Amount
	01/23		
12/28	12/28		
01/11	01/11		207.70
01/20	01/20	AMERICAN AIRLINES/AA	270.64

Standard Purchases

Trans. date	Post date	Description	Amount
12/21	12/27		243.00
12/26	12/27		
12/27	12/27		
12/27	12/27	bu	
12/28	12/28		
12/29	12/29		
12/29	12/29		
12/31	12/31		
12/31	12/31		
12/31	12/31		
12/31	12/31		5156.00
01/01	01/01	NE CAMP	
01/02	01/02		
01/02	01/02	LINCOLN NE	540.00
01/02	01/02		
01/02	01/02		
01/02	01/02		66.00
01/02	01/02		22.00

Trans. date	Post date	Description	Amount
01/02			
01/02			
01/03			
01/03	01/03		
01/03			4300.64
01/03		VEE 1300	
01/03			270.31
01/04			62.00
01/04	01/14	U.S. STOR	
01/04		WWW.ESET.COM	
01/04			
01/05			
01/05			
01/05		THE OPEN	5120.00
01/05		AMERICAN AIRLINES/AA	
01/05			
01/05	01/05		
01/06			
01/06	01/06		4120.00
01/06			
01/07	01/07		24.00

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redeem miles and book flights

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REDACTED

Standard Purchases, cont'd

[illegible]

REDACTED

REDACTED

Standard Purchases, cont'd

Trans. date	Post date	Description	Amount
01/23	01/23		
01/24	01/24		
01/24	01/24		
01/24	01/24		\$20.50
01/25	01/25		
01/25	01/25		\$41.13
01/25	01/25		
01/26	01/26		
01/26	01/26		
01/27	01/27		
01/27	01/27		
01/28	01/28		

PARTIALLY
REDACTED

Fees charged

Total fees charged in this billing period \$0.00

Interest charged

Total interest charged in this billing period \$0.00

2015 totals year-to-date

Total fees charged in 2015	\$0.00
Total interest charged in 2015	\$0.00

Interest charge calculation

Days in billing cycle: 33

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance type	Annual percentage rate (APR)	Balance subject to interest rate	Interest charge
PURCHASES			
Standard Purch	17.99% (V)	\$0.00 (D)	\$0.00
ADVANCES			
Standard Adv	25.24% (V)	\$0.00 (D)	\$0.00

Your Annual Percentage Rate (APR) is the annual interest rate on your account. APRs followed by (V) vary with the market based on the Prime Rate. Balances followed by (D) are determined by the daily balance method (including current transactions).

Account messages

Remember, you MUST PAY IN FULL any charges over your revolving credit limit by your statement's Payment Due Date.

You may pay all or part of your account balance at any time. However, you must pay, by the payment due date, at least the minimum payment due.

MATTHEW M. MAUDE
6409 WINDING RIDGE CIRCLE
LINCOLN, NE 68512
(402) 430-5030
MMAUDE@NEB.RR.COM

VIA FEDERAL EXPRESS

July 7, 2016

Mr. Edward J. Emmons, Clerk of Court
U.S. Bankruptcy Court
1300 Clay Street #300
Oakland, CA 94612

RE: DEBTOR NAME: Fox Ortega Enterprises, Inc., dba PREMIER CRU
CASE NUMBER: 16-40050-WJL

Dear Mr. Emmons:

I enclose herewith the following documents regarding the above-referenced matter for filing with the Court:

- Form 410 – Original Proof of Claim
- Email dated January 9, 2015 from Sunita Aggarwal at Premier Cru referencing my purchase over the internet (Web Order # 166542) for \$779.98. This is a photocopy.
- A Premier Cru Sales Order (Order Number 00000466554) for \$779.98. This is a photocopy.
- A partially redacted copy of my Citi/Aadvantage Platinum Select credit card statement for the period December 27, 2014 through January 28, 2015 (four pages) showing a charge on January 9, 2015 to Premier Cru – Internet for \$779.98. This is a photocopy.

Please feel free to contact me at the above-provided address with any questions or comments.

Thank you,



Matthew M. Maude

Enclosures