

Fill in this information to identify the case:

Debtor 1 FOX ORTEGA ENTERPRISES, INC.
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court for the: NORTHERN District of CALIFORNIA
Case number 16-40050

FILED

JUL 15 2016

BANKRUPTCY COURT
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?	<u>ALLAN GROSSMAN</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>ARLENE ZICKLIN</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? <u>ALLAN GROSSMAN</u> Name <u>4605 PARK MIRASOL</u> Number Street <u>CALABAS CA 91302</u> City State ZIP Code Contact phone <u>(818) 225-9048</u> Contact email <u>allanfgrossman@hotmail.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. How much is the claim? \$5,001.28 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

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)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ No

☐ Yes. Check all that apply:

☐ 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.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* 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

5/19/2016
MM / DD / YYYY

Signature

Allan F. Grossman

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

Name

ALLAN
First name

F.
Middle name

GROSSMAN
Last name

Title

Company

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

Address

4605 PARK MIRASOL
Number Street

CALABASAS
City

CA
State

91302
ZIP Code

Contact phone

(818) 225-9048

Email

allanfgrossman@hotmail.com

My Account Hi Allan Log Out Shopping Cart *wine, region, varietal, producer* SEARCH

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000387214
Order Date: Jul 22, 2012
Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Pontet Canet, 750 ml	12	0	12	0	\$249.99	\$2,999.88

Subtotal: \$2,999.88

Tax: \$262.49

Total: \$3,262.37

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Pontet Canet, 750 ml	12	0	12

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Saturday: 10am-5pm (PST)
Sunday: Closed

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My Account Hi Allan Log Out Shopping Cart *wine, region, varietal, producer* SEARCH

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000376165

Order Date.: Mar 5, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Mouton Rothschild Magnum, 1.5 L	1	0	1	0	\$1,599.00	\$1,599.00

Subtotal: \$1,599.00

Tax: \$139.91

Total: \$1,738.91

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Mouton Rothschild Magnum, 1.5 L	1	0	1

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Saturday: 10am-5pm (PST)

Sunday: Closed

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United States Bankruptcy Court,
Northern District of California Oakland Division
Case No. 16-40050 - WJL (Chapter 7)
Fox Ortega Enterprises, Inc., dba Premier Inn, Debtors

To The Clerk of the Court:

On Friday, May 20, 2016, by U.S. Express Mail, I mailed to the Clerk of the Court my Proof of Claim two (2) copies, each consisting of five (5) pages (three (3) of official form 410, with two (2) attached pages of purchase order/invoice that support my claim.

I enclose a copy of USPS Tracking showing that this mail was delivered to the Court on May 23, 2016, at 8:06 am, one day before the previous deadline of May 24, 2016, for the filing of creditor claims in this matter.

While this proof of claim was fully executed by me, regrettably, I failed to enclose a self-addressed, postage paid envelope large enough to accommodate a conformed copy of my claim.

Accordingly, in the event my above described Proof of Claim was not filed (or lodged) with the Court, I again enclose two (2) copies

-2-

of my proof of claim in this matter, together with a self-addressed, postage paid envelope large enough to accommodate my conformed copy of my proof of claim in this matter so that a conformed copy of my claim may be sent to me.

Thank you for your assistance in this matter.

Very truly yours,
Ellen F. Grossman



USPS Tracking®



Customer Service ›

Have questions? We're here to help.



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Sign up for My USPS.

Tracking Number: EL332045355US

Scheduled Delivery Day: Monday, May 23, 2016, 3:00 pm

Money Back Guarantee

Signed for By: T GRAY // OAKLAND, CA 94604 // 8:06 am

Product & Tracking Information

Postal Product:

Priority Mail Express 2-Day™

Features:

Insured

Up to \$100 insurance included
Restrictions Apply

PO to Addressee

DATE & TIME	STATUS OF ITEM	LOCATION
May 23, 2016, 8:06 am	Delivered, To Agent	OAKLAND, CA 94604
Your item has been delivered to an agent at 8:06 am on May 23, 2016 in OAKLAND, CA 94604. The item was signed for by T GRAY.		
May 23, 2016, 6:22 am	Arrived at Post Office	OAKLAND, CA 94612
May 22, 2016, 12:16 am	Arrived at USPS Destination Facility	OAKLAND, CA 94623
May 20, 2016, 8:34 pm	Arrived at USPS Origin Facility	SANTA CLARITA, CA 91383
May 20, 2016, 6:01 pm	Departed Post Office	CALABASAS, CA 91302
May 20, 2016, 4:02 pm	Acceptance	CALABASAS, CA 91302

Available Actions

Proof of Delivery

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Tracking (or receipt) number

Track It

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Track all your packages from a dashboard. No tracking numbers necessary.

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