

**Fill in this information to identify the case:**

Debtor 1 Fox Ortega Enterprises

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: \_\_\_\_\_ Northern \_\_\_\_\_ District of \_\_\_\_\_ California

Case number 16-40050

**FILED**

**JUL 25 2016**

UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

**RECEIVED**

*ve*

**JUL 27 2016**

Official Form 410

# **Proof of Claim**

BANKRUPTCY COURT  
OAKLAND, CALIFORNIA

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? Michael S. Sachs  
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)

<p><b>Where should notices to the creditor be sent?</b></p> <p><u>Michael S. Sachs</u> Name <u>P.O. Box 2837</u> Number Street <u>Westport</u> <u>CT</u> <u>06880</u> City State ZIP Code Contact phone <u>203-227-1058</u> Contact email _____</p>	<p><b>Where should payments to the creditor be sent? (if different)</b></p> <p>_____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____</p>
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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: \_\_\_\_\_

7. How much is the claim? \$ 9,136.02. 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.  
wine purchased and paid for but not received per 4 sheets attached

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: de minimis: 2 of my bottles are shown as in inventory  
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: \$ 0.00  
Amount of the claim that is unsecured: \$ 9,136.02 (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.

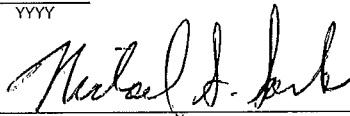
I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 06/30/2016

MM / DD / YYYY

Michael S. Sachs

Signature



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

Name Michael Solomon Sachs

First name

Middle name

Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address P.O. Box 2837

Number Street

Westport

City

CT

State

06880

ZIP Code

Contact phone 203-227-1058

Email sachs@optonline.net

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

## ORDER HISTORY

All Time

Sort By Order No

GO

Item	Unit Price	Qty	Shipped	Remain	Avail	Order Number (Status)	Date
1995 Pichon-Lalande, 750 ml	\$119.99	2	0	2	0	SO: 0000495403 (Open)	11/28/15
2004 Altus Vega Sicilia, 750 ml	\$45.00	3	0	3	0	SO: 0000498999 (Open)	11/7/15
Krohn 30 Year Old Tawny, 750 ml	\$41.99	1	0	1	1	SO: 0000491071 (Open)	9/27/15
2012 Clos Mogador, 750 ml	\$54.99	2	0	2	0	SO: 0000485527 (Open)	8/8/15
2014 Suduiraut, 750 ml	\$38.99	4	0	4	0	SO: 0000485238 (Open)	7/26/15
2014 Dohy Daeng, 750 ml	\$28.59	2	0	2	0	SO: 0000485238 (Open)	7/26/15
2014 Suduiraut, 750 ml	\$38.99	3	0	3	0	SO: 0000483963 (Open)	7/12/15
2014 Bisquit, 750 ml	\$38.99	3	0	3	0	SO: 0000483963 (Open)	7/12/15
2010 Brunello di Montalcino, Argiano, 750 ml	\$39.99	2	0	2	0	SO: 0000482652 (Open)	6/29/15
2014 Suduiraut, 750 ml	\$38.99	3	0	3	0	SO: 0000482482 (Open)	6/28/15
2014 Dohy Daeng, 750 ml	\$28.59	4	0	4	0	SO: 0000481523 (Open)	6/15/15
2014 Suduiraut, 750 ml	\$38.99	4	0	4	0	SO: 0000481523 (Open)	6/15/15
2013 Chateau, 750 ml	\$42.24	2	0	2	0	SO: 0000472132 (Open)	3/4/15
2010 Brunello di Montalcino, Costanti, 750 ml	\$59.99	1	0	1	0	SO: 0000470909 (Open)	2/21/15
2010 Brunello di Montalcino, Cioccioli, 750 ml	\$29.99	1	0	1	0	SO: 0000470002 (Open)	2/14/15
2013 Domaine l'Ermitte, Chateau, 750 ml	\$99.99	2	0	2	0	SO: 0000470002 (Open)	2/14/15
2010 Brunello di Montalcino, Fieschi di Santa Restituta, 750 ml	\$39.99	1	0	1	0	SO: 0000470002 (Open)	2/14/15
2010 Brunello di Montalcino, Zebec, Cioccioli, 750 ml	\$39.99	1	0	1	0	SO: 0000470002 (Open)	2/14/15

2004 Barolo Biscaro, Marchesi di Barolo, 750 ml	\$57.99	1	0	1	0	SO- 0000418755 (Open)	7/19/13
2009 San Roman, Bodegas Y Vinos Masfias, 750 ml	\$31.99	1	0	1	0	SO- 0000418576 (Open)	7/18/13
2009 Laforce, 750 ml	\$49.99	1	0	1	0	SO- 0000415834 (Open)	6/16/13
2010 Chateau-neuf Cuvée Reservee, Pagan, 750 ml	\$74.99	2	0	2	0	SO- 0000415341 (Open)	6/10/13
2010 Minix Talagache, 750 ml	\$69.99	2	0	2	0	SO- 0000415341 (Open)	6/10/13
2011 Waire, 750 ml	\$46.99	1	0	1	0	SO- 0000415117 (Open)	6/8/13
2009 Enco, Montepulciano, 750 ml	\$24.99	1	0	1	0	SO- 0000415117 (Open)	6/8/13
2010 Chateau-neuf Clos des Faux, Avril, 750 ml	\$115.00	2	0	2	0	SO- 0000413030 (Open)	5/15/13
2010 Minix Talagache, 750 ml	\$69.99	2	0	2	0	SO- 0000413030 (Open)	5/15/13
2010 Chateau-neuf Cuvée Reservee, Pagan, 750 ml	\$74.99	2	0	2	0	SO- 0000413030 (Open)	5/15/13
2011 Chablis Bougros Core de Bougros, Faux, 750 ml	\$39.99	1	0	1	0	SO- 0000410667 (Open)	4/20/13
2010 Chablis Bougros, Faux, 750 ml	\$39.99	1	0	1	0	SO- 0000410667 (Open)	4/20/13
2009 Vieux Chateau Mezerat, 750 ml	\$79.99	1	0	1	0	SO- 0000409645 (Open)	4/6/13
2010 Marcella, 750 ml	\$79.99	1	0	1	0	SO- 0000408658 (Open)	3/29/13
2010 Troglon Mondy, 750 ml	\$89.99	1	0	1	0	SO- 0000400545 (Open)	12/26/12
2010 Cimet, 750 ml	\$89.99	1	0	1	0	SO- 0000400545 (Open)	12/26/12
2010 Chateau-neuf Cuvée Reservee, Pagan, 750 ml	\$74.99	3	0	3	0	SO- 0000397119 (Open)	11/16/12
2010 Chateau-neuf Mon Aul, P. Hasselle, 750 ml	\$79.99	2	0	2	0	SO- 0000397119 (Open)	11/16/12
2010 Chateau-neuf Cuvée Chateau, Jasse, 750 ml	\$89.99	3	0	3	0	SO- 0000382218 (Open)	5/23/12
2010 Chateau-neuf V.V. Crista, 750 ml	\$79.99	1	0	1	0	SO- 0000382218 (Open)	5/23/12
2010 Chateau-neuf Roche Rac, Chateau, 750 ml	\$79.99	1	0	1	0	SO- 0000382218 (Open)	5/23/12
2010 Chateau-neuf Cuvée Reine des Bois, Mezerat, 750 ml	\$75.00	2	0	2	0	SO- 0000382218 (Open)	5/23/12



2012 Beaucastel 750 ml						SO- 0000459754 (Open)	
2012 Chablis Blanchot V.V., Rolland-Simon, 750 ml	\$39.99	3	0	3	0	SO- 0000457730 (Open)	10/11/14
2010 Chateauneuf Les Origines, Grand Veneur, 750 ml	\$38.34	3	0	3	0	SO- 0000451437 (Open)	8/2/14
2012 Chateauneuf Reservee, Pagan, 750 ml	\$45.49	2	0	2	0	SO- 0000451437 (Open)	8/2/14
2010 Chateauneuf Les Origines, Grand Veneur, 750 ml	\$35.39	3	0	3	0	SO- 0000450412 (Open)	7/21/14
2012 Chateauneuf Cuvée V.V., Janasse, 750 ml	\$59.99	2	0	2	0	SO- 0000449473 (Open)	7/12/14
2011 Chateauneuf V.V., Janasse, 750 ml	\$59.99	2	0	2	0	SO- 0000449473 (Open)	7/12/14
2009 Les Asterias, 750 ml	\$97.49	1	0	1	0	SO- 0000448736 (Open)	7/9/14
2012 Chateauneuf Les Origines, Grand Veneur, 750 ml	\$34.44	3	0	3	0	SO- 0000449236 (Open)	7/9/14
2010 Chateauneuf Les Origines, Grand Veneur, 750 ml	\$34.44	2	0	2	0	SO- 0000448888 (Open)	7/3/14
2012 Chateauneuf Reservee, Pagan, 750 ml	\$41.99	6	0	6	6	SO- 0000447281 (Open)	6/14/14
2012 Chateauneuf Cuvée Chausin, Janasse, 750 ml	\$39.99	1	0	1	0	SO- 0000446192 (Open)	5/31/14
2012 Chablis Vauvrent, Fevre, 750 ml	\$39.99	2	0	2	0	SO- 0000446192 (Open)	5/31/14
2012 Trepigne Mondot, 750 ml	\$59.99	1	0	1	0	SO- 0000446192 (Open)	5/31/14
2012 Chateauneuf Clos des Papes, Avril, 750 ml	\$59.99	1	0	1	0	SO- 0000446192 (Open)	5/31/14
2012 Bellevue Mondot, 750 ml	\$79.99	1	0	1	0	SO- 0000443242 (Open)	4/22/14
2011 Chateauneuf Clos des Papes, Avril, 750 ml	\$52.49	3	0	3	0	SO- 0000441936 (Open)	4/9/14
2011 Chateauneuf Clos des Papes, Avril, 750 ml	\$52.49	2	0	2	0	SO- 0000439606 (Open)	3/15/14
2010 Barolo Briceo Rosso, Azella, 750 ml	\$79.99	1	0	1	0	SO- 0000437777 (Open)	2/14/14
2009 La Cava, 750 ml	\$86.25	1	0	1	0	SO- 0000437189 (Open)	2/11/14
2010 St Pierre, 750 ml	\$59.49	1	0	1	0	SO- 0000433295 (Open)	1/7/14
2010 Franc Carriere, 750 ml	\$46.75	1	0	1	0	SO- 0000433295 (Open)	1/7/14
2011 Chateauneuf Clos des Papes, Avril, 750 ml	\$49.99	4	0	4	0	SO- 0000428572 (Open)	11/29/13
2011 Chateauneuf Clos des Papes, Avril, 750 ml	\$55.00	2	0	2	0	SO- 0000430553 (Open)	11/9/13

2012 Saffron, Le Pupille, 750 ml	\$49.99	1	0	1	0	SO- 0000470003 (Open)	2/14/15
2013 Papa Clement Blanc, 750 ml	\$89.99	2	0	2	0	SO- 0000460196 (Open)	2/7/15
2010 Brunello di Montalcino, Poggio Antico, 750 ml	\$49.99	1	0	1	0	SO- 0000468892 (Open)	2/1/15
2010 Brunello di Montalcino Fila di Seta, Komitorto, 750 ml	\$55.00	1	0	1	0	SO- 0000468892 (Open)	2/1/15
2010 Brunello di Montalcino Montosoli, Altessina, 750 ml	\$49.99	1	0	1	0	SO- 0000468892 (Open)	2/1/15
2012 Cote Rote Mardoch, Chappuisier, 750 ml	\$79.99	2	0	2	0	SO- 0000466721 (Open)	1/11/15
2003 Brunais, 750 ml	\$64.99	2	0	2	0	SO- 0000465367 (Open)	12/27/14
2013 Caphis Les Clos, Fevre, 750 ml	\$51.99	1	0	1	0	SO- 0000465051 (Open)	12/21/14
2013 Rieussec, 750 ml	\$51.34	2	0	2	0	SO- 0000465051 (Open)	12/21/14
2003 Lerville Barton, 750 ml	\$99.99	1	0	1	0	SO- 0000465006 (Open)	12/20/14
2012 Chateauauf Cuvée Imperiale, R. Unseville, 750 ml	\$32.49	4	0	4	0	SO- 0000463541 (Open)	12/7/14
2012 Charles Vaudesir, Fevre, 750 ml	\$51.99	1	0	1	0	SO- 0000463541 (Open)	12/7/14
2013 Sudraut, 750 ml	\$42.24	3	0	3	0	SO- 0000463541 (Open)	12/7/14
2012 Tursilong Mardoch, 750 ml	\$59.99	2	0	2	0	SO- 0000463352 (Open)	12/6/14
2013 Rieussec, 750 ml	\$45.00	2	0	2	0	SO- 0000463352 (Open)	12/6/14
2013 Cimens, 750 ml	\$42.25	2	0	2	0	SO- 0000463352 (Open)	12/6/14
2009 Cote Rote d'Amours, Guigal, 750 ml	\$79.99	1	0	1	0	SO- 0000462738 (Open)	11/30/14
2013 de Fieuzal Blanc, 750 ml	\$30.54	2	0	2	0	SO- 0000462312 (Open)	11/28/14
2012 Daisy Danoes, 750 ml	\$28.59	4	0	4	0	SO- 0000462300 (Open)	11/28/14
2009 La Legende, 750 ml	\$55.99	1	0	1	0	SO- 0000461942 (Open)	11/23/14
2012 Chateauauf Reservee, Penau, 750 ml	\$47.99	1	0	1	0	SO- 0000461942 (Open)	11/23/14
2009 Cote Rote d'Amours, Guigal, 750 ml	\$79.99	4	0	4	0	SO- 0000461304 (Open)	11/15/14
2010 Chateauauf Les Origines, Grand Veneur, 750 ml	\$37.99	2	0	2	0	SO- 0000460483 (Open)	11/8/14
	\$49.99	4	0	4	0		10/26/14