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 _____

Case number 16-40050-WJL

FILED
AUG 16 2016 9:26 AM
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?**

   JEROME GRISTINA
   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?

   JEROME GRISTINA
   Name

   38 BELDEN HILL LN
   Number Street

   WILTON CT 06897
   City State ZIP Code

   Contact phone 203-834-2298

   Contact email mggristina@aol.com

   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?**

   ☒ 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? _____

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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?** $ 813.96 . **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 (WINE) SOLD - NEVER 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)?**

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 one:*

	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.	$_____

* 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 06/23/2016
MM / DD / YYYY

Jerome Augustus Gristina
Signature

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

Name: Jerome (First name) Augustus (Middle name) Gristina (Last name)

Title: _____

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

Address: 38 Belden Hill Lane
Number Street

Wilton CT 06897
City State ZIP Code

Contact phone 203 834 2298 Email mggristina@aol.com

From: "Premier Cru" <james@premiercru.net>
Subject: **Sales Order From Premier Cru at Premier Cru**
Date: July 9, 2012 5:31:28 PM EDT
To: "Jerome Gristina" <jagristina@gmail.com>
1 Attachment, 46.6 KB

SALES ORDER

From:
Premier Cru
Premier Cru

To: Jerome Gristina
Date: 7/9/2012

To view the attached Sales Order, you need the free Adobe Acrobat Reader, which is available from www.adobe.com.

-Regards,

Premier Cru
Premier Cru

To view certain attachments to this email, you need Adobe's Acrobat Reader software, which can be downloaded for free by clicking the following link:
[Download Acrobat Reader Now]

PREMIER CRU
1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000386032
Order Date: 7/9/2012

Salesperson: JG
Customer: 43171
Customer PO:

Sold To	Ship To
Jerome Gristina 38 Belden hill Lane Wilton, CT 06897 USA	Jerome Gristina 38 Belden hill Lane Wilton, CT 06897 USA

Contact: Jerome Gristina
Phone: (203) 834-2298

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
45133	2010 Chevalier Montrachet La Cabotte, Bouchard	2.00	0.00	295.00	590.00

From: **Jerry Gristina** jegristina@gmail.com
Subject: Fwd: Sales Order From Premier Cru at Premier Cru
Date: April 29, 2014 at 5:09 PM
To: mary gail gristina mggristina@aol.com

Begin forwarded message:

From: "Premier Cru" <sunita@premiercru.net>
Subject: Sales Order From Premier Cru at Premier Cru
Date: April 29, 2014 5:05:12 PM EDT
To: "Jerome Gristina" <jegristina@gmail.com>

THIS DOCUMENT WAS CREATED WITH
PDFBLASTER

SALES ORDER

From:
Premier Cru
Premier Cru

To: Jerome Gristina
Date: 4/29/2014

To view the attached Sales Order, you need the free Adobe Acrobat Reader, which is available from www.adobe.com.

-Regards,

Matt Cormier
Premier Cru

To view certain attachments to this email, you need Adobe's Acrobat Reader software, which can be downloaded for free by clicking the following link:
[Download Acrobat Reader Now]

PREMIER CRU

1811 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3853

Sales Order

Page: 1
Order Number: 1000033756
Order Date: 4/29/2014

Salesperson: SA
Customer: 43171
Customer PO:

Sold To	Ship To
Jerome Gristina 38 Belden Hill Lane Wilton, CT 06897 USA	Jerome Gristina 38 Belden Hill Lane Wilton, CT 06897 USA

Contact: Jerome Gristina
Phone: (203) 834-2298

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

Item	Ordered	Quantity	Unit Price	Amount

			Shipped		
40279	2012 Chablis Vaumur, Levre	4.00	0.00	55.99	223.96

4

$ 223.96

Payments: 223.96

4/29/2014	VQCEAB00E355	**********9559	223.96

Net Order	223.96
Freight	[illegible]
Sales Tax	[illegible]
USD	223.96