

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 WSL 7

FILED

AUG 31 2016

BANKRUPTCY COURT  
OAKLAND, CALIFORNIA

TW  
9:30 AM

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?

Beth Aboulafia  
 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?

Beth Aboulafia  
 Name  
1015 Alvarado Rd  
 Number Street  
Berkeley CA 94705  
 City State ZIP Code  
 Contact phone (415) 362-1215 x104  
 Contact email aboulafia@beveragelaw.com

Where should payments to the creditor be sent? (if different)

Beth Aboulafia  
 Name  
1015 Alvarado Rd.  
 Number Street  
Berkeley CA 94705  
 City State ZIP Code  
 Contact phone (415) 362-1215 x104  
 Contact email aboulafia@beveragelaw.com

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? \$ 5,537.49 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 purchased and paid for, but 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:

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).

Amount entitled to priority

\$ \_\_\_\_\_

☒ 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).

\$ 2775.00

☐ 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 08/27/2016  
MM / DD / YYYY

Beth Aboulafia  
Signature

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

Name Beth Aboulafia  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

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

Address 1015 Alvarado Rd.  
Number Street

Berkeley CA 94705  
City State ZIP Code

Contact phone (415) 362-1215 x 104 Email aboulafia@beveragelaw.com

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

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

## ORDER HISTORY

All Time

Sort By Order No

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000431792 (Open)	\$290.00	2	0	2	0	12/21/13
SO-0000427001 (Open)	\$599.96	4	0	4	0	11/3/13
SO-0000377702 (Open)	\$6,299.91	9	3	6	0	3/23/12

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## Premier Cru

1011 University Ave  
Berkeley, CA 94710  
Click here for directions

## Store Hours

Tuesday-Friday: 10am-6pm  
Saturday: 10am-5pm  
Sunday: Closed

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## ORDER DETAILS

Order No.: SO-0000431792

Order Date.: Dec 21, 2013

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Solaia, Antinori, 750 ml	2	0	2	0	\$145.00	\$290.00

**Subtotal:** \$290.00**Tax:** \$26.10**Total:** \$316.10

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Solaia, Antinori, 750 ml	2	0	2

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## ORDER DETAILS

Order No.: SO-0000427001

Order Date.: Nov 3, 2013

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Solaia, Antinori, 750 ml	4	0	4	0	\$149.99	\$599.96

**Subtotal:** \$599.96**Tax:** \$54.00**Total:** \$653.96

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Solaia, Antinori, 750 ml	4	0	4

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MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

## ORDER DETAILS

Order No.: SO-0000377702  
 Order Date.: Mar 23, 2012  
 Status: Open

2099.97  
 2099.97  
 4199.94 (tax)  
 367.49  
 4567.43

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Vosne Romanee Beauxmonts, Leroy, 750 ml	3	3	0	0	\$699.99	\$2,099.97
2009 Vosne Romanee Brulees, Leroy, 750 ml	3	0	3	0	\$699.99	\$2,099.97
2009 Gevrey Combottes, Leroy, 750 ml	3	0	3	0	\$699.99	\$2,099.97

Subtotal: \$6,299.91

Tax: \$551.24

Total: \$6,851.15

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Vosne Romanee Beauxmonts, Leroy, 750 ml	3	3	0
2009 Vosne Romanee Brulees, Leroy, 750 ml	3	0	3
2009 Gevrey Combottes, Leroy, 750 ml	3	0	3

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# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000431792

Order Date: 12/21/2013

Web Order No: 140364

Salesperson: JG

Customer: 4157885000

Customer PO:

### Sold To

Beth Aboulafia  
1015 Alvarado Rd.  
Berkeley, CA 94705 USA

### Ship To

Beth Aboulafia  
1015 Alvarado Rd.  
Berkeley, CA 94705 USA

Contact: Beth Aboulafia  
Phone: (510) 644-1542

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
48366 2010 Solaia, Antinori	2.00	0.00	145.00	290.00

Payments: 316.10

Net Order: 290.00

Freight: 0.00

Sales Tax: 26.10

12/23/2013 VLEEA52531EF \*\*\*\*\*3706 316.10

USD 316.10



# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000427001

Order Date: 11/3/2013

Web Order No: 136573

Salesperson: MC

Customer: 4157885000

Customer PO:

### Sold To

Beth Aboulafia  
1015 Alvarado Rd.  
Berkeley, CA 94705 USA

### Ship To

Beth Aboulafia  
1015 Alvarado Rd.  
Berkeley, CA 94705 USA

Contact: Beth Aboulafia  
Phone: (510) 644-1542

Item	Ordered	Quantity Shipped	Unit Price	Amount
48366 2010 Solaia, Antinori	4.00	0.00	149.99	599.96

Payments: 653.96

Net Order: 599.96

Freight: 0.00

Sales Tax: 54.00

11/4/2013	VSYEB0507847	*****3706	653.96
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USD 653.96