

Fill in this information to identify the case:

Debtor 1 Mr. Paul Davis Emery

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050 WJL 7

LM
FILED
SEP - 2 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA
3:54 PM

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?

Mr. Paul Davis Emery

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?

Paul D. Emery

Name

7 Lexington Avenue, Apt 2C

Number Street

New York

NY

10010

City

State

ZIP Code

Contact phone 703-851-8512

Contact email paul.davis.emery@gmail.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? _____

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? \$ 3,962.56. 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

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 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 08/29/2016

MM / DD / YYYY

Signature

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

Name Paul Davis Emery
First name Middle name Last name

Title Individual

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

Address 7 Lexington Avenue, Apt 2C
Number Street
New York NY 10010
City State ZIP Code

Contact phone 703-851-8512 Email paul.davis.emery@gmail.com

Paul Emery
7 Lexington Avenue, Apt 2C
New York, NY 10010

Undelivered Bottles by Premier Cru

Order #	Wine Name	# of Bottles	Cost	Total Value
405896	2011 Pul. Garenne Jadot	1	\$89.99	\$89.99
405896	2011 Pul. Folatieres Jadot	1	\$99.99	\$99.99
405896	2011 Pul. Combettes Jadot	1	\$109.99	\$109.99
425759	2012 Mouton Rothschild	2	\$275.00	\$550.00
425759	2004 Dom Perignon	3	\$99.99	\$299.97
425759	2011 Pul. Folatieres Sauzet	3	\$64.99	\$194.97
425759	2011 Leoville Poyferre	6	\$45.00	\$270.00
425759	2011 Pul. Perrieres Sauzet	3	\$59.99	\$179.97
440789	2001 Clos des Papes	2	\$337.50	\$675.00
443127	2005 Clos des Papes	1	\$450.00	\$450.00
486749	2012 Sassicaia	6	\$104.99	\$629.94
483017	2000 Graham	6	\$68.79	\$412.74
GRAND TOTAL		35		\$3,962.56

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000405896

Order Date: 2/23/2013

Web Order No: 120931

Salesperson: JG

Customer: 40133

Customer PO:

Sold To	Ship To
Paul Emery 496 Sherwood Way Apt #4 paul@hf.com Menlo Park, CA 94025 USA	Paul Emery 12 Foster Avenue c/o Liquid Asset Storage Bridgehampton, NY 11932 USA

Contact: Paul Davis Emery
Phone: (703) 851-8512

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
47322 2011 Puligny Garenne Magnum, Jadot	1.00	0.00	89.99	89.99
47328 2011 Puligny Folatieres Magnum, Jadot	1.00	0.00	99.99	99.99
47331 2011 Puligny Combettes Magnum, Jadot	1.00	0.00	109.99	109.99

Payments:	299.97	Net Order:	299.97
2/23/2013	VQFE8AE67F51	*****5003	299.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000425759

Order Date: 10/19/2013

Web Order No: 135536

Salesperson: MR

Customer: 40133

Customer PO:

Sold To	Ship To
Paul Emery 496 Sherwood Way Apt #4 paul@hf.com Menlo Park, CA 94025 USA	Paul Emery 12 Foster Avenue c/o Liquid Asset Storage Bridgehampton, NY 11932 USA

Contact: Paul Davis Emery
Phone: (703) 851-8512

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
47657 2012 Mouton Rothschild	2.00	0.00	275.00	550.00
48077 04 Dom Perignon	3.00	0.00	99.99	299.97
48567 2011 Puligny Folatieres, Sauzet	3.00	0.00	64.99	194.97
46059 2011 Leoville Poyferre	6.00	0.00	45.00	270.00
48568 2011 Puligny Perrieres, Sauzet	3.00	0.00	59.99	179.97

Payments:	1,494.91	Net Order:	1,494.91
10/19/2013 VUYEB0F9C5B6 *****5003 1,494.91		Freight:	0.00
		Sales Tax:	0.00
		USD	1,494.91

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000440789

Order Date: 3/29/2014

Web Order No: 147226

Salesperson: JG

Customer: 40133

Customer PO:

Sold To	Ship To
Paul Emery 496 Sherwood Way Apt #4 paul@hf.com Menlo Park, CA 94025 USA	Paul Emery 12 Foster Avenue c/o Liquid Asset Storage Bridgehampton, NY 11932 USA

Contact: Paul Davis Emery
Phone: (703) 851-8512

25% discount applied!

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
49608 01 Chateaufeuf Clos des Papes 3 Liter, Avril	2.00	0.00	337.50	675.00

Payments: 675.00

Net Order: 675.00

Freight: 0.00

Sales Tax: 0.00

3/29/2014	VTHEBAECF594	*****5003	675.00
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USD 675.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000443127

Order Date: 4/22/2014

Web Order No: 149053

Salesperson: JG

Customer: 40133

Customer PO:

Sold To	Ship To
Paul Emery 496 Sherwood Way Apt #4 paul@hf.com Menlo Park, CA 94025 USA	Paul Emery 12 Foster Avenue c/o Liquid Asset Storage Bridgehampton, NY 11932 USA

Contact: Paul Davis Emery
Phone: (703) 851-8512

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
36235 05 Chateaufeuf Clos des Papes 3 Liter, Avril	2.00	0.00	450.00	900.00

Payments:	900.00	Net Order:	900.00
4/22/2014 VRFEAB0192B4 *****5003 900.00		Freight:	0.00
		Sales Tax:	0.00
		USD	900.00

PREMIER CF

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000486749

Order Date: 8/9/2015

Web Order No: 182576

Salesperson:

Customer: 40133

Customer PO:

Sold To	Ship To
Paul Emery 496 Sherwood Way Apt #4 paul@hf.com Menlo Park, CA 94025 USA	Paul Emery 445 Sills Rd Unik K c/o Liquid Asset Storage Yaphank, NY 11980 USA

Contact: Paul Davis Emery
Phone: (703) 851-8512

Can I get in the original wooden case given 6 b...

Item	Ordered	Quantity Shipped	Unit Price	Amount
51790 2012 Sassicaia, Tenuta San Guido	6.00	0.00	104.99	629.94

Payments: 629.94

Net Order: 629.94

Freight: 0.00

Sales Tax: 0.00

8/9/2015	AL3AC7649FF4	*****6001	629.94
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USD 629.94

PREMIER CF

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000483017
Order Date: 7/3/2015
Web Order No: 179497
Salesperson:
Customer: 40133
Customer PO:

Sold To	Ship To
Paul Emery 496 Sherwood Way Apt #4 paul@hf.com Menlo Park, CA 94025 USA	Paul Emery 445 Sills Rd Unik K c/o Liquid Asset Storage Yaphank, NY 11980 USA

Contact: Paul Davis Emery
Phone: (703) 851-8512

Item	Ordered	Quantity Shipped	Unit Price	Amount
24576 2000 Graham	6.00	0.00	68.79	412.75

				Net Order:	412.75
Payments:		412.75			
7/3/2015	AX3AD512329D	*****6001	412.75	Freight:	0.00
				Sales Tax:	0.00
				USD	412.75