

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 - WJL

11:36 AM

FILED

SEP 12 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?	Debtor <u>WILLIAM M. CLARK</u> 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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g) <u>WILLIAM M. CLARK</u> Name <u>2633 RICHARDSON DR. Apt 9B</u> Number Street <u>CHARLOTTE NC 28211</u> City State ZIP Code Contact phone <u>704-975-7358</u> Contact email <u>clarkmd43@gmail.com</u>	Where should payments to the creditor be sent? (if different) <u>WILLIAM M. CLARK</u> Name <u>2633 RICHARDSON DR. Apt 9B</u> Number Street <u>Charlotte NC 28211</u> City State ZIP Code Contact phone <u>704-975-7358</u> Contact email <u>clarkmd43@gmail.com</u>
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? \$ 3514.89 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.

Numerous wine orders paid in full but never shipped or 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 all that apply:

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 \$2,775* 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 05 11 2016
MM / DD / YYYY

William M. Clark
Signature

(Found unmailed during cleanup before an upcoming move)
WmClark 09/04/16

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

Name

WILLIAM

MACKEY

CLARK

First name

Middle name

Last name

Title

Company

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

Address

2633 Richardson Drive Apt. 9B

Number

Street

Charlotte

City

NC

State

28211

ZIP Code

Contact phone

704-975-7358

Email

clarkmd43@gmail.com

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000348589

Order Date: 1/12/2011

Salesperson: JG

Customer: WCla

Customer PO:

Sold To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA

Ship To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA

Contact: William M Clark
Phone: (704) 366-0356

special pricing!

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
40515 08 Chablis Clos, Fevre NOT RECEIVED	9.00	0.00	49.99	449.91
42902 08 Clos Vougeot, Raphet NOT RECEIVED	6.00	0.00	49.99	299.94
39261 07 Chateaufeuf du Pape Reservee, Pegau NOT RECEIVED	6.00	0.00	59.99	359.94
38763 06 Chateaufeuf Cuvée Reservee, Pegau NOT RECEIVED	9.00	0.00	39.99	359.91
41343 09 Monbousquet Rec'd	9.00	0.00	19.99	179.91
41437 09 l'Arrosee NOT RECEIVED	12.00	0.00	24.99	299.88
42067 09 Puligny Perrieres, H. Boillot NOT RECEIVED	3.00	0.00	49.99	149.97
40511 08 Chablis Bougros Cote de Bougueros, Fevre NOT RECEIVED	10.00	0.00	39.99	399.90
42893 09 Gevrey Lavaux St Jacques, Raphet NOT RECEIVED	6.00	0.00	49.99	299.94
41854 07 Chablis Clos, Long-Depaquit Rec'd	10.00	0.00	24.99	249.90
42862 08 Nuits St Georges Les Vaucrains, Chevellon NOT RECEIVED	3.00	0.00	49.99	149.97

Proof of
payment for
items NOT
RECEIVED

WM
Clark

Payments: 3,199.17

Net Order: 3,199.17

Freight: 0.00

Sales Tax: 0.00

1/12/2011 VTHE6C44E0B4 *****1001 3,199.17

USD 3,199.17

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000349981
Order Date: 2/4/2011

Salesperson: JG
Customer: WClA
Customer PO:

Sold To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA

Ship To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA

Contact: William M Clark
Phone: (704) 366-0356

special pricing!
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
42750 09 Chateaufeuf Mon Aieul, Usseglio NOT RECEIVED	6.00	0.00	34.99	209.94
* 41333 09 La Croix de Gay NOT RECEIVED	9.00	0.00	22.99	206.91
40511 08 Chablis Bougros Cote de Bouguerots, Fevre RECD	6.00	0.00	39.99	239.94
42776 09 Vosne Romanee Suchots, Hudelot Noellat Rec'd	3.00	0.00	69.99	209.97
42062 09 Bourgogne Blanc, H. Boillot RECEIVER	12.00	0.00	13.99	167.88
42974 09 Chablis Preuses, Fevre RECEIVED	6.00	0.00	39.99	239.94
42975 09 Chablis Les Clos, Fevre RECEIVED	6.00	0.00	49.99	299.94

* NOT RECEIVED \$ 206.91

Payments: 1,574.52

Net Order: 1,574.52

Freight: 0.00
Sales Tax: 0.00

2/4/2011 VXJE6D48A7C2 *****8490 1,574.52

USD 1,574.52

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000419079
Order Date: 7/22/2013

Salesperson: JG
Customer: WCl
Customer PO:

Sold To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA

Ship To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA

Contact: William M Clark
Phone: (704) 366-0356

special pricing!
This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
44972 2010 Chateaufneuf Cuvée Reservee, Pegau	12.00	0.00	39.99	479.88

NOT
RECEIVED

order after receiving
big shipment

Payments: 479.88

Net Order: 479.88

7/22/2013 VLCE9D174164 *****0275 479.88

Freight: 0.00
Sales Tax: 0.00

USD 479.88

Gmail

Back

COMPOSE

CNN.com Re

PREMIER CRU1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000462761
Order Date: 12/1/2014Salesperson: JG
Customer: WCla
Customer PO:

Inbox (62)

Sent Mail

Drafts

Spam (20)

Trash

Categories

Book Club

Hopkins prostate (10)

Jokes

Medicare Part D

Morrocroft (1)

photos

Political

Tastevin

Travel (2)

More

Sales Orc

Pren
to mt

Sold To

Ship To

William Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USAWilliam Clark
2633 Richardson Drive
Apt. 9-B
Charlotte, NC 28211 USA-----
To: \n
Date:Contact: William M Clark
Phone: (704) 366-035635% discount applied!
This order has been paid by MasterCard - Thank You!To vit
availa

-Regi

Prem
PremTo vit
can b
f Dow

Item	Ordered	Quantity Shipped	Unit Price	Amount
51210 04 Rioja Gran Reserva 904, La Rioja Alta	12.00	0.00	29.89	358.68

NOT
RECEIVED \$ 358.68

Payments: 358.68

Net Order: 358.68

12/1/2014 VRCA978571DC *****6884 358.68

Freight: 0.00
Sales Tax: 0.00

USD 358.68