

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re

FOX ORTEGA ENTERPRISES, INC.,
dba PREMIER CRU,

Debtor.

Case No. 16-40050-WJL

Chapter 7

Frequently Asked Questions

1. What is going on in this case?

On January 8, 2016, the Debtor commenced this case by filing a Chapter 7 under the Bankruptcy Code. The Debtor operated under the name of Premier Cru. Upon the commencement of the case, the Office of the United States Trustee appointed Michael G. Kasolas as the duly appointed, qualified and acting trustee of the debtor's estate ("Trustee"). It is the Trustee's duty to locate as many assets as he can for the benefit of the unsecured creditors of this estate. Therefore, the Trustee is attempting to locate and protect all of the assets that he can.

2. What are the assets in this estate?

The assets in this estate include wine bottles in the warehouse, and possibly wine that is located at different locations, including outside of the United States, possibly wine futures, and avoidance actions and other litigation matters. It is too early to know what all of the assets are in this case.

3. I believe that the Debtor is holding wine that belongs to me and I would like to pick it up. How do I get my wine?

There is a legal issue as to who owns the wine that is in the Debtor's warehouse. The Trustee takes the position that it all belongs to the estate, and it should be liquidated for the benefit of all creditors. The Trustee understands that many of the creditors dispute this contention, and some believe that it is their wine, and it should be returned to them. This is a dispute that the Court will have to decide. The Trustee is in the process of developing a process for expeditiously resolving this legal issue, and will provide further information when that process has been determined.

4. I am owed money. What should I do?

File a proof of claim with the bankruptcy Court. A claim form can be obtained by going to the following website at the bankruptcy court:

<http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>

You must file your proof of claim form by the claims bar date of May 24, 2016. Proofs of claim may be filed electronically at the following Bankruptcy Court website

<https://ecf.canb.uscourts.gov/cgi-bin/autoFilingClaims.pl>

5. I do not want copies of pleadings in the mail, but I want to be kept informed, what should I do?

You can sign up to receive copies of all pleadings filed by email by going to the following site:

www.BMCGroup.com/PremierCru

If you do not want to receive emails, but you still want to stay informed, you can refer to this website to see the pleadings that have been filed at no charge to you.

6. I want copies of all pleadings filed in this case mailed to my address, what should I do?

File a Request for Notice with the Court. This is a notice that should clearly state the name and number of the bankruptcy case, and in your notice state that you want copies of all pleadings filed mailed to you at the address that you specify. You should file your request with the bankruptcy court at the address indicated below:

United States Bankruptcy Court
1300 Clay Street, Room 300
Oakland, CA 94612

7. What if I don't want copies of pleadings, but I want my rights protected?

Even if you do not request a hard copy or emailed pleadings, if the Trustee is going to take an action against your interests or claims directly, you will receive direct notice of that by U.S. mail, or by email, if you so request. For example, if you file a proof of claim, and the Trustee decides to object to it, you will receive notice of that objection in the mail. You do not need to sign up for any form of notice to receive notice that your claim is being objected to.

8. I am not owed any money why do I keep getting notices from the court?

When the Debtor filed this bankruptcy case it listed all the creditors that it could conceivably owe money to, and you were on that list. The Trustee has no control over this list. If you are not owed any money, and you want to make sure you are removed from the list of creditors to receive notice, you can file a request to be removed from the mailing matrix with the Court. The Court's address is as follows:

United States Bankruptcy Court
1300 Clay Street, Room 300
Oakland, CA 94612

9. Who is John Fox?

John Fox ran Premier Cru, and has now filed his own Chapter 7 case in the Northern District of California, Oakland, California, Case No. 16-40340. You may have received a separate notice about the commencement of that case. Marlene Weinstein is the duly appointed trustee in that case.