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9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

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13 In re
14 FOX ORTEGA ENTERPRISES, INC.,
dba PREMIER CRU,
15
16 Debtor.

Case No. 16-40050-WJL

Chapter 7

**DECLARATION OF ANNA OH IN
SUPPORT OF MOTION FOR ORDER
AUTHORIZING SALE OF WINE
PURSUANT TO BANKRUPTCY CODE
SECTION 363 AND TO DETERMINE
TITLE TO SEGREGATED WINE**

Date: May 2, 2016

Time: 1:00 p.m.

Place: Courtroom 220
1300 Clay Street
Oakland, CA

Judge: Hon. William J. Lafferty, III

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1 I, Anna Oh, declare:

2 1. I am employee of Wendel, Rosen, Black & Dean LLP (“Wendel”), the attorneys of
3 record for Michael G. Kasolas, the Trustee of the chapter 7 bankruptcy estate for the Fox Ortega
4 Enterprises, Inc. doing business as Premier Cru, the debtor herein (“Debtor”). The following facts
5 are true of my own personal knowledge, and if called as a witness, I would and could testify
6 thereto except as to those matters that are alleged upon information and belief and as to those
7 matters, I believe them to be true.

8 2. I am employed at Wendel as a paralegal. I am informed that Wendel represents
9 Mr. Kasolas as the Trustee in the Premier Cru case. I am further informed that in connection with
10 the Premier Cru case, secretaries, Jeanne Rose to one of the partners, Mark Bostick, sent out a
11 notice to each of the individuals identified on the West Auction wine inventory as having wine
12 that was segregated, a notice advised the recipients that if they wanted to enter into a Stipulations
13 for Resolution of Title as to Segregated Wines (“Stipulation”) to litigate title to the wine they
14 could sign an attached Stipulation and return it to me at Wendel. I am further informed that there
15 was a typographical error in the notice for my email address, and another partner, Tracy Green,
16 sent a follow up email to each recipient providing them with my correct email address.

17 3. In response to the notice and follow up email, and in the course and scope of my
18 duties as a paralegal with Wendel, I have received 38 executed Stipulations. Attached hereto as
19 **Exhibit A** is an true and correct copy of an example Stipulation for one individual, William Witte.
20 Wendel has not attached all 38 Stipulations due to size, but will make them available upon request
21 of the Court, or any of the named parties. The following are the individuals who returned signed
22 Stipulations in addition to Mr. Witte:

23 STEVEN BACHENHEIMER, GIDEON BEINSTOCK, DANIEL BICKLEY,
24 TYLER BINNEY, BLAINE BLACK, DANIEL DORNBUSCH, FRANKLIN
25 FITE, JR., MIKE GARRIDO, DAVID GIGLIO, JACK HOFFBERGER, KEITH
26 HUMMEL, BRAD KARP, MICHAEL KULPER, BERT LITWIN, BILL LOZIER,
27 ROBERT MACARTNEY, BOB MORRIS, DAVE MOSKO, DICK MULDER,
28 TADAHIKO ONO, RAJ PATEL, MARK PIRWITZ, ED PORTH, ROGER

