

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
WINC, INC. et al, <sup>1</sup>	)	Case No. 22-11238 (LSS)
	)	(Jointly Administered)
	)	
Debtors.	)	Related D.I. No: 560

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**DECLARATION OF GERARD D’AMATO  
IN SUPPORT OF THE THIRD OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF  
THE CLUB W. CREDITOR TRUST SEEKING ENTRY OF AN  
ORDER DISALLOWING AND EXPUNGING CERTAIN CLAIMS (INSUFFICIENT  
DOCUMENTATION CLAIMS AND EQUITY CLAIMS)**

Pursuant to 28 U.S.C. § 1746, I, Gerard D’Amato, declare under penalty of perjury that:

1. I hold a Bachelor of Science degree in accounting from Manhattan College. I have been providing accounting and restructuring services for more than 15 years.

2. I am submitting this declaration in support of the *Third Omnibus Objection (Non-Substantive) of the Club W. Creditor Trust Seeking Entry of an Order Disallowing and Expunging Certain Claims (Insufficient Documentation Claims and Equity Claims)* (the “Omnibus Objection”), which was filed docket number 560 on July 12, 2024.

3. Brian Ryniker is currently serving as the Creditor Trustee of the Club W. Creditor Trust (the “Creditor Trust”). His appointment as Creditor Trustee became effective on August 9, 2023. Brian Ryniker is also the founder of RK Consultants. I am a Director at RK Consultants and have been working there since October 2023.

4. In his role as Creditor Trustee, Brian Ryniker initiated a thorough review of the claims filed and scheduled in this case. In connection with the claims review process, I worked

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Winc, Inc. (8960); BWSC, LLC (0899); and Winc Lost Poet, LLC (N/A). In accordance with Section 9.5 of the Plan, the Debtor Winc Lost Poet, LLC was dissolved as the Effective Date (as defined therein).

with the professionals retained by the Creditor Trust and Mr. Ryniker to assess underlying liabilities and reconcile claims with the Creditor Trust's books and records.

5. I believe the facts set forth herein are true and correct based on my review of the Creditor Trust's books and records and publicly-available information (including the Schedules and pleadings filed in this case), as well as my discussions with the Creditor Trust's professionals and Mr. Ryniker.

6. I have reviewed the Omnibus Objection, this declaration, Mr. Ryniker's Declaration and Schedules 1 and 2 of the Proposed Order. The statements within this declaration are made with my own personal knowledge.

7. To the best of my knowledge, information, and belief, the Insufficient Documentation Claims listed on Schedule 1 to the Proposed Order fail to include a detailed summary of their basis or attach information which demonstrates that the amounts alleged are the result of the Debtors' prior business transactions or business activities. In fact, the Insufficient Documentation Claims fail to provide any meaningful explanation regarding the basis for the claims or the connection (if any) to the Debtors.

8. I have reviewed the Insufficient Documentation Claims and all supporting information and documentation provided therewith, made reasonable efforts to research the claim on the Debtors' books and records and believes such documentation does not provide prima facie evidence of the validity and amount of the claim. As a result, the Creditor Trust submits that the Insufficient Documentation Claims identified in Schedule 1 should be disallowed and expunged.

9. To the best of my knowledge, information, and belief, the Equity Claims listed on Schedule 2 to the Proposed Order are not in fact claims against the Debtors.

10. Based upon my review of the Proofs of Claim filed in this case, the Debtors' books and records, and the Schedules, I believe that the relief requested in the Omnibus Objection is requested in good faith and is in the best interests of creditors and the bankruptcy estate, and in keeping with the distribution scheme created by the Plan and the Bankruptcy Code.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

/s/ Gerard D'Amato  
Gerard D'Amato  
August 19, 2024  
New York, NY