

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

United States Bankruptcy Court
of the Tenth Circuit

FEB 23 2005

Barbara A. Schermerhorn
Clerk

In re: FURR'S SUPERMARKETS, INC.,

Debtor,

YVETTE J. GONZALES, Trustee,

Plaintiff - Appellant,

v.

NABISCO DIVISION OF KRAFT
FOODS, INC.,

Defendant - Appellee.

FILED
United States Bankruptcy Appellate Panel
of the Tenth Circuit

FEB 23 2005

Barbara A. Schermerhorn
Clerk

No. 04-2352

(D.C. No. 7-01019779-SA)

USBC Adv. No. 02-10915
A true copy

Teste

Patrick Fisher
Clerk, U. S. Court of
Appeals, Tenth Circuit

By

Deputy Clerk

ORDER

Filed February 18, 2005

In accordance with Rule 33.1, Rules of the Tenth Circuit, and upon consideration of the stipulation to dismiss this appeal,

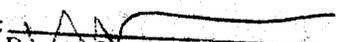
IT IS ORDERED that the above appeal be and it hereby is dismissed pursuant to Rule 42(b), Federal Rules of Appellate Procedure. Each party shall bear its own costs on appeal.

A certified copy of this order shall stand as and for the mandate of the court.

United States
Bankruptcy Appellate Panel
of the Tenth Circuit

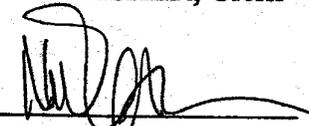
A True Copy

Barbara A. Schermerhorn, Clerk

Attested by: 
Deputy Clerk

Entered for the Court

PATRICK FISHER, Clerk

by: 
Deputy Clerk

FILED

at _____ o'clock _____ M

FEB 28 2005

United States Bankruptcy Court
Albuquerque, New Mexico

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