

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

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In re: : Chapter 11
: :
Furr's Supermarkets, Inc. : :
(EID 75-23644181) : :
: :
Debtor : :
: :
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**CONSENT ORDER GRANTING
BARBARA ASBURY RELIEF FROM AUTOMATIC STAY**

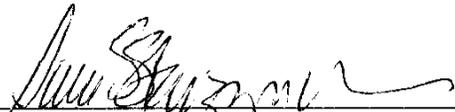
THIS matter came before the Court on the stipulated agreement between BARBARA ASBURY ("Creditor"), and the Chapter 7 Trustee for relief from the automatic stay. The Court having reviewed the agreement as expressed in this Stipulated Order, and being sufficiently advised, FINDS that it has jurisdiction over the parties and the subject matter; Creditor and the Chapter 7 Trustee have stipulated to stay relief as provided in this Order; consent of all appropriate parties was obtained as evidenced by their approval signed hereto; and no notice to creditors of the stay relief is necessary under the circumstances. It is therefore

ORDERED, ADJUDGED AND DECREED that the automatic stay imposed under 11 U.S.C. sec. 362 is hereby modified in favor of Creditor for purposes of allowing Creditor to look to insurance policy, number DRE 1529799, in the civil action filed in the Fifth Judicial District Court of the State of New Mexico, Cause No. CV-2002-45, which policy was a commercial general liability policy of insurance written by United States Fiduciary & Guaranty for the period 12/31/99 through 12/31/02 covering the premises of Furr's Store #949 at 809 W. Pierce, Carlsbad, New Mexico.

Debtor may be named in such civil suit for purposes of looking to said insurance policy on which Debtor was the insured and an entity known as Floho Partners, owner of the real property upon which Store #949 was located, was named as certificate holder and additional insured.

The automatic stay shall remain in effect unmodified with respect to the liquidation and/or

collection of amounts owing by Debtor if Creditor is not satisfied from the policy of insurance referred to herein. In such an event, Creditor may file a proof of claim for any amounts claimed due and owing, and the Trustee shall have the right to object to the claim in whole or in part.



JUDGE JAMES S. STARZYNSKI
UNITED STATES BANKRUPTCY JUDGE

SUBMITTED AND APPROVED BY:



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I hereby certify that a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered or mailed to the listed counsel and parties on:

JUL 23 2002

Mary B. Anderson