

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779-SA
Chapter 7

Debtor.

**ORDER GRANTING THE TRUSTEE'S MOTION TO APPROVE INDEPENDENT
CONTRACTOR AGREEMENT WITH MICHELLE COPE**

This matter came before the Court upon the Trustee's Motion To Approve Independent Contractor Agreement With Michelle Cope, filed July 8, 2002 and docketed as #1741 (the "Motion"), and the Court, having reviewed the Motion and being otherwise duly advised in the premises, FINDS:

A. On July 8, 2002, notice was given of the Motion, specifying a period of 20 days (plus 3 days based on service of the notice by mail, for a total of 23 days) to object thereto, in accordance with the Bankruptcy Code and Bankruptcy Rules 2002(a)(6) and 9006(f), to all persons on the limited mailing matrix maintained by the Clerk of the Bankruptcy Court in connection with this case;

B. The notice was sufficient in the particular circumstances;

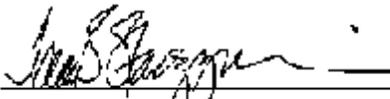
C. The objection deadline specified under the notice has expired, with no objections to the Motion having been filed;

D. The Motion and the relief requested therein comply with the requirements of Bankruptcy Code, Bankruptcy Rules, and the local rules;

E. Entry of this order is appropriate.

IT IS THEREFORE ORDERED that the Trustee may enter into an independent contract agreement with Ms. Michelle Cope, may compensate Ms. Cope for her time at the rate of \$30 per hour, plus gross receipts tax, and may also reimburse Ms. Cope for out-of pocket costs.

IT IS FURTHER ORDERED that all amounts owed to Cope under the independent contractor relationship would be paid from (i) the proceeds of certain uncollected pre-petition and post-petition accounts receivable owed by third parties to the estate, (ii) certain amounts Furr's Supermarkets, Inc. had prepaid to its vendors post-petition for product, which amounts were never used to buy product and are due and owing back to the estate, or (iii) other of the estate's secured lenders' collateral.



THE HONORABLE JAMES S. STARZYNSKI
UNITED STATES BANKRUPTCY JUDGE

Submitted by:

JACOBVITZ, THUMA & WALKER, P.C.

By: submitted by e-mail 8/9/02

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Attorneys for the Chapter 7 Trustee

I hereby certify that on August 9, 2002, a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered, or mailed to the listed counsel and parties.

Mary B. Anderson

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