

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779-SA

Chapter 7

Debtor.

**ORDER RESULTING FROM SECOND AND FINAL FEE APPLICATION
OF JACOBVITZ, THUMA & WALKER, P.C. FOR COMPENSATION FOR
SERVICES RENDERED AS ATTORNEYS FOR THE DEBTOR IN POSSESSION**

This matter came before the Court upon the Second and Final Chapter 11 Fee Application For Services Rendered as Attorneys for the Debtor in Possession, filed August 1, 2002 (entered on the docket as no. 1781) (the "Final Fee Application"). The Court, being sufficiently advised, FINDS:

A. On August 1, 2002, notice (the "Notice") was given of the Final Fee Application, specifying a period of twenty (20) days (plus 3 days because the notice was served 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 official limited mailing matrix maintained by the Clerk of the Bankruptcy Court in connection with this case. The Notice, which was filed on August 2, 2002 and docketed as no. 1782, was sufficient.

B. The objection deadline specified in the Notice expired on August 26, 2002, with no objections to the Final Fee Application having been filed.

C. The Final Fee Application complies with the requirements of Bankruptcy Rule 2016 and the local rules.

D. The compensation sought in the Final Fee Application for the period from November 1, 2001 through December 18, 2001 (the "Second Application Period") in the amount of \$51,088.84, consisting of \$46,187.50 for professional fees, \$2,163.97 for reimbursable costs and expenses, and \$2,737.37 for gross receipts tax, is reasonable compensation for actual and necessary services that benefited the estate, and should be approved on a final basis.

E. The compensation approved on an interim basis resulting from JTW's first fee application for the period from February 8, 2001 through October 31, 2002 (the "First Application Period"), which the Court previously approved and allowed on an interim basis, in the amount of \$513,399.97, consisting of \$478,143.85 for professional fees, and \$35,256.12 for reimbursable costs and expenses, and gross receipts tax, is reasonable compensation for actual and necessary services that benefited the estate, and should be approved on a final basis. Such compensation approved on an interim basis as a result of JTW's first fee application hereafter is called the "Approved Interim Compensation."

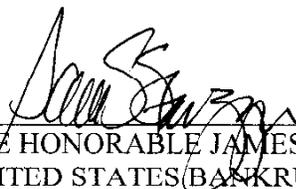
F. Entry of this order is appropriate under Bankruptcy Code §§330(a), 503(b)(2) and 507(a)(1).

IT IS, THEREFORE, ORDERED that:

1. Final approval is granted for, and JTW is allowed, as a priority, administrative expense under Bankruptcy Code §§503(b)(2) and 507(a)(1), compensation for the Second Application Period in the amount of \$51,088.84, consisting of \$46,187.50 for professional fees, \$2,163.97 for reimbursable costs and expenses, and \$2,737.37 for gross receipts tax.

2. Final approval is granted for the Approved Interim Compensation.

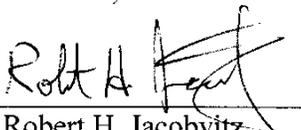
3. Final approval is granted for, and JTW is allowed, as a priority, administrative expense under Bankruptcy Code §§503(b)(2) and 507(a)(1), compensation for the First Application Period and Second Application Period (February 8, 2001 through December 18, 2002), in the total amount of \$564,488.81, consisting of \$524,331.35 for professional fees, and \$40,157.46 for reimbursable costs and expenses, and gross receipts tax.



THE HONORABLE JAMES S. STARZYNSKI
UNITED STATES BANKRUPTCY JUDGE

SUBMITTED BY:

JACOBVITZ, THUMA & WALKER, P.C.

By 

Robert H. Jacobvitz
500 Marquette, NW, Suite 650
Albuquerque, NM 87102
(505) 766-9272/(505) 766-9287 (fax)

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:

SEP 05 2002

APPROVED:

JOEL PELOFSKY
United States Trustee

Mary B. Anderson

By: Approved by e-mail 8-29-02

Ronald E. Andazola
Assistant U.S. Trustee
P.O. Box 608
Albuquerque, NM 87103
(505) 248-6549
(505) 248-6558 (fax)