

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

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JACOBVITZ, THUMA & WALKER P.C.
ALBUQUERQUE, NM

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779 SA
Chapter 7

Debtor.

**JTW'S ALLOCATION STATEMENT
AND EXCLUDED FEE STATEMENT
SUBMITTED PURSUANT TO
ORDER ADOPTING CARVE-OUT PROCEDURES**

Jacobvitz, Thuma & Walker P.C. ("JTW") submits this Allocation Statement and Excluded Fee Statement pursuant to the Order Adopting Carve-Out Procedure, Setting Deadlines, and Granting Other Relief, entered on August 22, 2002 (the "Carve-Out Procedure Order").

Capitalized terms, not otherwise defined, have the meanings ascribed to them in Exhibit "A" to the Carve-Out Procedure Order.

A. Allocation Statement

JTW claims that the following amounts are payable to it from each of the Carve-Outs identified below (to the extent of JTW's share of each Carve-Out):

1. Pre-Closing Carve Out. JTW claims that its unpaid claim for compensation for services rendered and costs incurred during the Pre-Closing Period, and gross receipts tax thereon, in the amount of \$78,451.66, is payable to JTW from the Pre-Closing Carve-Out (to the extent of JTW's share of Pre-Closing Carve-Out). The Court granted final approval of this compensation as a chapter 11 administrative claim against the estate by an Order Resulting From Second and Final Fee Application of Jacobvitz, Thuma & Walker, P.C. for Compensation for Services Rendered as Attorneys for the

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Debtor in Possession (the "Final JTW Chapter 11 Fee Order"), entered September 5, 2002.

2. Post-Closing Carve Out. JTW claims that its unpaid claim for compensation for services rendered and costs incurred, during the Post-Closing Period but prior to conversion of the chapter 11 case to a case under chapter 7, and gross receipts tax thereon, in the amount of \$37,786.21 is payable to JTW from the Post-Closing Carve-Out (to the extent of JTW's share of the Post-Closing Carve-Out). The Court granted final approval of this compensation as a chapter 11 administrative claim against the estate in the Final JTW Chapter 11 Fee Order.

3. JTW Carve-Out. JTW is entitled to be paid from the JTW Carve-Out if and to the extent (i) the amounts specified in paragraphs 1 and 2 above are not paid in full from the Pre-Closing Carve Out and Post-Closing Carve Out, and/or (ii) JTW is required to disgorge any amounts paid to it by the Debtor in Possession or from the Pre-Closing Carve Out or Post-Closing Carve Out.

4. Court Approval of Compensation to JTW, and Payment Status. JTW's total approved compensation, the amounts the Debtor in Possession paid JTW, and the amount of the credit JTW gave the Debtor in Possession, is as follows:

	<u>Pre-Closing Period</u>	<u>Post-Closing, Pre-Conversion Period</u>
<u>Requested</u>	\$402,852.21	\$162,033.39
<u>Approved by Court</u>	\$402,852.21	\$162,033.39
<u>Paid by DIP</u>	\$286,208.21	\$124,247.18
<u>Credit Applied</u>	\$ 38,192.34	\$ 0.00
<u>Owed</u>	\$ 78,451.66	\$ 37,786.21

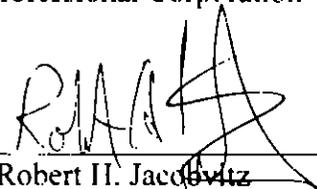
B. Excluded Fee Statement

JTW states that it believes and asserts that none of the fees, costs or gross receipts tax it charged the Debtor in Possession are Excluded Fees. Paragraph A(4) above sets forth the amount of JTW's total approved compensation, the amount the Debtor in Possession paid JTW, and the amount of the credit JTW gave the Debtor in Possession, during the Pre-Closing Period and during the Post-Closing Period but prior to conversion of the chapter 11 case to a case under chapter 7.

C. Post Conversion Services Statement

JTW will not claim any compensation from any of the Carve-Outs for any services rendered after conversion of the chapter 11 case to a case under chapter 7.

JACOBVITZ THUMA & WALKER
a Professional Corporation

By 

Robert H. Jacobvitz

David T. Thuma

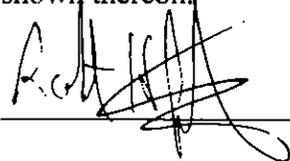
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This certifies that on
September 10, 2002 a copy
of the foregoing notice was
served by first class United
States mail on the persons listed
on Exhibit A hereto at the addresses
shown thereon.



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