

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

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BANKRUPTCY COURT
ALBUQUERQUE, NM

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779 SA
Chapter 7

Debtor.

**TRUSTEE'S MOTION TO SHORTEN TIME TO OBJECT TO TRUSTEE'S MOTION
TO ADD NEW MEXICO LIQUOR LICENSE 882 TO ORDER ESTABLISHING
PROCEDURES FOR THE SALE OF LIQUOR LICENSES**

Yvette G. Gonzales, Chapter 7 Trustee (the "Trustee"), by counsel, moves the Court for an order shortening the time eight days, plus 3 days based on service of the notice by mail, for a total of eleven (11) days, to object to the Trustee's Motion to Add New Mexico Liquor License 882 to Order Establishing Procedures for the Sale Of Liquor Licenses (the "Motion"), filed September 23, 2002.

In support of this motion, the Trustee states:

1. The Motion, if granted, would add New Mexico Liquor License No. 882 to the definition of "License" under the Order Approving Agreement Regarding Sale Of Liquor Licenses, And Establishing Procedures For The Sale Of Liquor Licenses Free And Clear Of Liens And Payment Of Liquor Wholesalers And Certain Taxes, filed April 5, 2002 (the "Liquor License Sale Order").

2. The only reason License No. 882 is not already included in the Liquor License Sale Order, is that it already was under a contract for sale prior to conversion of this case to chapter 7, under an order entered in the chapter 11. However, the buyer failed to close, so License No 882 is available for sale by the Trustee.

3. The Trustee has a buyer for License No. 882, who may wish to close as early as mid-

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October, 2002. The Trustee has eleven other liquor licenses under contract, pursuant to the terms of the Liquor License Sale Order. License No. 882 is no different from the other eleven liquor licenses under contract, except it was not included in the Liquor License Sale Order because when that order was entered the Trustee did not anticipate she would have License No. 882 for sale.

4. The Trustee negotiated the terms of the Liquor License Sale Order with the respective counsel for Heller Financial, Inc., as agent, Metropolitan Life Insurance Company, the various liquor wholesalers, and N.M. Taxation & Revenue. The Trustee believes the prospect of an objection to the Motion is remote. Shortening the time to object to the Motion is in the best interests of Heller Financial, Inc., as agent, Metropolitan Life Insurance Company, the various liquor wholesalers and N.M. Taxation & Revenue, as well as the Estate, because if License No. 882 sells sooner, those parties will receive their respective shares of the sales proceeds sooner, and it will increase the prospect of a successful closing.

WHEREFORE, the Trustee requests an order shortening the time to eight days, plus 3 days based on service of the notice by mail, for a total of eleven (11) days, to object to the Motion.

JACOBVITZ TIUMA & WALKER
a Professional Corporation

By  _____
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Chapter 7 Trustee

This certifies that the foregoing
was served by mail on:

Ronald E. Andazola
Assistant United States Trustee
P.O. Box 608
Albuquerque, New Mexico 87103

this 23rd day of September, 2002.


