

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

FILED  
CLERK  
02 OCT 18 PM 12:07

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779 SA  
Chapter 7

Debtor.

**MOTION TO PARTICIPATE IN STATUS CONFERENCE BY TELEPHONE**

Fleming Companies, Inc. ("Fleming"), a creditor in this Chapter 7 bankruptcy, requests that it be permitted to participate in the status conference scheduled on October 21, 2002 at 11:00 a.m. In support of this motion, Fleming submits the following:

1. Fleming, a creditor in this Chapter 7 bankruptcy case, has joined in Furr's Supermarkets, Inc.'s ("Furr's") Motion for a Determination that the Stay Applies to an Administrative Proceeding Commenced by the United States Department of Agriculture (the "Motion") and has also requested the Court to determine that the Administrative Proceeding, as defined in the Motion, was commenced in violation of the automatic stay, and that prosecution of the Administrative Proceeding will violate the stay further.

2. Fleming asks to participate in the status conference pertaining to the aforementioned Motion which is scheduled for October 21, 2002 at 11:00 a.m. For purposes of the status conference, Fleming's counsel may be reached at (405) 235-9621.

WHEREFORE, Fleming requests that it be permitted to participate in the status conference by telephone.

1897

Respectfully submitted,



Louis J. Price, OBA #7299  
Joseph Walters, OBA #12022  
Christin L. Stefani, OBA #19226  
McAfee & Taft A Professional Corporation  
Two Leadership Square, 10th Floor  
211 N. Robinson  
Oklahoma City, Oklahoma 73102-7103  
Telephone: (405) 235-9621  
Facsimile: (405) 235-0439

ATTORNEYS FOR FLEMING COMPANIES,  
INC.

CERTIFICATE OF SERVICE

This is to certify that on October 17, 2002, the foregoing was mailed, postage prepaid,  
to:

Robert H. Jacobvitz  
Jacobvitz, Thuma & Walker  
500 Marquette NW, Suite 650  
Albuquerque, NM 87102

Andrew Y. Stanton  
Office of the General Counsel  
United States Department of Agriculture  
Room 2309, Stop 1413  
1400 Independence Avenue, S.W.  
Washington, D.C. 20250-1413

