

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779-SA

Chapter 7

Debtor.

**ORDER ON FIRST INTERIM FEE APPLICATION OF WALTER R. DOYLE,  
EXPERT WITNESS FOR THE CHAPTER 7 TRUSTEE**

This matter came before the Court upon the First Interim Application for Allowance and Payment of Fees and Expenses (the "Fee Application"), filed February 25, 2003 (docket # 2027) (the "First Doyle Fee Application"), the Court, having reviewed the fee applications and being sufficiently advised, FINDS:

A. On February 25, 2002, notice was given of the Fee Application, 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 official 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 in the notice expired on March 20, 2003, with no objections to the Fee Application having been filed except for the limited objection filed by the United States Trustee's Office, which objection is resolved by the entry of this Order;

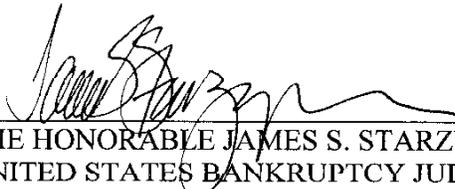
D. The Fee Application complies with the requirements of Bankruptcy Rule 2016 and the local rules;

E. The compensation sought in the Fee Application is reasonable compensation for actual and necessary services that benefited the estate, and should be allowed;

F. Entry of this order is appropriate under Bankruptcy Code §§330(a), 331, 503(b)(2) and 507(a)(1).

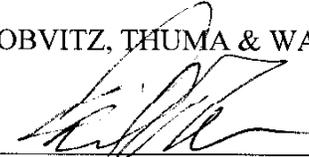
IT IS, THEREFORE, ORDERED that Walter R. Doyle (“Doyle”) is allowed, as a priority, Chapter 7 administrative expense under Bankruptcy Code §§503(b)(2) and 507(a)(1), compensation in the amount of \$3,333.09, consisting of \$3,150 for fees and \$183.09 for New Mexico gross receipts tax, which compensation is approved. The Trustee is authorized to pay to Williams the unpaid balance of the approved compensation.

IT IS FURTHER ORDERED that fee bill statements attached hereto as Exhibit A shall supercede the fee bill statements that were attached to the First Doyle Fee Application.

  
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THE HONORABLE JAMES S. STARZYNSKI  
UNITED STATES BANKRUPTCY JUDGE

Submitted by:

JACOBVITZ, THUMA & WALKER, P.C.

By: 

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David T. Thuma  
500 Marquette, NW, Suite 650  
Albuquerque, NM 87102  
(505) 766-9272  
(505) 766-9287 (fax)

Attorneys for the Chapter 7 Trustee

OFFICE OF THE UNITED STATES TRUSTEE

By: telephonically approved 4/2/03  
Ronald E. Andazola  
P.O. Box 608  
Albuquerque, NM 87103  
(505) 248-6549  
(505) 248-6558 (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:

APR 2 2 2003

Mary B. Anderson

Jacobvitz, Thuma & Walker Law Firm  
Attention: Mr. David Thuma

Invoice #1

November 21, 2002

Services: Draft, revise, and finalize my "expert report" on ordinary business terms in the industry, in connection with my scheduled deposition in all of the pending preference cases filed by the Chapter 7 Trustee against merchandise vendors, and telephone conferences with attorney D. Thuma regarding same.

Time: 4.0 hours.  
\$175.00 per hour

Total due: \$700.00

Thank you,

  
Walter Doyle

**EXHIBIT**

**A**

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Jacobvitz, Thuma & Walker Law Firm  
Attention: Mr. David Thuma

Invoice #2

November 21, 2002

Services: Prepare for and attend my deposition in the pending avoidable preference cases filed by the Chapter 7 trustee in the Furr's bankruptcy case, and conference with attorney C. Pierce and attorney D. Thuma to prepare for the deposition.

Time: 11.0 hours.  
\$175.00 per hour

Total due: \$1,925.00

Thank you,

  
Walter Doyle

Jacobvitz, Thuma & Walker Law Firm  
Attention: Mr. David Thuma

Invoice #3

January 22, 2002

Services: Review and revise my proposed affidavit to be used in summary judgment motions to be filed in a number of the avoidable preference cases filed by the Chapter 7 trustee in the Furr's Supermarkets case, and telephone conferences with attorney D. Thuma in connection with same.

Time: 3.0 hours.

Total due: \$525.00

Thank you,

  
Walter Doyle