

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
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In re:

FURR'S SUPERMARKETS, INC.,

Debtor.

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Case No. 7-01-10779-SA

Chapter 7

U.S. BANKRUPTCY COURT  
ALBUQUERQUE, N.M.

MOTION OF J. DAVID LEAMON,  
OF MUNSCH HARDT KOPF & HARR, P.C.,  
FOR LEAVE TO APPEAR PRO HAC VICE

TO THE HONORABLE JUDGE OF SAID COURT:

J. DAVID LEAMON ("Movant") of the law firm of MUNSCH HARDT KOPF & HARR, P.C. ("Munsch Hardt"), counsel for Dean Foods, Inc., et. al. ("Defendant"), a party in interest in the above-styled and referenced adversary proceeding ("Adversary Proceeding") pending in the above-styled and numbered bankruptcy case ("Bankruptcy Case"), files this Motion for Leave to Appear Pro Hac Vice ("Motion"), and for cause would respectfully show this Court as follows:

1. Movant is a member in good standing of the State Bar of Texas. Movant is an attorney-at-law duly admitted to practice before the United States Fifth Circuit Court of Appeals and the United States District Courts for the Northern, Southern, Western and Eastern Districts of Texas.

2. The affidavit of J. David Leamon in support of this Motion is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes.

3. Movant is not currently, nor has he ever been, subject to any disciplinary action. Movant has not made any previous application in the Bankruptcy Case for leave

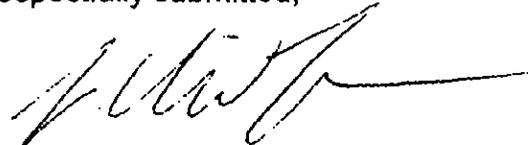
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to appear pro hac vice. Movant has read and is familiar with the Local Rules of the United States Bankruptcy Court for the District of New Mexico.

4. Notice of this Motion has been served on the Chapter 7 Trustee, who is also Plaintiff in the Adversary Proceeding, and on the United States Trustee for the District of New Mexico.

WHEREFORE, PREMISES CONSIDERED, Movant respectfully requests that this Court authorize him to appear and practice before this Court pro hac vice as attorney of record for Defendant during the pendency of the Adversary Proceeding and the Bankruptcy Case, as may be necessary, and grant him such other and further relief to which she may show herself to be justly entitled either at law or in equity.

Respectfully submitted,



James David Leamon, Esq.  
Texas Bar No. 24038025  
MUNSCH HARDT KOPF & HARR, P.C.  
4000 Fountain Place  
1445 Ross Avenue  
Dallas, Texas 75202-2790  
Phone: (214) 855-7500  
Facsimile: (214) 855-7584  
E-Mail: dleamon@munsch.com

Attorneys for Dean Foods, Inc.

CERTIFICATE OF SERVICE

This is to certify that the undersigned caused a true and correct copy of the foregoing pleading to be served on Chris W. Pierce, Esq., Davis & Pierce, P.C., P.O. Box 6, Albuquerque, New Mexico 87103 and on the U.S. Trustee for the District of New Mexico, 421 Gold Avenue SW, Room 112, Albuquerque, New Mexico 87102, by depositing same in the United States Mail, first class, postage prepaid, on the 24<sup>th</sup> day of April, 2003.

  
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James David Leamon, Esq.

**EXHIBIT "A" TO  
MOTION FOR LEAVE TO APPEAR PRO HAC VICE**

STATE OF TEXAS  
COUNTY OF DALLAS

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AFFIDAVIT OF JAMES DAVID LEAMON

NOW COMES, JAMES DAVID LEAMON, of the law firm of MUNSCH HARDT KOPF & HARR, P.C. (the "Firm"), and hereby makes the following oath:

"My name is James David Leamon. I am over the age of 18 years and am currently an associate with the law firm of MUNSCH HARDT KOPF & HARR, P.C., which maintains offices at 4000 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2790, and 111 Congress Avenue, Suite 2010, Austin, Texas 78701.

1. "I am an attorney-at-law, a member in good standing of the State Bar of Texas, and was admitted to practice in 2002. I am duly admitted to practice before the United States Fifth Circuit Court of Appeals and the United States District Courts for the Northern, Southern, Western and Eastern Districts of Texas.

2. "I am not currently, nor have I ever been, subject to any disciplinary action in any jurisdiction.

3. "I have not made any previous application in the Bankruptcy Case for leave to appear *pro hac vice*.

4. "I have read and am familiar with the Local Rules of the United States Bankruptcy Court for the District of New Mexico."

"FURTHER, AFFIANT SAITH NOT."

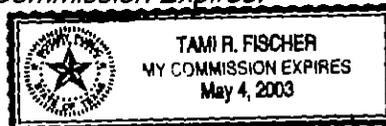
  
\_\_\_\_\_  
JAMES DAVID LEAMON

SWORN TO AND SUBSCRIBED BEFORE ME this the 24<sup>th</sup> day of April 2003, to certify which witness my hand and seal of office.

*Tami R. Fischer*

NOTARY PUBLIC in and for the  
State of Texas

My Commission Expires:



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