

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

IN RE:

CASE NO. 7-01-10779-SA

FURR'S SUPERMARKETS, INC.,

DEBTOR.

AGREED ORDER MODIFYING AUTOMATIC STAY

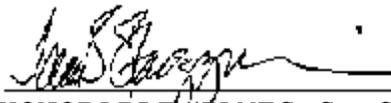
THIS MATTER having come before the Court upon the Motion of Sucon, Inc. to Lift Automatic Stay, filed herein on March 18, 2003; Notice of said Motion having been served on all parties entitled to Notice on March 17, 2003; the deadline for objections having passed on April 9, 2003 (twenty (20) days plus three (3) days for mailing); the Trustee having filed an Objection on March 18, 2003; no other party having filed an objection; the parties having stipulated to entry of this Order; and the Court being otherwise fully advised in the premises:

IT IS HEREBY ORDERED, ADJUDGED and DECREED as follows:

1. The Automatic Stay is lifted, to the extent it otherwise applied, only to allow Sucon, Inc. to pursue foreclosure of its lien against real property not owned by the Debtor and to pursue collection of its claims against parties other than the Debtor in the State Court case styled *Sucon v. Broadway Vista Partners, et al*; Second Judicial District Court Case No. CV-2003-00557.

2. The Automatic Stay shall remain in full and effect as to the Furr's Trustee, the Debtor and the Estate. Sucon, Inc. shall not pursue collection of any claim against Furr's Trustee, the Debtor or estate property except for pursuing its proof of claim in this bankruptcy case under the Bankruptcy Code.

3. Within ten (10) days after this Order is entered, Sucon, Inc. shall dismiss the Trustee from the case styled *Sucon v. Broadway Vista Partners, et al*; Second Judicial District Court Case No. CV-2003-00557, and the Trustee need not participate further therein.



HONORABLE JAMES S. STARZYNSKI
UNITED STATES BANKRUPTCY JUDGE

Submitted by:

PUCCINI & MEAGLE, P.A.

By: s/submitted by e-mail

Louis Puccini, Jr.
Shay E. Meagle
Counsel for Sucon, Inc.
P.O. Box 30707
Albuquerque, NM 87190-0707
Telephone: (505) 255-0202
Facsimile: (505) 255-8726

JACOBVITZ, THUMA & WALKER, P.C.

By: Telephonically approved 5/16/03

Robert Jacobvitz
Counsel for Trustee
500 Marquette NW #650
Albuquerque, NM 87102-5309
Telephone: (505) 766-9272
Facsimile: (505) 766-9287

I hereby certify that on May 20, 2003, a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered, or mailed to the listed counsel and parties.

Mary B. Anderson
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