

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.  
Tax I.D. No. 22-3137244

Case No. 11-01-10779 SA

Debtor.

**UNITED STATES TRUSTEE'S MOTION TO REQUIRE COUNSEL FOR THE TRUSTEE  
TO PROVIDE FEE APPLICATION IN SPECIFIC ELECTRONIC FORMAT**

The United States Trustee for the District of New Mexico hereby moves the Court for an order requiring Davis & Pierce, P.C., attorneys for the Chapter 7 Trustee to provide their second interim fee application (Fee Application) in ASCII format to the U.S. Trustee. As her reasons therefore, the U.S. Trustee states following:

1. The Fee Application submitted by Davis & Pierce, P.C. consists of 1058 pages of billing entries requesting approval of \$556,646.05 in fees.
2. Because of the size of the Fee Application, a meaningful review by manual methods is extremely arduous, if not impossible, without the commitment of extensive resources.
3. The U.S. Trustee is in possession of a computerized fee evaluation program which greatly aids in analyzing the reasonableness and necessity of fees in a meaningful manner.
4. In order to utilize the computerized evaluation program, it is necessary for fee applicants to provide billing information in ASCII format to the U.S. Trustee. This format is a common computer language and conversion of billing data is not unusually difficult nor does it require extensive knowledge of computers.

5. Davis & Pierce P.C. has refused to provide its billing information in ASCII format and does not consent to this motion.

Respectfully submitted,  
MARY E. MAY  
United States Trustee

Filed electronically 2/25/04  
Ron E. Andazola  
Assistant United States Trustee  
Post Office Box 608  
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(505) 248-6544

The undersigned certifies that a true and accurate copy of the foregoing was mailed to the below listed counsel on this 25<sup>th</sup> day of February, 2004.

Filed electronically 2/25/04  
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