

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,
Debtor.

Case No. 7-01-10779-SA

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

Yvette Gonzales, the Chapter 7 Trustee herein, by and through her undersigned attorneys, for her Objection, hereby states:

1. After the filing of the Motion, counsel for the Chapter 7 Trustee has discussed this matter with the Office of the U.S. Trustee, and has agreed to convert its billing data to the ASCII format if possible, and to provide such information to the Office of the U.S. Trustee.

2. Counsel for the Chapter 7 Trustee has spent significant time since February 25, 2004 consulting with Ronald Andazola from the Office of the U.S. Trustee; Michele Lombard from the Office of the U.S. Trustee; Michael Waite, who is assisting the Office of the U.S. Trustee in such computer matters from Washington, D.C.; Patrick Fry, a local computer consultant who assists Davis & Pierce, P.C. with computer matters; Robert Jacobvitz of Jacobvitz, Thuma & Walker; Diane Miles-Kazimiroff, Davis & Pierce, P.C.'s Business Manager, who handles the firm's billing, and representatives of Verdict, the software provider for Davis & Pierce, P.C.

3. As of the date of the filing of this Objection, despite making its best efforts, counsel for the Chapter 7 Trustee has been unable to determine if it is possible or economically feasible to accomplish the "conversion" requested by the Office of the U.S. Trustee. Davis & Pierce, P.C.'s best estimate of the cost of such conversion is \$20,000.00 to 30,000.00, based on the attorney time, paralegal time, accountant time and computer consultant time required to reconstruct the database to conform with the ABA billing codes and otherwise comply with the

UST's request. Therefore, while she will make every reasonable effort to cooperate, the Chapter 7 Trustee reserves her right to supplement this Objection and demonstrate to the Court that the requested conversion is not possible or economically reasonable.

WHEREFORE, the Chapter 7 Trustee requests that the Court enter an appropriate Order with regard to the Motion after the feasibility of the conversion is investigated, and for such other and further relief as the Court deems just.

Respectfully submitted:

DAVIS & PIERCE, P.C.
/s/ filed electronically 3/25/04
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I hereby certify that on March 25, 2004, a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered or mailed to:

Ron Andazola, Esq.
UNITED STATES TRUSTEE
PO Box 608
Albuquerque, NM 87103-0608

David T. Thuma, Esq.
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