

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,  
Debtor.

Case No. 7-01-10779-SA  
Chapter 7

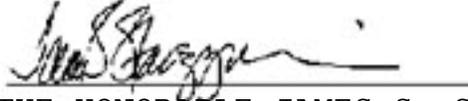
**ORDER APPROVING SETTLEMENT OF ADVERSARY PROCEEDING 03-1095-S**  
**(Tree of Life, Inc.)**

THIS MATTER came before the Court on the Chapter 7 Trustee's Motion to Approve Settlement of Adversary Proceeding 03-1095-S (Tree of Life, Inc.). The Court, being sufficiently advised, hereby FINDS:

1. The Chapter 7 Trustee's Motion to Approve Settlement of Adversary Proceeding 03-1095-S (the "Motion") was filed on April 19, 2004.
2. Notice of the filing of the Motion was mailed by first class United States mail, postage prepaid, on April 19, 2004, to all persons listed on the limited matrix as set forth in the original Notice filed herein, and was sufficient and proper in the circumstances. The deadline to file an objection expired on May 12, 2004, which includes three days for service by mail. No objections to the Motion were filed.
3. The Settlement should be approved.
4. Upon entry of this Order, the Defendant will pay the Trustee upon the terms set out in the Motion and the Settlement Agreement between the parties. Upon payment, the Adversary Proceeding will be dismissed with prejudice.

IT IS THEREFORE ORDERED that the Chapter 7 Trustee's

Motion to Approve Settlement of Adversary Proceeding 03-1095-S is granted, and the settlement of Adversary Proceeding 03-1095-S is approved as set forth in the Motion.



THE HONORABLE JAMES S. STARZYNSKI  
UNITED STATES BANKRUPTCY JUDGE

Submitted by:  
DAVIS & PIERCE, P.C.  
/s/ submitted by email 6/2/04  
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Approved:  
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Additional Parties Entitled to Notice:

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I hereby certify that on June 3, 2004, a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered, or mailed to the listed counsel and parties.

