

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

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**IN RE:  
10779 SA**

Case No. 11-01  
U.S. DISTRICT COURT  
ALBUQUERQUE, N.M.

11-a-10779 SA

**FURR'S SUPERMARKETS, INC.,**

**Chapter 11**

**Debtor.**

**JOE G. MALOOF'S JOINDER IN THE OBJECTION OF PREMIER  
DISTRIBUTING AND THE OBJECTION FO NEW MEXICO BEVERAGE COMPANY,  
INC., SOUTHERN WINE & SPIRITS OF NEW MEXICO, INC., AND NATIONAL  
DISTRIBUTING COMPANY, INC. TO MARCH 14, 2001 FINAL  
ORDER (1) AUTHORIZING DEBTOR TO OBTAIN SECURED FINANCING,  
(2) GRANTING ADEQUATE PROTECTION, AND  
(3) GRANTING OTHER RELIEF**

TO THE HONORABLE JAMES S. STARZYNSKI

Joe G. Maloof and Company, a creditor of Furr's Supermarkets, Inc., Debtor-in-Possession, hereby joins in the Claims Objections filed in this case by Premier Distributing Company, Inc., New Mexico Beverage Company, Inc., Southern Wine & Spirits of New Mexico, Inc., National Distributing, Inc., and Desert Eagle Distributing Company, wherein such creditors have objected to the priority claims of Heller Financial, Inc., Bank of America, N.A., Fleet Capital Corporation and Metropolitan Life Insurance Company in relation to this Court's March 14, 2001 Final Order (1) Authorizing Debtor to Obtain Secured Financing (2) Granting Adequate Protection and (3) Granting other Relief.

1. Joe G. Maloof and Company stands in the same priority position as Premier, and presumably stands in the same priority as New Mexico Beverage, Southern Wine and

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Spirits, National Distributing and Desert Eagle Distributing Company with regard to the liquor licenses of the Debtor.

2. Notice of the Final Hearing authorizing the Debtor to obtain secured financing and of Deadlines for Objections was not properly given to creditors. Joe G. Maloof and Company did not receive notice AT ALL even though Debtor filed a Certificate of Service indicating that the Second Interim Order was mailed. Furthermore, the Notice of Final Hearing and Deadlines for Objections were buried in the Second Interim Order on page 14 of the document.

WHEREFORE, Joe G. Maloof and Company prays that this Court sustain it's Claim Objection to the Final Order (1) Authorizing Debtor to Obtain Secured Financing, (2) Granting Adequate Protection and (3) Granting other Relief, and prays for such other and further relief as this Court deems just and proper.

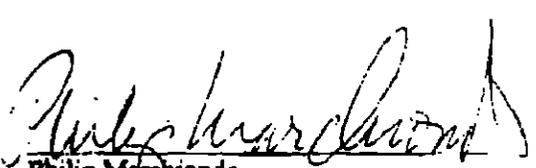
Respectfully submitted,

Marchiondo Vigil & Associates, P.C.



Kimberly A. Middlebrooks  
PO Box 368  
Albuquerque, NM 87103  
505-247-0751

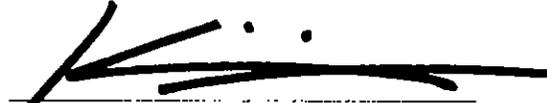
Law Offices of Philip Marchiondo



Philip Marchiondo  
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Santa Monica, CA 90401  
310-917-2721

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing instrument was mailed to the persons on the attached matrix on this 21<sup>st</sup> day of June, 2001

  
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Kimberly A. Middlebrooks