

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

In re:
FURR'S SUPERMARKETS, INC.

Debtor,

No. 11 01-10779 SA

**AMENDED
APPLICATION FOR ALLOWANCE OF ADMINISTRATIVE TAX CLAIM**

COMES NOW the New Mexico Department of Labor (NMDOL), by and through its attorney, Rebecca E. Wardlaw, and requests the Court approve its amended administrative claim for taxes, interest and penalties incurred during the pending bankruptcy proceeding. This claim replaces the administrative tax claim filed on 10/15/01, showing the Court as grounds therefore:

1. The Chapter 11 bankruptcy was filed 2/8/01.
2. NMDOL hereby submits an amended application for an administrative claim in the amount of \$2,519.61, for post-petition taxes, interest, penalties and postage costs for tax account number 15-9028-1 through September 30, 2001.
3. Presently due are:

Taxes	\$2,046.80
Interest	\$ 20.47
Penalty (late report)	\$ 100.00
Penalty (late pay, 5%)	\$ 102.34
Postage & copying (for prosecution of claim)	<u>\$ 250.00</u>
TOTAL	\$2,519.61
4. The original claim was based on an estimation; the amended claim is based on a wage report by the debtor and is subject to audit.
5. The Court should allow this claim as a reasonable and necessary administrative expense.
6. Interest continues to accrue at 1% per month or 12% per annum after the date of this claim.
7. The Court should allow this claim as an on-going or continuing claim should any additional

quarters come due and become statutorily delinquent during the life of this proceeding. Interest accrues at 1% per

month or 12% per annum on any delinquent taxes.

WHEREFORE, NMDOL requests the Court allow NMDOL an administrative expense in the amounts of \$2,519.61 in taxes, penalties, postage and handling, plus accruing interest, and allow the claim as a continuing claim for additional quarters and such other relief as the Court deems proper.

NEW MEXICO DEPARTMENT OF LABOR,
EMPLOYMENT SECURITY DIVISION
Office of the General Counsel

By: submitted electronically 11/5/01
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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of November, 2001, a true copy of the foregoing was mailed to the following attorneys and parties pro se:

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