

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.

Debtor.

No. 11-01-10779 SA

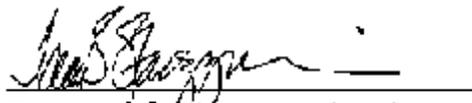
**AMENDED ORDER DENYING DEBTOR'S MOTION FOR
ORDER DETERMINING THAT THE DIRECTOR OF
THE NEW MEXICO ALCOHOL AND GAMING DIVISION
MAY NOT CONDITION APPROVAL OF THE TRANSFER
OF DEBTOR'S LIQUOR LICENSES UPON PAYMENT
IN FULL TO LIQUOR WHOLESALERS**

This matter is before the Court on the Debtor in Possession's Motion for Order Determining that the Director of the New Mexico Alcohol and Gaming Division May Not Condition Approval of the Transfer of Debtor's Liquor Licenses upon Payment in Full to Liquor Wholesalers (docket 737)(the "Motion") and the objections thereto by the New Mexico Alcohol and Gaming Division (docket 797), Premier Distributing Company, Inc., National Distributing Company, Inc., New Mexico Beverage Company, Inc. and Southern Wine & Spirits, Inc. (docket 855), Desert Eagle Distributing Company of New Mexico, L.L.C. (docket 861), and Joe G. Maloof and Company (docket 863). Both the Debtor and Metropolitan Life Insurance Company ("MetLife") filed replies (docket 906 and 905 respectively). Also before the Court is the Stipulation between the Debtor and New Mexico Alcohol and Gaming Division in the Contested Matter Arising from the Motion (docket 793).

For the reasons set forth in the Memorandum Opinion entered herewith, the Court finds that the Motion is not well taken and should be denied.

IT IS ORDERED that Debtor's Motion for Order Determining that the Director of the New Mexico Alcohol and Gaming Division May Not Condition Approval of the Transfer of Debtor's Liquor Licenses upon Payment in Full to Liquor Wholesalers is denied.

IT IS FURTHER ORDERED that any liquor wholesalers claiming liens provide the correct figures to the estate no later than Thursday, August 30, at 9.00 am (Mountain Time) (incorrectly stated as 9.00 pm in the previous order and in the memorandum opinion), and such additional information as the Debtor and others may request, to ensure that the estate has the time and documentation to confirm that the figures are correct prior to any closing activities on Friday, August 31. To the extent that the wholesalers have already provided the requisite information, they need not provide it again.



Honorable James S. Starzynski
United States Bankruptcy Judge

I hereby certify that on August 29, 2001, a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered, or mailed to the listed counsel and parties.

Robert Jacobvitz
500 Marquette NW Suite 650
Albuquerque, NM 87102

Gail Gottlieb
PO Box 1945
Albuquerque, NM 87103

Office of the United States
Trustee
PO Box 608
Albuquerque, NM 87103-0608

Donald Harris
PO Box 8485
Albuquerque, NM 87198-8485

J. William Cohen
100 Renaissance Center, 36th
Floor
Detroit, MI 48243-1157

Carlos Miranda
PO Box 1322
El Paso, TX 79947-1322

William F. Davis
PO Box 6
Albuquerque, NM 87103

Dundan Scott
PO Box 587
Albuquerque, NM 87103-0587

David S. Heller
233 South Wacker Drive
Sears Tower, Suite 5800
Chicago, IL 60606-6401

David Aelvoet
711 Navarro, Suite 300
San Antonio, TX 78205

Paul M. Fish
500 4th St. NW #1000
Albuquerque, NM 87103-2168

Jeffrey Fine
901 Main Street
Dallas, TX 75202

Ronald J. Silverman
399 Park Avenue
New York, NY 10022-4689

Kim Middlebrooks
315 Fifth Street
Albuquerque, NM 87102

J.D. Behles
PO Box 849
Albuquerque, NM 87103

Bryan Brock
NMAGD
725 St. Michaels Drive
Santa Fe, NM 87505

Robert Feuille
201 East Main, 11th Floor
Chase Tower
El Paso, TX 79901

NMAGD
c/o Patricia Madrid
PO Drawer 1508
Santa Fe, NM 87505

Mike Cadigan
6400 Uptown Blvd. NE Suite
570-W
Albuquerque, NM 87110

Regulation and Licensing
State of NM
725 St. Michaels Drive
Santa Fe, NM 87505

Hugh Dangler
Regulation Licensing
Department
725 St. Michaels Drive
Santa Fe. NM 87505

Daniel R. Rubin
Office of Attorney General
PO Box 1508
Santa Fe, NM 87504-1508

Jonathan Alter
Bingham Dana LLP
One Sate Street
Hartford, CT 06103

Philip Marchiondo
429 Santa Monica Blvd.
Ste 550
Santa Monica, CA 90401

Mary B. Anderson