

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

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U.S. BANKRUPTCY COURT
ALBUQUERQUE, N.M.
Case No. 11 01-10779SA
(Chapter 11)

IN THE MATTER OF:)
)
FURR'S SUPERMARKETS, INC.,)
)
)
Debtor.)

**NOTICE OF APPEARANCE OF ROBERT J. BOTHE AND McGRATH,
NORTH, MULLIN & KRATZ, P.C., FOR CONAGRA FOODS, INC.,
REQUEST FOR SPECIAL NOTICE, INCLUDING REQUEST FOR
DISCLOSURE STATEMENT AND PLAN; REQUEST FOR INCLUSION ON
MASTER MAILING LIST**

**TO: THE CLERK OF THE BANKRUPTCY COURT, THE OFFICE OF THE UNITED STATES TRUSTEE,
SECURED AND UNSECURED CREDITORS OF THE DEBTOR, THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS, ALL PARTIES-IN-INTEREST AND THEIR RESPECTIVE COUNSEL OF
RECORD**

PLEASE TAKE NOTICE that ConAgra Foods, Inc., a party-in-interest in the above-captioned Chapter 11 case, hereby files this Notice of Appearance pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE NOTICE that pursuant to 11 U.S.C. § 1109(b) and Bankruptcy Rules 2002(a), (b) and (f), 3071(a), 4001 and 9007, ConAgra Foods, Inc. hereby requests special notice of all matters which may come before the Court, including, without limitation, the notices and papers referred to in Bankruptcy Rules 2002, 4001 and 9007, the disclosure statement and plan referred to in Bankruptcy Rule 3017, and also including, without limitation, all applications, complaints, demands, hearings, motions, objections, notices of orders, proposed orders, conformed copies of orders, petitions, pleadings, reports, requests, schedules and amended schedules, stipulations, and

McGRATH, NORTH, MULLIN & KRATZ, P.C.
ATTORNEYS AT LAW

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any other document before the Court in this case, whether formal or informal, whether written or oral, whether transmitted or conveyed by delivery, mail, messenger, overnight delivery, telecopies, telegraph, telephone, telex, or otherwise, and whether or not specifically provided for by the Bankruptcy Rules.

Robert J. Bothe and McGrath, North, Mullin & Kratz, P.C., for ConAgra Foods, Inc. requests that all such matters, whether sent by the Court, one of the debtors, or any other creditor or party in the case, be sent to the following address:

Robert J. Bothe, Esq.
McGRATH, NORTH, MULLIN & KRATZ, P.C.
One Central Park Plaza, Suite 1400
222 South Fifteenth Street
Omaha, Nebraska 68012
Telephone: (402) 341-3070
Telecopier: (402) 341-0216

Pursuant to Bankruptcy Rule 2002(g), the above name and address should be added to the Court's master mailing list.

Neither this Notice of appearance and request for special notice nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion nor any other writing or conduct, shall constitute a waive of ConAgra Foods, Inc.'s:

- (i) rights to have any and all final orders in any and all non-core matters entered only after *de novo* review by a United States District Court Judge;
- (ii) right to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding the designation of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2), and whether such jury trial right is pursuant to statute or the United States Constitution;

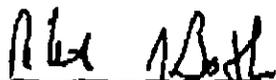
- (iii) right to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and
- (iv) other rights, claims, actions, defenses, setoffs, recoupments or other matters to which ConAgra Foods, Inc. is entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above rights are expressly reserved and preserved unto ConAgra Foods, Inc. without exception and with no purpose of confessing or conceding the jurisdiction or venue of the Court or venue of the case in any way by this filing.

DATED: February 8, 2001.

McGRATH, NORTH, MULLIN & KRATZ, P.C.

By:


Robert J. Bothe, Esq., #15018
Suite 1400 One Central Park Plaza
222 South Fifteenth Street
Omaha, Nebraska 68102
Telephone: (402) 341-3070

ATTORNEYS FOR CONAGRA FOODS, INC.

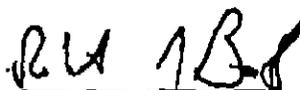
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing was served upon the persons shown below by facsimile and by United States mail, first-class postage prepaid, on the 14th day of February, 2001:

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