

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

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2001 JUN -7 AM 11:27  
U.S. BANKRUPTCY COURT  
ALBUQUERQUE, N.M.

IN RE:  
FURR'S SUPERMARKETS, INC.  
Debtor.

NO. 11-01-10779 SA

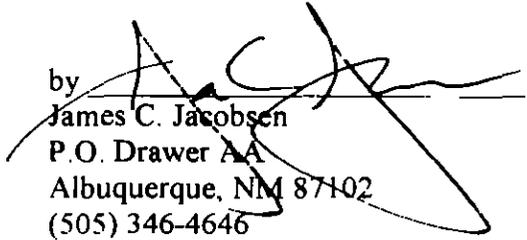
**LIMITED RESPONSE OF NEW MEXICO LOTTERY AUTHORITY TO  
DEBTOR'S MOTION FOR ORDER APPROVING SALE OF SOME OR ALL OF  
DEBTOR'S OPERATING ASSETS AND GRANTING RELATED RELIEF**

COMES NOW the New Mexico Lottery Authority (NMLA), by and through its attorneys Keleher & McLeod, P.A. (James C. Jacobsen), and as its limited response to the Debtor's Motion for Order Approving Sale of Some or All of Debtor's Operating Assets and Granting Related Relief, filed June 1, 2001, states that while NMLA does not object to the auction of the Debtor's assets as set forth in the Motion, the lottery equipment and supplies located at the Debtor's various locations are the property of the NMLA, and can not be conveyed by the Debtor. The NMLA also states that its Retailer Contract with the Debtor is neither assumable nor assignable, and that any purchaser or purchasers, should they wish to become a Lottery Retailer, must submit a Retailer Application to NMLA, together with supporting documents and authorizations, be approved by the NMLA, enter into a retailer contract with the NMLA, and be issued a certificate of authority by the NMLA, all pursuant to the provisions of the New Mexico Lottery Act, §6-24-1 *et seq.*,

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NMSA, prior to selling any lottery ticket.

Respectfully submitted:  
KELEHER & MCLEOD, P.A.

by   
James C. Jacobsen  
P.O. Drawer AA  
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-I certify that I mailed a  
true copy of the foregoing  
Limited Response to -

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United States Trustee  
P.O. Box 608  
Albuquerque, NM 87103-0608

this 6<sup>th</sup> day of June, 2001.

  
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