

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

FILED 10-11-02
U.S. BANKRUPTCY COURT
ALBUQUERQUE, NM

In re:

FURR'S SUPERMARKETS, INC.
Tax I.D. No. 22-3137244

Case No. 11-01-10779 SA

Debtor.

**UNITED STATES TRUSTEE'S MOTION TO
SERVE NOTICE OF MOTION TO CONVERT BY PUBLICATION**

The United States Trustee for the District of New Mexico hereby moves the Court for an order authorizing notice of the U.S. Trustee's motion to convert to be served, in part, by publication. As her reasons therefor, the U.S. Trustee states:

1. On October 12, 2001, the U.S. Trustee filed her motion to convert the above referenced matter to a Chapter 7 proceeding.
2. The U.S. Trustee proposes to give notice of the motion to convert by mailing notice directly to all parties in interest listed on the limited mailing matrix in this matter, consisting of approximately 256 persons. With regard to the approximately 19,000 creditors and parties in interest listed in the general creditor matrix, the U.S. Trustee proposes to give notice by publication.
3. Pursuant to Bankruptcy Rules 2002 (l) & 9008, the Court may order notice by publication if it finds that notice by mail is impracticable. Further, the Court may determine the form and manner of publication.
4. It has been held that notice by publication is appropriate where the number of potential creditors in relation to the size of their claims make it excessively costly to provide direct notice

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