

FILED

at _____ o'clock ____ M

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

JAN 18 2002

In re:

United States Bankruptcy Court
Albuquerque, New Mexico

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

Case No. 11-01-10779 SA

Debtor.

**UNITED STATES TRUSTEE'S MOTION TO COMPEL
DEPOSITIONS OF WITNESSES DESIGNATED BY
PRICEWATERHOUSECOOPERS LLP**

The United States Trustee (UST) moves the Court for an order compelling PricewaterhouseCoopers LLP (PWC) to make individuals it has designated as witnesses available for deposition. As her reasons therefor, the UST states the following:

1. Although PWC contends that it is willing to make its designated witnesses available for deposition, it is making their availability contingent on taking the deposition of a representative of the U.S. Trustee who has the most knowledge concerning the latter's fee objection.

2. The undersigned is the UST representative who performed all substantive review of the PWC fee application and drafted the objection. No other employees of the UST performed any first-hand substantive review although certain employees did perform technical services in manipulating electronic data to allow computer inquiries to be made. Further, Michele Lombard, who generated summaries of billing entries, has been made available to PWC for deposition with no conditions.

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3. As the attorney for the U.S. Trustee in this matter, the undersigned is not subject to deposition. Further, all exhibits which the U.S. Trustee intends to introduce at trial have provided to PWC.

4. The U.S. Trustee should be allowed to take the telephonic depositions of witnesses PWC intends to call at the final hearing. In the alternative, PWC should be barred from calling as witnesses any individuals that it does not make available for deposition sufficiently in advance of the final hearing to allow adequate preparation by the U.S. Trustee.

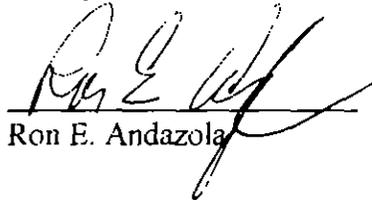
Respectfully submitted,

BRENDA MOODY WHINERY
United States Trustee



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The undersigned certifies that a true and accurate copy of the foregoing was mailed and sent by telefacsimile to the below listed counsel this 18th day of January, 2002.



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