

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

FILED
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01 MAY 25 AM 8:45
U.S. BANKRUPTCY COURT
EL PASO, N.M.

IN RE:)
)
FURR'S SUPERMARKETS, INC.)
a Delaware Corporation,)
)
Debtor.)
)

Case No. 11-01-10779-SA

APPLICATION FOR ADMISSION PRO HAC VICE

TO THE HONORABLE JAMES S. STARZYNSKI, UNITED STATES BANKRUPTCY JUDGE:

Bernard D. Felsen, Esq., and Robert R. Feuille, Esq., of the law firm of Scott, Hulse, Marshall, Feuille, Finger and Thurmond, P.C., hereby request permission to appear *pro hac vice* in this case as counsel for creditor Desert Eagle Distributing Company of El Paso, Inc., as counsel for creditor Desert Eagle Distributing Company of New Mexico, LLC, and as counsel for creditor Dantex Construction Company. In support of this Application, applicants will show the Court as follows:

1. Bernard D. Felsen is an attorney and sharcholder with the law firm of Scott & Hulse in El Paso, Texas. Mr. Felsen has been licensed to practice in the State of Texas since 1984. He is a member in good standing of the State Bar of Texas. He has been admitted to practice before the United States District Court for the Western District of Texas and is in good standing in said Court.

2. Robert R. Feuille is also an attorney and shareholder with the law firm of Scott & Hulse in El Paso, Texas. Mr. Feuille has been licensed to practice in the State of Texas since 1980. He has been admitted to practice before the United States District Court for the Western District of Texas and is in good standing in said Court.

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3. Both Mr. Felsen and Mr. Feuille have read and are familiar with the local rules of the United States Bankruptcy Court for the District of New Mexico. If deemed necessary by the Court, and/or applicable rules, applicants are prepared to retain local counsel to assist and/or appear in this matter.

4. Neither Mr. Felsen nor Mr. Feuille is a resident of the State of New Mexico.

5. Attached hereto and incorporated herein is applicants' Rule 2019 Statement of Attorney for More Than One Creditor.

Respectfully submitted,

**SCOTT, HULSE, MARSHALL, FEUILLE,
FINGER & THURMOND, P.C.**

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By: Bernard D. Felsen

BERNARD D. FELSEN
Texas State Bar No. 06889800

By: Robert R. Feuille

ROBERT R. FEUILLE
Texas State Bar No. 06949100

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was mailed to the attached matrix on this 24th day of May, 2001.

Robert R. Feuille
ROBERT R. FEUILLE

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

IN RE:)	
)	
FURR'S SUPERMARKETS, INC.)	Case No. 11-01-10779-SA
a Delaware Corporation,)	
)	
Debtor.)	
)	

RULE 2019 STATEMENT OF ATTORNEY FOR MORE THAN ONE CREDITOR

Bernard D. Felsen, Esq., and Robert R. Feuille, Esq., shareholders with the law firm of Scott, Hulse, Marshall, Feuille, Finger & Thurmond, P.C. of El Paso, Texas, as attorneys for certain creditors of the Debtor in this bankruptcy case, make the following statement pursuant to Federal Rule of Bankruptcy Procedure 2019.

1. This firm represents the following creditors of the Debtor, Furr's Supermarkets, Inc., in relation to the following claims:

a. **Desert Eagle Distributing Company of New Mexico, LLC**, 2200 North Atkinson Avenue, Roswell, New Mexico 88202: Claim for various unpaid invoices dated in late January and early February 2001 for delivery of beer to Debtor totaling approximately \$62,338.77, a returned check issued by the Debtor to the creditor on January 26, 2001 in the approximate amount of \$70,933.84 in payment of various invoices for delivery of beer to the Debtor. Approximately \$36,468.11 of the total is a reclamation claim. The claim is partly a reclamation claim, partly a secured, superpriority lien claim on Debtor's liquor licenses, and may also be, in part, unsecured.

b. **Desert Eagle Distributing Company of El Paso, Inc.**, 6949 Market St., El Paso, Texas 79915: No claim at this time to the knowledge of the undersigned.

c. **Dantex Construction Company, 4727 Osborne, El Paso, Texas 79922:**

Secured claim for labor and materials provided for remodeling and improvement of two Furr's stores situated in the State of Texas, one at Store No. 948 on Kirby Street in El Paso, Texas and the other at Store No. 977 in Alpine, Texas. The claim in relation to the El Paso location is approximately \$136,941.00. The claim in relation to the Alpine location is approximately \$6,070.98. The claim is secured by a valid, duly-perfected mechanics and materialman's lien on the Debtor's leasehold at each location.

2. The following are the facts and circumstances in connection with this firm's employment by the above-referenced creditors:

a. This firm has represented the Desert Eagle companies for approximately four years in connection with general business matters. When Desert Eagle of El Paso received notice of this bankruptcy, it sought to retain this firm to represent its interests in this case.

b. This firm has represented Dantex Construction Company for several years in connection with general business matters. When Desert Eagle received notice of this bankruptcy, Desert Eagle sought to retain this firm to represent its interests in this case.

c. The clients have been advised of the conflict of interest issues and risks involved in representing both clients at the same time in the same bankruptcy case.

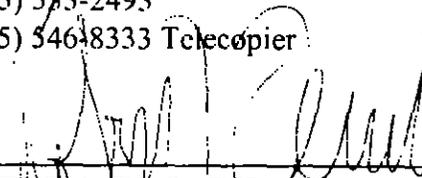
3. This firm has no written engagement letters with either client.

4. The lawyers whose names appear below do not own any prepetition or postpetition claims against the Debtor in this case, have not divested themselves of any such claims in anticipation of this submission, and have not divested themselves of any such securities in anticipation of this submission any equity securities of the Debtor.

Respectfully submitted,

**SCOTT, HULSE, MARSHALL, FEUILLE,
FINGER & THURMOND, P.C.**

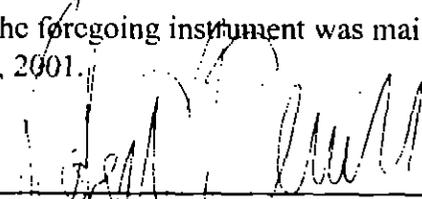
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By: 

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was mailed to the persons on the attached matrix on this 24th day of May, 2001.



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