

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

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U.S. BANKRUPTCY COURT
ALBUQUERQUE, NM

In re

Case No. 11-01-10779-SA
Chapter 11

FURR'S SUPERMARKETS, INC.,

Debtor.

**Motion for Order Approving Debtor's
Rejection of Two Executory Contracts**

Furr's Supermarkets, Inc. (the "Debtor") submits this motion (the "Motion") for an order approving its rejection of executory contracts with The University of Texas at El Paso and The University of New Mexico (the "Contracts").

1. Under Bankruptcy Code § 365, a debtor, "subject to the court's approval, may assume or reject any executory contract or unexpired lease of the debtor." In *NLRB v. Bildisco and Bildisco*, the Supreme Court acknowledged that a decision to assume or reject an ordinary executory contract is governed by the

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to object to any proof of claim filed by any of those parties and any new or amended proof of claim that any of them may file in the future.

WHEREFORE, the Debtor requests that the Court enter an order:

(i) approving its rejection of the Contracts as of the date of this Motion and (ii) granting such other and further relief as is just and proper.

Dated: Albuquerque, New Mexico
June 26, 2001

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP

JACOBVITZ THUMA & WALKER
A Professional Corporation

By: 
Richard Levin (CA State Bar No. 66578)
Peter W. Clapp (CA State Bar No. 104307)
Stephen J. Lubben (CA State Bar No. 190338)
300 South Grand Avenue, Suite 3400
Los Angeles, California 90071-3144
(213) 687-5000
(213) 687-5600 (fax)

Robert H. Jacobvitz
David T. Thuma
500 Marquette N.W., Suite 650
Albuquerque, New Mexico 87102
(505) 766-9272
(505) 766-9287 (fax)

Attorneys for the Debtor in Possession