

In re:

FURR'S SUPERMARKETS, INC.,

Debtor.

Case No. 11-0110779-84

Chapter 11

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U.S. BANKRUPTCY COURT
ALBUQUERQUE, NM

**NOTICE OF DEADLINE TO OBJECT TO THE DEBTOR'S THIRD MOTION TO
SELL PERSONAL PROPERTY FREE AND CLEAR OF LIENS AND INTERESTS,
AND FOR ORDER GRANTING THE DEBTOR ACCESS TO CERTAIN FORMER
STORES**

On October 31, 2001, Furr's Supermarkets, Inc. (the "Debtor") filed a Third Motion To Sell Personal Property Free and Clear of Liens, and for Order Granting the Debtor Access to Certain Former Stores (the "Motion"). Pursuant to the Motion, the Debtor seeks Court approval of the following:

1. Sale of Store 911 Equipment to Equity Development. The Debtor proposes to sell its owned in-store equipment at store no. 911, located in Roswell, New Mexico to the landlord, Equity Development, for \$10,000 cash.

2. Sale of Store 949 Equipment to Fenn Foods. The Debtor proposes to sell its owned in-store equipment at store no. 949, located in Carlsbad, New Mexico, to Fenn Foods, Inc. for \$30,000 cash. Fenn Foods would incur all costs of removing the equipment from the store. To complete the sale, the Debtor is asking for a court order ordering the landlord to give the Debtor and/or Fenn Foods sufficient access to Store 949 to do so. To date, the landlord has refused to give the Debtor the needed access.

3. Auction Sale of Store 880, 883, 927, and 966 Equipment. The Debtor proposes to conduct auction sales of its owned in-store equipment at store no. 880 at Central and Juan Tabo in Albuquerque, New Mexico, store 883 at Central and Atrisco in Albuquerque, New Mexico, store no. 927 at 9348 Dyer in El Paso, Texas, and store no. 966 in Midland, Texas (together, the "Stores"). The Debtor proposes to use Walter Parker to auction the equipment, and pay Mr. Parker 20% of the gross sales proceeds and certain out-of-pocket costs. To conduct the auctions, the Debtor is asking for a court order ordering the landlords to give the Debtor and/or Walter Parker sufficient access to the Stores to do so. To date, the landlords have refused to give the Debtor the needed access.

4. Sale of Gas Generator. The Debtor proposes to sell a certain Onan 100 Kilowatt natural gas generator located at the corporate headquarters in Albuquerque, New Mexico (the "Generator"). The Debtor seeks Court authority to sell the Generator to the highest cash buyer offering more than \$10,000 cash, or by conducting an internet auction sale for the generator. If the Debtor determine to conduct an internet auction, the Debtor proposes to use Walter Parker to auction the equipment, and pay Mr. Parker 20% of the gross sales proceeds and certain out-of-pocket costs.

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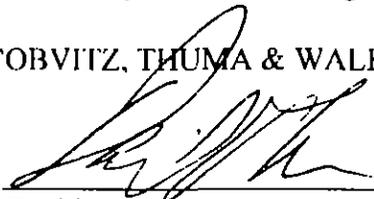
5. Auction Sale of Remaining Headquarters Furniture, Computer Equipment, and Other Property. The Debtor proposes to conduct an auction sale of most of its remaining furniture, equipment, computers, printers, and other personal property at its headquarters in Albuquerque, New Mexico (together, the "Remaining Headquarters Property"). The Debtor proposes to use Walter Parker to auction the Remaining Headquarters Property, and pay Mr. Parker 20% of the gross sales proceeds and certain out-of-pocket costs.

The Debtor believes that the proposed sales are in the best interests of creditors and the estate and either represent fair market value for the proposed property or, in the case of the proposed auction sales, will result in a fair market value sale.

Any party who objects to the Motion must file its objection with the Clerk of the Bankruptcy Court, Federal Building and United States Courthouse, 421 Gold Ave. SW., Third Floor, Albuquerque, N.M. 87102 (or P.O. Box 546, Albuquerque, N.M. 87103), WITHIN EIGHT DAYS AFTER THE DATE OF MAILING OF THIS NOTICE, PLUS THREE DAYS FOR MAILING, FOR A TOTAL OF ELEVEN DAYS (i.e., on or before **November 12, 2001**), and serve a copy of the objection on David T. Thuma, Jacobvitz, Thuma & Walker, P.C., 500 Marquette Ave., N.W., Suite 650, Albuquerque, NM 87102. If any objections are timely filed, a hearing on such objections will be held on short notice to the Debtor and the objecting parties before the Honorable James S. Starzynski, Second Floor, Federal Building and United States Courthouse, 421 Gold Avenue SW, Albuquerque, New Mexico. If no objections are timely filed, an order granting the Motion will be presented for entry without a hearing or further notice.

Date of Mailing: October 31, 2001

JACOBVITZ, THUMA & WALKER, P.C.

By: 

David T. Thuma

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