

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

FILED
OFFICE OF THE CLERK
2001 MAY 25 AM 11:41
U.S. BANKRUPTCY COURT
ALBUQUERQUE, N.M.

In Re:

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FURR'S SUPERMARKETS, INC.,

CASE NO. 01-10779-SA

Debtor.

Chapter 11

**NOTICE OF SPECIAL APPEARANCE AND REQUEST
FOR SERVICE OF NOTICE AND PLEADINGS**

The Texas Comptroller of Public Accounts ("Comptroller"), hereby gives notice of its special appearance in the case by and through the undersigned counsel:

Jay W. Hurst
Assistant Attorney General
Office of the Texas Attorney General
Bankruptcy & Collections Division
P. O. Box 12548
Austin, TX 78711-2548

This special appearance is filed for a limited purpose. Pursuant to Bankruptcy Rule 9010, the Comptroller respectfully requests through its counsel that it be served with copies of all notices issued by the clerk of the court and all other pleadings and notices to parties in interest filed by Debtor, Trustee, or any other interested parties in this case, including disclosure statements and/or schedules, in accordance with Bankruptcy Rules 2002, 3017, and 9013 and any other Bankruptcy Rules or local rules governing notice.

The Comptroller has not yet determined whether it will file a proof of claim in this case. This notice is not an informal proof of claim; rather, it is a special appearance for the limited purpose of obtaining notice of pleadings in this case. The Comptroller hereby reserves and does not waive its sovereign immunity and its rights under the Eleventh Amendment to the United States Constitution.

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Respectfully submitted,

JOHN CORNYN
Attorney General of Texas

ANDY TAYLOR
First Assistant Attorney General

JEFFREY S. BOYD
Deputy Attorney General for Litigation

RONALD R. DEL VENTO
Assistant Attorney General
Chief, Bankruptcy & Collections Division



JAY W. HURST
Assistant Attorney General
State Bar No. 10315620

Bankruptcy & Collections Division
P. O. Box 12548
Austin, TX 78711-2548
(512) 475-4861 / Fax #: (512) 482-8341

ATTORNEYS FOR THE TEXAS
COMPTROLLER OF PUBLIC ACCOUNTS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was sent first class mail, postage prepaid to the following parties on this 21 day of May, 2001:

Debtor:

Furr's Supermakets, Inc.
a Delaware Corporation
c/o Chief Financial Officer
4411 The 25 Way NE, Suite 100
Albuquerque, NM 87109

Skadden, Arps, Slate,
Meagher & Flom LLP
Jay M. Goffman, Alan J. Carr;
Amy S. Park
300 South Grand Ave.
Los Angeles, CA 90071-3144

Laura M. Franze
1700 Pacific Ave. Suite 4100
Dallas, Texas 75202

U.S. Trustee
301 N. Main St., Rm. 180
Wichita NM 67202

Debtor's Counsel:

Jacobvitz Thuma & Walker P.C.
Robert H. Jacobvitz, David T Thuma
500 Marquette N.W., Suite 650
Albuquerque, New Mexico 87102

Skadden, Arps, Slate,
Meagher & Flom LLP
Jamie L. Edmonson,
Richard Levin, Peter W. Clapp;
Stephen J Lubben
300 South Grand Ave.
Los Angeles, CA 90071-3144



JAY W. HURST