

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,
A Delaware corporation,

Case No. 01-11-10779 SA
Chapter 11

Debtor.

**OBJECTION BY TRI STATE COMMERCIAL ASSOCIATES
TO DEBTOR'S MOTION FOR ORDER AUTHORIZING USE
OF CASH COLLATERAL**

COMES NOW, Tri-State Commercial Associates, by and through its attorneys, The Law Office of George Dave Giddens, P.C., and hereby objects to the Motion for Order Authorizing Use of Cash Collateral filed by the Debtor herein on September 7, 2001.

AS GROUNDS THEREFORE, Tri-State Commercial states:

1. Tri State Commercial is the Lessor of the former Furr's location in Fort Stockton Texas, which has been referred to throughout these proceedings as store #987.
2. This Court previously approved the assumption by Furr's of the lease between Furr's and Tri State Commercial for the Fort Stockton location, conditioned upon payment by Furr's of the amounts necessary to cure defaults existing under the lease.
3. Subsequent to August 31, 2001, Furr's vacated store #987, and a new tenant has taken possession of the premises.
4. As of the date of this objection, Tri State Commercial has not received the amounts ordered by this Court to be paid by Furr's as a condition of assumption and assignment of the lease.
5. Tri State Commercial objects to the Motion for Order Authorizing Use of Cash Collateral unless and until the amounts ordered by this Court to be paid as a condition of assumption and assignment of the lease are paid to Tri State Commercial.

WHEREFORE, Tri-State Commercial respectfully requests the Court to deny the Motion for Order Authorizing Use of Cash Collateral, or alternatively, requests the Court to condition the use of any Cash Collateral to occur only after payment of all amounts previously ordered by this Court to be paid. Tri-State Commercial prays for such other and further relief that the Court deems just and proper.

Respectfully submitted:

Law Office of George "Dave" Giddens, P.C.



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Certificate of Service

I hereby certify that on September 10, 2001, a copy of the foregoing Objection was sent by facsimile and first class United States mail, postage prepaid, to:

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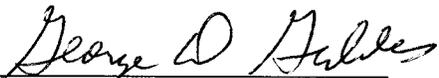
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