

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

FILED  
01 SEP 26 PM 5:07  
U.S. BANKRUPTCY COURT  
ALBUQUERQUE, NM

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

**OBJECTION OF DESERT EAGLE DISTRIBUTING COMPANY  
TO MOTION AUTHORIZING USE OF CASH COLLATERAL  
FILED SEPTEMBER 6, 2001**

Desert Eagle Distributing Company hereby objects to the Order Arising Out of Emergency Hearing to the extent it seeks to create a first priority or superpriority lien on the Debtor's liquor licenses or on any other assets of the Debtor as to which Desert Eagle Distributing Company may have a prior lien or claim.

Desert Eagle Distributing Company's understanding from the Debtor's motion and from the orders presented in that the Debtor has not sought or been granted priming liens, that the Debtor did not intend to affect any claims or rights which Desert Eagle Distributing Company and other liquor wholesalers had, whether in specific liquor licenses, arising pursuant to subsequent court order, including those orders which granted 11 U.S.C. 507 priorities to vendors that continued to deliver product to the debtor, arising post-petition including as a right of set-off or recoupment.

1110

Respectfully submitted,

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

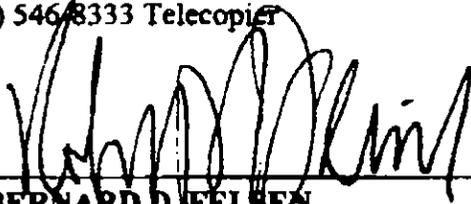
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By:



**BERNARD D. FELBEN**

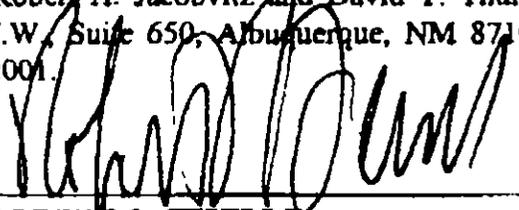
Texas State Bar No 06889800

**ROBERT R. FEUILLE**

Texas State Bar No. 06949100

Attorneys for Desert Eagle Distributing

I hereby certify that a true and correct copy of the foregoing instrument was faxed and mailed, certified mail, return receipt requested to: Robert H. Jacobvitz and David T. Thuma, Jacobvitz Thuma & Walker P.C., 500 Marquette N.W., Suite 650, Albuquerque, NM 87102, facsimile 505.766.9287 on this 26th day September, 2001.



**ROBERT R. FEUILLE**