

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

FILED
CLERK
2001 OCT -2 PM 1:41
U.S. BANKRUPTCY COURT
ALBUQUERQUE, N.M.

In re:

FURR'S SUPERMARKETS, INC.,

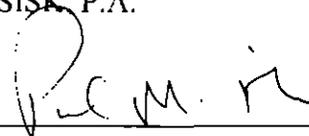
Debtor

OBJECTION TO MOTION FOR IMMEDIATE PAYMENT

COMES NOW Heller Financial, Inc., as lender and agent for Bank of America and Fleet Capital Corporation and objects to the Motion of Furr's 4, 5, 7 & 9 LLCs for immediate payment for accrued post-petition rent and taxes to the extent the Motion seeks to compel the Debtor to make payment with cash collateral or advances by these objecting parties. Such payments would violate previous Orders of this Court.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: 

Paul M. Fish

Attorneys for Heller Financial, Inc., and
Bank of America, N.A

Post Office Box 2168

Bank of America Centre, Suite 1000

500 Fourth Street, N.W.

Albuquerque, New Mexico 87103-2168

Telephone: (505) 848-1800

and

1134

David S. Heller
LATHAM & WATKINS
Sears Tower, Suite 5800
Chicago, IL 60606
(312)876-7700
(312)993-9767

WE HEREBY CERTIFY that a true
and correct copy of the fore-
going pleading was mailed to
the following counsel of record this
2nd day of October, 2001.

John E. Farrow
P.O. Box 35400
Albuquerque, NM 87176

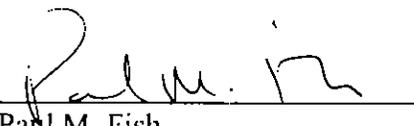
William F. Davis
Davis & Pierce
Post Office Box 6
Albuquerque, NM 87103

William F. Davis
Davis & Pierce
Post Office Box 6
Albuquerque, NM 87103

Ron Andazola
United States Trustee
P.O. Box 608
Albuquerque, NM 87103-0608

Robert H. Jacobvitz
Jacobvitz, Thuma & Walker, P.C.
500 Marquette NW, Suite 650
Albuquerque, NM 87102

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: 
Paul M. Fish

191563.doc