

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

OCT -4 PM 3:44

U.S. BANKRUPTCY COURT
ALBUQUERQUE, NM

In re:)
)
FURR'S SUPERMARKETS, INC.,)
)
Debtor,)
)
)
)
_____)

Chapter 11
Case No 11-01-10779 SA

**METROPOLITAN LIFE INSURANCE COMPANY'S OBJECTION
TO FIRST INTERIM APPLICATION OF PEPPER HAMILTON LLP,
COUNSEL FOR THE UNSECURED CREDITORS' COMMITTEE, FOR
ALLOWANCE AND PAYMENT OF COMPENSATION FOR SERVICES
RENDERED FOR THE PERIOD FEBRUARY 14, 2001 THROUGH JUNE 30, 2001**

Metropolitan Life Insurance Company, in any and all capacities wherein Heller Financial, Inc. does not expressly act as its agent ("MetLife"), by and through its undersigned attorneys, Bingham Dana LLP, and J.D. Behles & Associates, a Commercial Law Firm, P.C., hereby submits its Objection To First Interim Application Of Pepper Hamilton LLP, Counsel For The Unsecured Creditors' Committee, For Allowance And Payment Of Compensation For Services Rendered For The Period February 14, 2001 Through June 30, 2001, and states as follows:

1. Heller Financial, Inc., as agent for itself, Bank of America, N.A., Fleet Capital Corporation and MetLife has previously filed its Objection to First Interim Application for Fees By Pepper Hamilton, LLP (the "Heller Objection").
2. Furr's Supermarkets, Inc., debtor and debtor in possession, has also filed its Objection to Pepper Hamilton's First Interim Fee Application (the "Debtor's Objection").

1158

ORIGINAL

3. In addition, the U.S. Trustee in this district has filed the U.S. Trustee's Objection to First Interim Application By Pepper Hamilton LLP Counsel for the Unsecured Creditors' Committee (the "U.S. Trustee's Objection")

4. MetLife hereby adopts the arguments and objections set forth in the Heller Objection, the Debtor's Objection and the U.S. Trustee's Objection as if fully set forth herein to the First Interim Application of Pepper Hamilton LLP for allowance and payment of fees and reimbursement of expenses, and reserves its right to submit additional and more detailed objections prior to or at any hearing to be held on this matter

WHEREFORE, MetLife respectfully requests that the Court (i) deny the First Interim Application of Pepper Hamilton LLP for allowance and payment of fees and reimbursement of expenses, and (ii) grant MetLife such other and further relief as the Court deems to be just and proper.

Dated: October 4, 2001
Albuquerque, New Mexico

Respectfully submitted,

J.D. Behles & Associates,
a Commercial Law Firm, P.C.
Attorneys for Metropolitan Life Insurance
Company

By 

Jennie Deden Behles
400 Gold Avenue, SW, Suite 400
P.O. Box 849
Albuquerque, NM 87103-0849
Phone: (505) 243-9756
Fax: (505) 243-7262

and

Ronald J. Silverman
Jonathan B. Alter
BINGHAM DANA LLP
One State Street
Hartford, CT 06103
Phone: (860) 240-2700
Fax: (860) 240-2818

I HEREBY CERTIFY that a true
and correct copy of the foregoing
pleading was mailed to the following
this 4th day of October, 2001.

Stuart E. Hertzberg, Esq.
I. William Cohen, Esq.
Pepper Hamilton LLP
100 Renaissance Center, Suite 3600
Detroit, MI 48243-1157

William F. Davis, Esq.

Davis & Pierce, P.C.
P.O. Box 6
202 Broadway Blvd SE
Albuquerque, NM 87103

David S. Heller, Esq.
Josef S. Athanas, Esq.
Latham & Watkins
Sears Tower, Suite 5800
233 South Wacker Drive, 58th Floor
Chicago, IL 60606

Paul M. Fish, Esq.
Modrall, Sperling, Roehl, Harris & Sisk, P.A.
P.O. Box 2168
500 4th St. NW
Albuquerque, NM 87103-2168

Michael J. Reilly, Esq.
Ronald Silverman, Esq.
Bingham Dana LLP
399 Park Ave.
New York, NY 10022-4689

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

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

this 4th day of October, 2001.

By 
Jennie Deden Behles