

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779-SA  
Chapter 7

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U.S. BANKRUPTCY COURT  
ALBUQUERQUE, NM

Debtor.

**OBJECTION TO GENERAL ELECTRIC CAPITAL CORP.'S APPLICATION FOR  
PAYMENT OF ADMINISTRATIVE CLAIM AND MEMORANDUM IN SUPPORT**

Yvette J. Gonzales, the Chapter 7 trustee of Furr's Supermarkets, Inc. (the "Trustee"), objects to General Electric Capital Corp.'s ("GECC's") Application for Payment of Administrative Claim and Memorandum in Support, docketed as #1622 (the "Application"), and states:

1. The Trustee objects to the Application because it was filed after the November 23, 2001 bar date for filing administrative claims (the "Administrative Claim Bar Date"), which was set by this Court's order entered October 29, 2001 and docketed as #1260 (the "Administrative Claim Bar Date Order"). Under the Administrative Claim Bar Date Order, GECC's claim must be denied. GECC received notice of the Administrative Claim Bar Date; in fact, GECC is on the full creditor matrix at least three times, and GECC's local counsel is on the limited matrix. The Administrative Claim Bar Date notice was served on both matrices.

2. The Trustee objects to the Application to the extent it would require the Trustee to pay any allowed amount, since she currently does not have sufficient unencumbered funds with which to pay such amounts.

3. The Trustee objects to the Application because it is not appropriate at this time to liquidate Chapter 11 administrative claims in the manner sought by GECC. Once the Trustee has collected all estate assets and has determined what funds are available to pay Chapter 11

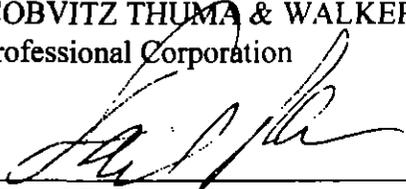
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administrative claims, the liquidation of such claims will be appropriate, using a Court-approved mechanism for liquidating such claims efficiently and fairly. Until then it is premature, and an ad hoc method for allowing or disallowing administrative claims is not in the estate's best interests.

4. The Trustee objects to the amount of the claim and reserves all rights to determine the proper amount due to GECC.

WHEREFORE, the Trustee prays that the Application be denied, and for all other just and proper relief.

JACOBVITZ THUMA & WALKER  
A Professional Corporation

By: 

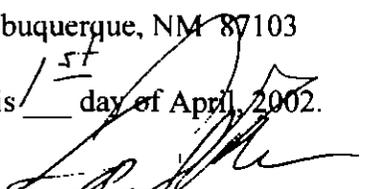
David T. Thuma  
500 Marquette N.W., Suite 650  
Albuquerque, New Mexico 87102  
(505) 766-9272  
(505) 766-9287 (fax)  
Counsel for the Chapter 7 Trustee

The undersigned hereby certifies that a copy of the foregoing was mailed to:

James W. Brewer  
Kemp Smith, P.C.  
P.O. Box 2800  
El Paso, Texas 79999-2800

U.S. Trustee  
P.O. Box 608  
Albuquerque, NM 87103

this <sup>15<sup>th</sup></sup> day of April, 2002.

  
David T. Thuma