

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

FILED
OFFICE OF THE CLERK
2001 JUN 25 PM 1:48
U.S. BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

IN RE:

FURR'S SUPERMARKETS, INC.
a Delaware Corporation,

Case No. 11-01-10779-SA

Debtor.

OBJECTION TO JOE G. MALOOF AND COMPANY'S JOINDER

Heller Financial, Inc., for itself as a Lender and as agent for Metropolitan Life Insurance Company, Fleet Capital Corporation and Bank of America, N.A., here objects to the application of Joe G. Maloof and Company filed with this Court on June 21, 2001, to join in the objections of Premier Distributing and New Mexico Beverage Company, Inc., Southern Wine & Spirits of New Mexico, Inc., National Distributing Company, Inc. and Desert Eagle Distributing Company and as grounds therefore would show the Court that pursuant to paragraph 20 of the Final Order (1) Authorizing Debtor to Obtain Secured Financing, (2) Granting Adequate Protection and (3) Granting Other Relief entered by the Honorable Bruce D. Black on March 14, 2001, any objections or claims of priority to the interests of the Lenders (as defined therein) were required to have been filed by creditors on or before April 30, 2001. The effort by Joe G. Maloof and Company is barred by the passage of time. As a result, its application to join in the other objections should be denied.

663

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

By: _____

Paul M. Fish

Attorneys for Heller Financial, Inc. as Agent
Post Office Box 2168
Bank of America Centre, Suite 1000
500 Fourth Street, NW
Albuquerque, NM 87103-2168
Telephone: (505)848-1800

and

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 foregoing
pleading was mailed his 25th
day of June, 2001 to the following:

Richard Glenn Davis
Scott, Huylse, Marshall, Feuille
Finger & Thurmond, P.C.
1100 Chase Tower
201 East Main Drive
El Paso, TX 79901

Gail Gottlieb
Sulin, Thayer & Browne
P.O. Box 1945
Albuquerque, NM 87103-1945

Michael Cadigan
6400 Uptown Blvd. NE
Suite 570-W
Albuquerque, NM 87110

Jennie Deden Behles
J.D. Behles & Associates
400 Gold SW, Suite 400
Albuquerque, NM 87102

William F. Davis
201 Broadway Blvd. SE
Albuquerque, NM 87102

Ron E. Andazola
Assistant United States Trustee
Room 112
Albuquerque, NM 87102

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

Michael J. Reilly
Ronald J. Silverman
Bingham Dana LLP
399 Park Avenue
New York, NY 10022

Stuart E. Hertzberg
L. William Cohen
100 Renaissance Center
36th Floor
Detroit, MI 48243-1157

Robert Jacobvitz
David Thuma
Jacobvitz, Thuma & Walker
500 Marquette NW, Suite 650
Albuquerque, NM 87102

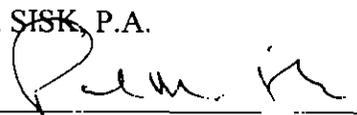
Jay M. Goffman
Alan J. Carr
Skadden, Arps, Slate, Meagher & Flom
Four Times Square
New York, NY 10036-6522

Richard Levin
Peter W. Clapp
Skadden, Arps, Slate, Meagher & Flom
300 South Grand Avenue, Suite 3400
Los Angeles, CA 90071-3144

Kimberly A. Middlebrooks
P.O. Box 568
Albuquerque, NM 87103

Philip Marchiondo
429 Santa Monica Blvd., Suite 550
Santa Monica, CA 90401

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

By: 

Paul M. Fish

176646.doc