

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

No. 11-01-10779-SA

Debtor,

**OBJECTION OF FURR'S 1-9 LLCs  
TO DEBTOR'S NOTICE OF PROPOSED CURE AMOUNTS**

COME NOW Furr's 1 LLC, Furr's 2 LLC, Furr's 4 LLC, Furr's 6 LLC, Furr's 8 LLC and Furr's 9 LLC (collectively, "the Objectors"), by and through their attorneys of record, FAIRFIELD, FARROW, FLOWERS, & STROTZ, P.C. (John E. Farrow) and hereby files this objection to the Debtor's Notice of Proposed Cure Amounts (the Notice), and as grounds would show the Court as follows:

1. The Objectors are the each Lessors under separate unexpired leases for non-residential real property (collectively, "the Leases") more particularly described as follows:

<b>Lessor</b>	<b>Store Number</b>	<b>Location</b>
Furr's 1	876	4601 Louisiana NE, Albuquerque, New Mexico
Furr's 2	875	5850 Eubank NE, Albuquerque, New Mexico
Furr's 4	905	205 Highway 70 W, Ruidoso, New Mexico
Furr's 6	934	3518 Montana, El Paso, Texas
Furr's 8	937	9480 Viscount, El Paso, Texas
Furr's 9	938	1590 George Dieter, El Paso, Texas

2. The Notice sets forth the Debtor's provisional amounts that the Debtor believes are required to cure the defaults under the Leases.

3. The Objectors are in the process of reviewing the

gab

proposed cure amounts, but have been unable to verify the figures provided by the Debtor on such short notice.

4. Nevertheless, the Objectors believe that the proposed cure amounts are deficient in the following respects:

- a. the cure amounts fail to include all post-petition rent that has accrued on the Leases.
- b. the cure amounts fail to include accrued penalties and interest on real estate property taxes.
- c. the cure amounts fail to include costs and reasonable attorneys fees incurred by objectors.

5. Objectors reserve the right to supplement this objection with more specific information as soon as it becomes available.

WHEREFORE, the Objectors pray that the Debtor's proposed cure amounts be denied, or in the alternative, that they be approved only with the inclusion of all accrued and unpaid post-petition rent, penalties and interest on real estate property taxes and the reasonable court costs and attorneys fees incurred herein by objectors.

FAIRFIELD, FARROW,  
FLOWERS & STROTZ, P.C.

  
\_\_\_\_\_  
John E. Farrow, Esq.  
Attorney for Furr's 1-9 LLC  
P.O. Box 35400  
Albuquerque, NM 87176  
(505) 881-8300

I HEREBY CERTIFY that a true copy of the foregoing pleading was mailed to the following counsel this 13<sup>th</sup> day of August, 2001:

JACOBVITZ, THUMA & WALKER, P.C.  
Robert H. Jacobvitz, David T. Thuma  
500 Marquette NW, Suite 650  
Albuquerque, New Mexico 87102

SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Jay M. Goffman, Alan J. Carr  
Four Times Square  
New York, New York 10036-6522

SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Richard Levin, Peter W. Clapp, Stephen J.  
Lubben  
300 South Grand Avenue, Suite 3400  
Los Angeles, California 90071-3144



---

John E. Farrow, Esq.