

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

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In re : Case No. 01-11-10779 (SA)
FURR'S SUPERMARKETS, INC., : Chapter 11
Debtor. :
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ORDER AUTHORIZING PAYMENT
OF VALID PACA AND PASA TRUST CLAIMS

Based on the motion, dated February 7, 2001 (the "Motion")¹, of the above-captioned debtor and debtor-in-possession (the "Debtor"), for an order under 11 U.S.C. §§ 105 and 541 authorizing payment of valid PACA and PASA claims; on the Declaration of Steven L. Mortensen in Support of Chapter 11 Petitions and First-Day Papers, dated February 7, 2001; the Court's having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors and other parties-in-interest; it appearing that notice of the Motion, as described therein, was adequate and proper under the circumstances, and that no other or further notice is necessary, the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

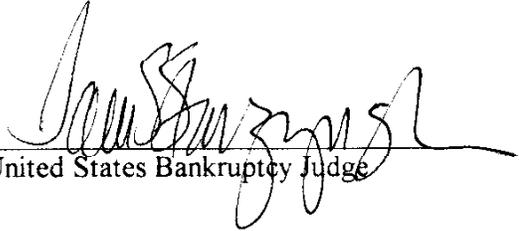
¹ Unless otherwise defined herein, capitalized terms used herein shall have the meanings ascribed to them in the Motion.

ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED.
2. The Debtor is authorized to pay, based on its customary practice in the ordinary course before the commencement of this chapter 11 case, all valid prepetition PACA/PASA Trust Claims of PACA/PASA Trust Claimants on such terms and in the manner provided in this Order. As used herein, a "PACA/PASA Trust Claim" is a prepetition claim of an entity against the Debtor for goods provided to the Debtor for resale to the general public in the ordinary course of business ("Goods"), as covered by the Perishable Agricultural Commodities Act of 1930, 7 U.S.C. § 499e(c) ("PACA"), the Packers And Stockyard Act, 7 U.S.C. §§ 181, et seq. ("PASA") or state statutes of similar effect. As used herein, the term "PACA/PASA Trust Claimant" refers to the holder of a PACA/PASA Trust Claim.
3. Nothing in this Order shall be deemed to substantively modify or alter the right of a PACA/PASA Trust Claimant or the right of the Debtor to object to any invoice of any PACA/PASA Trust Claimant on ordinary, non-bankruptcy grounds.

4. This Court retains jurisdiction over all matters arising from or related to the implementation of this Order.

Dated: _____


United States Bankruptcy Judge