

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 11-01-10779-SA  
Chapter 11

Debtor.

**ORDER RESULTING FROM FIRST INTERIM FEE APPLICATION OF  
JACOBVITZ, THUMA & WALKER, P.C., ATTORNEYS FOR THE DEBTOR IN  
POSSESSION**

This matter came before the Court upon the First Interim Fee Application of Jacobvitz, Thuma & Walker, P.C., filed November 6, 2001 (the "First Interim Fee Application") and the Court, having reviewed the First Interim Fee Application and being sufficiently advised, FINDS:

A. On November 6, 2001, notice was given of the First Interim Fee Application, specifying a period of twenty (20) days (plus 3 days based on service of the notice by mail, for a total of 23 days) to object thereto, in accordance with the Bankruptcy Code and Bankruptcy Rules 2002(a)(6) and 9006(f), to all persons on the official mailing matrix maintained by the Clerk of the Bankruptcy Court in connection with this case;

B. The notice was sufficient in the particular circumstances;

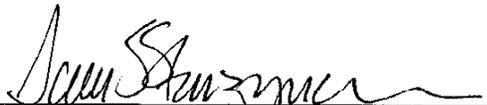
C. The objection deadline specified under the notice has expired, with no objections to the First Interim Fee Application having been filed except for the omnibus objection filed by the Metropolitan Life Insurance Company to the First Interim Fee Application and all other pending professional fee applications (the "Met Life Objection"). This Order resolves the Met Life Objection with respect to the First Interim Fee Application;

D. The First Interim Fee Application complies with the requirements of Bankruptcy Rule 2016 and the local rules;

E. The compensation sought in the First Interim Fee Application is reasonable compensation for actual and necessary services that benefited the estate, and should be allowed; and

F. Entry of this order is appropriate under Bankruptcy Code §§330(a), 331, 503(b)(2) and 507(a)(1).

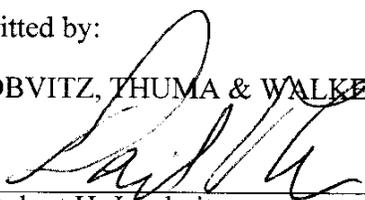
IT IS, THEREFORE, ORDERED that for the fee application period specified in JTW's First Interim Fee Application (February 8, 2001 through October 31, 2001), JTW is allowed, as a priority, administrative expense under Bankruptcy Code §§503(b)(2) and 507(a)(1), compensation in the amount of \$513,399.97, consisting of \$478,143.85 for professional fees and gross receipts tax thereon, and \$35,256.12 for reimbursable costs and expenses and gross receipts tax thereon, which compensation is approved. The Debtor is authorized to pay to JTW the unpaid balance of the approved compensation, provided, however, that the Debtor shall not use any claimed cash collateral to do so unless authorized by Met Life or a subsequent order of this Court.

  
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THE HONORABLE JAMES S. STARZYNSKI  
UNITED STATES BANKRUPTCY JUDGE

Submitted by:

JACOBVITZ, THUMA & WALKER, P.C.

By

  
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Robert II. Jacobvitz  
500 Marquette, NW, Suite 650  
Albuquerque, NM 87102  
(505) 766-9272  
(505) 766-9287 (fax)

Attorneys for Debtors in Possession

Approved:

J. D. BEHLES & ASSOCIATES, P.C.

A Commercial Law Firm

By: Approved 12/13/01  
Jennifer D. Behles  
P.O. Box 849  
Albuquerque, NM 87103  
(505) 243-9756  
Attorneys for Metropolitan Life Insurance Company

I hereby certify that a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered or mailed to the listed counsel and parties on:

DEC 17 2001

Mary B. Anderson