

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

Case No. 7-01-10779 SA

Chapter 7

Debtor.

**ORDER RESULTING FROM SECOND PRELIMINARY HEARINGS ON  
MOTION TO APPROVE SETTLEMENT AGREEMENT BETWEEN THE  
CHAPTER 7 TRUSTEE AND SECURED LENDERS AND MOTION TO CLARIFY**

This matter came before the Court on Friday March 22, 2002 at 9:00 a.m. for a second preliminary hearing on each of:

(a) Motion to Approve Settlement Agreement Between the Chapter 7 Trustee and Secured Lenders, filed February 8, 2002 as docket no. 1553 (the "Settlement Motion") and objections thereto; and

(b) Motion to Clarify or to the Extent Necessary Modify the Final Financing Order Entered March 14, 2001 to Provide that the Chapter 7 Trustee May Surcharge, Pursuant to § 506(c), the Secured Creditors With Respect to Costs or Expense Incurred During the Chapter 11 Case, filed February 20, 2002 as docket no. 1575 (the "Motion to Clarify").

Counsel appeared at the hearings as noted on the record. The Court, having heard argument of counsel, and being sufficiently advised, it is

ORDERED as follows:

1. Discovery in the contested matter arising from the filing of the Settlement Motion and objections thereto (the "Contested Matter") shall be completed by June 21, 2002

(the "Discovery Completion Date"). Completion of discovery means that the answer due date for any interrogatories or requests for admissions, the due date for responses to any requests for production of documents, and the scheduled depositions dates for any depositions, shall have occurred on or before the Discovery Completion Date.

2. A pretrial conference in the Contested Matter is set for Tuesday, June 25, 2002 at 9:00 a.m. MDT.

3. A pretrial conference on the Motion to Clarify is also set for Tuesday, June 25, 2002 at 9:00 a.m. MDT.

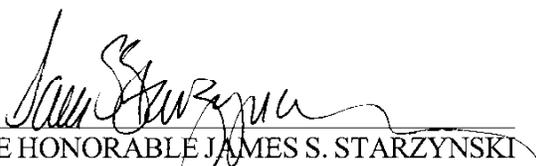
4. The period to answer interrogatories and requests for admissions, and to respond to requests for production of documents, in the Contested Matter, is shortened from thirty (30) days to twenty (20) days.

5. A final evidentiary hearing on the Settlement Motion and objections thereto is set for Monday, July 8, 2002 at 9:00 a.m. MDT, with five (5) days set aside for the hearing (July 8, 2002 through July 12, 2002).

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:

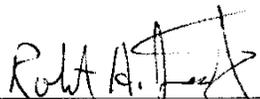
APR 03 2002

Mary B. Anderson

  
THE HONORABLE JAMES S. STARZYNSKI  
UNITED STATES BANKRUPTCY JUDGE

Submitted by:

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By  \_\_\_\_\_

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