

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

FURR'S SUPERMARKETS, INC.,

No. 11-01-10779-SA

Debtors.

**ORDER APPROVING OFFICIAL COMMITTEE OF UNSECURED
CREDITORS' MOTION TO EMPLOY ATTORNEYS
(LOCAL COUNSEL)**

The Court, after review of the Official Committee of Unsecured Creditors' Motion to Employ Attorneys ("UCC"), and being otherwise sufficiently advised, hereby FINDS:

1. On February 20, 2001, the Official Committee of Unsecured Creditors' filed its "Motion to Employ Attorneys (Local Counsel)" (the "Motion"). Notice of the Motion was given to all creditors as listed on the mailing matrix attached to the original Notice which was filed herein on February 26, 2001. The Notice specified that any objection was to be filed with the clerk and a copy served on the UCC's local counsel within 20 days of the mailing of the Notice. The deadline for filing objections, including three days for mailing, was March 21, 2001.

2. Notice of the Motion was sufficient in form, content and parties served.

3. No objections to the Motion have been filed or received, timely or otherwise. A comment was timely filed by the United States Trustee.

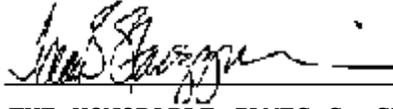
4. As set out in the Motion, Davis & Pierce, P.C. charge the

following rates: \$275.00 per hour for William F. Davis, Esq. and \$175.00 per hour for Chris W. Pierce, Esq., \$125.00 per hour for Associates, \$80.00 per hour for accounting services, and \$60.00 per hour for paralegal time, plus costs, expenses and applicable taxes.

5. Employment of the law firm of Davis & Pierce, P.C. is in the best interest of the Debtor and the Official Committee of Unsecured Creditors; the UCC has selected the attorneys because they are well qualified to represent the UCC.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Motion of the Official Committee of Unsecured Creditors is granted and the UCC is hereby authorized to hire Davis & Pierce, P.C. as local counsel for the UCC, at the rates set out herein, and that this order is effective as of the date of the formation of the Official Committee of Unsecured Creditors, February 14, 2001. The rates approved herein are for this case only, given the unusual characteristics of the case, and the approval of the rates set out in this order are not to be construed as this Court's approval of such rates in any other case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Davis & Pierce, P.C. shall submit monthly invoices to the Debtor and the Debtor shall pay Davis & Pierce, P.C. 75% of attorneys fees billed and taxes thereon, and 100% of costs and expenses as they are invoiced, said payments to be subject to the Court's allowance under 11 U.S.C. §§328(c), 330 and 331, and subject to disgorgement in the event of disallowance.



THE HONORABLE JAMES S. STARZYNSKI
UNITED STATES BANKRUPTCY JUDGE

This order contains modifications from the original order submitted by e-mail.

Submitted by:

DAVIS & PIERCE, P.C.

s/submitted by e-mail 3-23-01

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Approved:

OFFICE OF THE UNITED STATES TRUSTEE

telephonically approved 3-23-01

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I hereby certify that on April 6, 2001, a true and correct copy of the foregoing was either electronically transmitted, faxed, delivered, or mailed to the listed counsel and parties.



Mary B. Anderson