

IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re: : Chapter 11  
FURR'S SUPERMARKETS, INC., : Case No. 01-11-10779-SA  
Debtor. :

*STIPULATED JSS*

**ORDER GRANTING EMERGENCY MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR AN ORDER PURSUANT TO RULE 9018 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE AND SECTIONS 105(a) AND 107(b) OF THE BANKRUPTCY CODE AUTHORIZING THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO FILE ITS MOTION FOR IMMEDIATE APPOINTMENT OF A CHAPTER 11 TRUSTEE UNDER SEAL**

Upon review and consideration of the Official Committee of Unsecured Creditors Emergency <sup>*Oral JSS*</sup> Motion for an Order pursuant to Rule 9018 of the Federal Rules of Bankruptcy Procedure and §§105(a) and 107(a) of the Bankruptcy Code (the "Motion") authorizing the Committee to file under seal its Emergency Motion for Immediate Appointment of a Chapter 11 Trustee pursuant to 11 U.S.C. §1104 (the "Emergency Trustee Motion"), and adequate and sufficient notice of the Motion having been provided; <sup>*under the circumstances JSS*</sup> the Debtor <sup>*and UST JSS*</sup> having consented to the Motion, ~~and~~ <sup>*JSS*</sup> ~~objections, if any, to the Motion having been overruled;~~

**ORDERED** that the Motion is granted <sup>*JSS*</sup> ~~in its entirety;~~ and it is further

**ORDERED** that the Official Committee of Unsecured Creditors shall be and hereby is authorized to file under seal its Emergency Motion for Immediate Appointment of a Chapter 11 Trustee pursuant to 11 U.S.C. §1104, said Emergency Trustee Motion to be submitted under seal; not made part of the record available to the public; and to be considered by this Court *in camera*, pending other or further order of the Court; <sup>*and it is further ordered JSS*</sup>

DT: #171300 v1 (3\_6C011.DOC)

<sup>*JSS*</sup> **ORDERED** that any party receiving a copy of the Emergency Trustee Motion shall not disclose or make available any portion of the contents of the Emergency Trustee Motion without further order of this court; and it is further <sup>*JSS*</sup> **ORDERED** that notice of, and the deadline for objecting to, the Emergency Trustee Motion is shortened to ten (10) days plus three (3) days for mailing, for a total of thirteen (13) days.

  
UNITED STATES BANKRUPTCY JUDGE

Dated: June \_\_, 2001

Submitted by:

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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:

JUN 01 2001

Mary B. Anderson