

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO

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In re:

FURR'S SUPERMARKETS, INC.  
Tax I.D. No. 22-3137244

Case No. 11-01-10779 SA

U.S. BANKRUPTCY COURT  
ALBUQUERQUE, N.M.

Debtor.

**UNITED STATES TRUSTEE'S COMMENT ON  
OFFICIAL UNSECURED CREDITORS' COMMITTEE'S  
MOTION TO EMPLOY ATTORNEYS (LOCAL COUNSEL)**

The United States Trustee for the District of New Mexico hereby comments on the Official Unsecured Creditors' Committee's Motion to Employ Attorneys (Local Counsel) (hereafter Motion) as follows:

1. The U.S. Trustee opposes the retroactive appointment of Davis & Pierce to the date of the filing of the petition and it is her understanding that this provision of the Motion is being withdrawn.
2. The U.S. Trustee understands that Davis & Pierce will be supplementing the statement pursuant to Bankruptcy Rule 2014 to fully disclose that firm's involvement as counsel for the debtor in the Rubus Realty Chapter 11 proceeding. It is further the U.S. Trustee's understanding that at the time of the latter proceeding, Furr's Supermarkets, Inc. was an entirely separate legal entity from Rubus Realty.
3. The U. S. Trustee does not object to the hourly rate proposed by Davis & Pierce for William F. Davis, based on the complexity, importance, and nature of the issues which confront the Unsecured Creditors Committee in this proceeding. These factors are not ordinarily involved

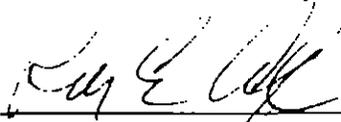
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in smaller cases and the U.S. Trustee respectfully reserves the right to object to the reasonableness of similar hourly rates in other proceedings.

4. In order to adequately review professional fees pursuant to her statutory duties, the U.S. Trustee requests that Davis & Pierce provide copies of monthly billing statements to the undersigned.

Respectfully submitted,

BRENDA MOODY WHINERY  
United States Trustee



Ron E. Andazola  
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The undersigned certifies that a true and accurate copy of the foregoing was mailed to the below listed counsel on this 21<sup>st</sup> day of March, 2001.

  
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