

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

In re:

**Furrs Supermarkets, Inc.**

Debtor(s).

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

**WITHDRAWAL OF OBJECTION OF NYDES PROPERTIES SMV LTD. CO. (STORE  
889) TO DEBTOR'S PROPOSED ASSIGNMENT OF UNEXPIRED LEASE  
TO LESSEE PAY AND SAVE**

Creditor Nydes Properties SMV Ltd. Co. ("Nydes") through Daniel J. Behles, its counsel, hereby withdraws its Objection to the Debtor's proposed assignment of unexpired lease on store #889 (St. Michael's Village, Santa Fe, New Mexico) to proposed lessee pay and Save, Inc., and states:

Subsequent to the filing of its Objection Nydes has been able to speak to representatives of the proposed Lessee and has been able to obtain credit references on the proposed lessee, and is satisfied that the proposed lessee is able to perform under the lease.

Nydes therefore admits that adequate assurance of future performance has been provided, withdraws its objection and will not participate in a final hearing to be held August 7, 2001 at 1:30 pm.

Nydes reserves the right to object to any proposed "cure amount".

Respectfully Submitted

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I certify that on August 6, 2001 I mailed and telefaxed a true copy of the foregoing pleading to:

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and e-mailed a copy to [rjacobvitz@jtwlawfirm.com](mailto:rjacobvitz@jtwlawfirm.com) and [slubben@skadden.com](mailto:slubben@skadden.com).

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Daniel J. Behles