FORM B10 (Official Form 10) (4/01)

UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF DELAWARE

**PROOF OF CLAIM**

Name of Debtor: FLEMING COMPANIES, RICHMAR FOODS, INC - RAINBOW

Case Number: PRIMARY 03-10945 MFW

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (The person or other entity to whom the debtor owes money or property): dba Watson Plumbing Co., GEORGE E WATSON PLUMBING

Name and address where notices should be sent:
1212 RUBYE MAE PLACE
EL PASO, TX 79912

Telephone number: 915-581-3301

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☑ Check box if you have never received any notices from the bankruptcy court in this case.

☐ Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor: none

Check here if this claim ☐ replaces ☐ amends a previously filed claim, dated: N/A

**1 Basis for Claim**

☐ Goods sold
☑ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☐ Other _____

☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
☐ Wages, salaries, and compensation (fill out below)
Your SS # _____ _____ _____
Unpaid compensation for services performed
from _____ (date) to _____ (date)

**2 Date debt was incurred:** beginning 3/7/03

**3 If court judgment, date obtained:** N/A

**4 Total Amount of Claim at Time Case Filed:** $ 2,730.19

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.

☑ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

RECD MAY 15 2003

**5 Secured Claim**

☐ Check this box if your claim is secured by collateral (including a right of setoff).

Brief Description of Collateral:
☐ Real Estate ☐ Motor Vehicle
☐ Other _____

Value of Collateral: $ _____

Amount of arrearage and other charges at time case filed included in secured claim, if any: $ _____

**6 Unsecured Priority Claim**

☑ Check this box if you have an unsecured priority claim.

Amount entitled to priority: $ 2,730.19

Specify the priority of the claim.

☐ Wages, salaries, or commissions (up to $4,650)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).

☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).

☐ Up to $2,100* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).

☐ Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).

☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

☑ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)( 3 ).

*Amounts are subject to adjustment on 4/1/04 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

**7 Credits** The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

**8 Supporting Documents** *Attach copies of supporting documents,* such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

**9 Date-Stamped Copy** To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

THIS SPACE IS FOR COURT USE ONLY

Date: 4-18-03

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): GEORGE E WATSON PRESIDENT

*Penalty for presenting fraudulent claim:* Fine of up to $500,000 or imprisonment for up to 5 years or both. 1

Fleming Companies Claim
00551

# Statement

Watson Plumbing Company
1212 Rubye Mae Place
El Paso, TX 79912

| Date |
|---|
| 4/18/2003 |

| To |
|---|
| Fleming Co - Richmar Foods Inc<br>DBA Food-4-Less & Rainbow Markets<br>P O Box 268877<br>Oklahoma City, OK 73126-8877 |

| Amount Due | Amount Enc |
|---|---|
| $2,730 19 | |

| Date | Transaction | Amount | Balance |
|---|---|---|---|
| 02/28/2003 | Balance forward | | 0 00 |
| 03/07/2003 | INV #3657 | 77 23 | 77 23 |
| 03/10/2003 | INV #3668 | 2.223 71 | 2 300 94 |
| 03/24/2003 | PMT #8747126352 - Partial Payment for Invoice #3668 | -1,073 71 | 1,227 23 |
| 03/27/2003 | INV #3738 | 151 53 | 1 378 76 |
| 04/03/2003 | Dishonored Check Returned | 1,073 71 | 2,452 47 |
| 04/03/2003 | Returned Check Bank Fees | 30 00 | 2 482 47 |
| 04/07/2003 | INV #3742 | 139 61 | 2,622 08 |
| 04/15/2003 | Collection Fees - Liens & Dishonored Checks (3) | 45 00 | 2 667 08 |
| 04/15/2003 | 2 Property Liens - Filing Costs | 40 00 | 2 707 08 |
| 04/17/2003 | INV #FC 29 - Finance Charge | 23 11 | 2 730 19 |

| CURRENT | 1-30 DAYS PAST DUE | 31-60 DAYS PAST DUE | 61-90 DAYS PAST DUE | OVER 90 DAYS PAST DUE | Amount Due |
|---|---|---|---|---|---|
| 1 188 71 | 314 25 | 1,227 23 | 0 00 | 0 00 | $2 730 19 |

TOPS CARBONLESS FORM 3868

JOB WORK ORDER

TRIPLICATE

WATSON PLUMBING CO.
12 [illegible]
EL PASO TX [illegible]
(915) 58[illegible] 3301

Complaints May Be Reported To
Texas State Board
Of Plumbing Examiners
1-800-[illegible]

JOB WORK ORDER

3657

DATE OF ORDER
3-7-03

| CUSTOMER'S ORDER NO. | PHONE | TELEPHONE | ELPER | STARTING DATE |
|---|---|---|---|---|
| | 751-1277 | JO | | 3 7 03 |

BILL TO: RAINBOW MARKET #

ORDER TAKEN BY: GW

ADDRESS: 10060 RUSHING RD
EL PASO TX 79924

☑ DAY WOP
☐ CONTRACT
☐ EXTRA

SERVICE AND INSTALLATION

TO PHONE

DESCRIPTION OF WORK
REPAIR URINAL FLUSH VALVE
LABOR - 1 HR @ 57 50
PARTS -
SLOAN FLUSH VALVE KIT - 1 @ 14-99

14 99
57 50
4 74
3-7-03 JOSE SOLIS
77 23

☐ No one home ☑ Call at conclusion on above [illegible] ☐ Is all [illegible] on [illegible] [illegible] [illegible]

Signature _____

TOPS 3868

ORIGINAL

TOPS CARBONLESS FORM 3698

JOB WORK ORDER

TRIPLICATE

JOB WORK ORDER

3738

DATE OF ORDER 3-27-03

CUSTOMER ORDER NO. 1761-1277 | 1 | 1 | STARTING DATE 3 27 03

Rainbow Market

ORDER TAKEN BY G.W.

ADDRESS 10060 RUSHING

CITY EL PASO, TX 79924

X DAY ORDER

CONTRACT

EXTRA

JOB PHONE

un-plug urinal + Replace Flush Valve Kit

Plumber 2 HR at 42 50
Helper 2 HR at 15 00

Repair kit (Zurn) - 14 99
Sewer Machine Fee - 10 00

24 99
115 00
11 54
151 53

3 27 03

X

ORIG NO

WATSON PLUMBING CO.
1212 RUBYE MAE PL.
EL PASO,TX
581-3301


WORK ORDER/INVOICE 3668

PARTS LIST

| | |
|---|---|
| FISHER VALVE STEM CARTRIDGE-1a | $63.70 |
| 3/4" COPPER 90°ELBOW-1a | .99 |
| ZURN ZN-400-5B POLISHED NICKEL BRONZE CLEAN OUT W/COVER | $165.36 |
| ZURNZN4006B 6"NICKEL BRONZE STRAINER-1a | $69.51 |
| ZURN Z1996 P.V.C. DRAIN-1a | $23.36 |
| GRUNDFOSS UP26-64-F 115 VOLT PUMP-1a | $284.49 |
| 3½"SINK STRAINER-1a | $14.99 |
| STRAINER GASKET REPAIR KIT-1a | $2.99 |
| ½" COMPRESSION TYPE GATE VALVE-1a | $7.99 |
| ½" COMPRESSION TUBE UNION-1a | $3.99 |
| DELTA W-500 SINGLE LEVER LAVATORY FAUCET-3a $71.00= | $213.00 |
| PRO PLUS C.P.ANGLE STOP-2a $5.99= | $17.97 |
| 1/2 X 3/8 X 20 FLEX CONNECTOR-4a $5.99= | $23.96 |
| 8" HIGH TRAFFIC FLOOR DRAIN GRATE-(RE-BUILT) | $94.90 |
| 11/4"STEEL NIPPLE-1a | $2.99 |
| 11/4"P.V.C.FEMALE ADAPTER-1a | $1.69 |
| SUB TOTAL | $991.88 |
| TAX | $ 81.83 |
| TOTAL | $1073.71 |

WATSON PLUMBING CO
1212 RUBYE MAE PLAC
EL PASO, TX 79912
(915) 581 3301

Complaints May Be Reported To
State Board
Of Plumbing Examiners
1-800-845-6584

JOB WORK ORDER

DATE OF ORDER

CUSTOMER'S ORDER NO. | PHONE | MECHANIC | HELPER | STARTING DATE

BILL TO

ADDRESS

CITY

JOB NAME AND LOCATION 19903

ORDER TAKEN BY

☑ DAY WORK
☐ CONTRACT
☐ EXTRA

JOB PHONE

DESCRIPTION OF WORK

(INCLUDED)

$1073.71

TOTAL MATERIALS
TOTAL LABOR
TAX
TOTAL AMOUNT $

☐ No one home ☐ Total amount due for above work on

Signature

TOPS CARBONL-SS
FORM 3288

JOB WORK ORDER

Complaints May Be Reported To
[illegible]

JOB WORK ORDER
3742

DATE OF ORDER
4-7-03

| CUSTOMER'S ORDER NO. | PHONE | MECHANIC | HOLDER | STARTING DATE |
|---|---|---|---|---|
| | 751-1277 | GW | SR | 4 7 03 |

BILL: RAINBOW FOODS

ORDER TAKEN BY: GW

ADDRESS: 10060 RUSHING

☒ DAY WORK
☐ TP&CI
☐ EXTRA

CITY: EL PASO TX 79924

REPAIR WATER LINE UNDER PRODUCE COUNTER

LABOR - PLBR - 2 HR @ 42.50
HLPR - 2 HR @ 15.00

PARTS -

| | |
|---|---|
| 1/4" x 4" BRASS NIPPLE - 1 @ | 4.99 |
| 1/4" x 3/8" BUSHING - 1 @ | 3.99 |
| 3/8" MIP ADAPTER - 1 @ | 4.99 |

13.97
115.00
10.64
139.61

4 7 03 [illegible] CASTOR

Signature

ORIGINAL

# Notice of Dishonor

April 15, 2003

Fleming Companies
Richmar Foods, Inc
P O Box 268877
Oklahoma City, OK 73126-8877

Dear Fleming Companies and Richmar Foods, Inc

You are hereby given notice and demand is made for payment of the full amount of the check (see attached), and any merchant fee as authorized by Texas Statue (Art 90022 ), within ten (10) days of your receipt of this letter Payment must be made in cash money order or a certified check Do not send cash through the mail The amount owed is $1,098 71 for this returned check However, this is not the total amount owed on your account

If you fail to pay the total amount within ten (10) days, this check will be forwarded to the County Attorney's Office for collection Once that occurs, I can no longer accept any payment from you The County Attorney Office will collect the full amount of the check, any merchant fee and a County Attorney fee If you fail to pay the full amount owed within the state time period, you are subject to arrest and detainment in the County Jail

Sincerely,

George E Watson
Watson Plumbing Co , Inc

**JPMorganChase**
Notice of Deposited Returned Item(s)
Date Apr 3 2003 Advice D-338946
*Acct 004/15501155126*

| SEQ # | ITEM AMOUNT |
|---|---|
| 17181 | 1,073 71 |

GEORGE WATSON PLUMBING INC
1212 RUBYE MAE PL
EL PASO TX 79912

*1 Item charged totaling $1 073 71*

*Advice Total $1 073 71*

⑆402333198⑆ 000015501155126⑈ ⑈0000338946⑈

THE BACKGROUND OF THIS DOCUMENT IS PRINTED IN COLORED INK

88 88
1113

Fleming Companies
Richmar Foods, Inc
DBA Food-4-Less
P O. Box 268877
Oklahoma City, OK 73126-8877
**Void After 90 Days**

**Number:** 8747126352
JPMORGAN CHASE BANK
76903 SAN ANGELO

REFER TO MAKER

DO NOT RE-DEPOSIT

03/24/2003

THE AMOUNT OF
* * * * * * * * * 1 , 0 7 3 7 1 *
ASV ASK ASK ASK ASK ASK ASK ASK ASK ONE COM ZERO SEVEN THREE PER SEVEN ONE ASK

PAY TO THE ORDER OF
WATSON PLUMBING COMPANY
1212 PUBYE MAE PLACE
EL PASO TX 79912

*VOID OVER $1,073.71*

Authorized Signature

⑈8747126352⑈ ⑆111300880⑆ ⑈0630006505 2⑈ ⑈0000107371⑈

*A6711*

**ALLRIGHT PARKING**
**EL PASO, INC**
**PARK AT OWN RISK**

Parking facility operator/owner shall not be responsible, and expressly does not assume responsibility, for loss or damage by fire, storm, theft, or accident to person or automobile, or for any loss or damage to articles left in automobile

104534

Articles Left in Car At Own Risk

I OUTHLAND PRINTING SHREVEPORT, LA

Allright Parking

$3.50

CASH

**UNITED STATES POSTAL SERVICE**

***** WELCOME TO *****
CORONADO STATION
EL PASO, TX 79912-9998
04/15/03 01.13PM

| | | | |
|---|---|---|---|
| Store | USPS | Trans | 50 |
| Wkstn | sys5002 | Cashier | KPJY7R |
| Cashier's Name | | PATRICIA | |
| Stock Unit Id | | PAT | |
| PO Phone Number | | 800-275-8777 | |
| USPS # | | 4879830111 | |

| | | |
|---|---|---|
| 1 | First Class | 4 42 |
| | Destination | 73126-8877 |
| | Weight: | 0 70oz |
| | Postage Type. | PVI |
| | Total Cost | 4.42 |
| | Base Rate | 0.37 |
| | SERVICES | |
| | Certified Mail | 2.30 |
| | 70011940000536852221 | |
| | Return Receipt | 1 75 |

| | |
|---|---|
| Subtotal | 4 42 |
| Total | 4 42 |
| Cash | 5 00 |
| Change Due | |
| Cash | 0.58 |

Number of Items Sold 1

THANK YOU FROM
YOUR FRIENDS AT THE

Receipt# 0000071401

WALDO ALARCON
COUNTY CLERK
EL PASO COUNTY
500 EAST SAN ANTONIO STREET
EL PASO, TX 79901
(915) 546-0071

| | | |
|---|---|---|
| Doc# 20030034370 | Pgs: 4 | |
| COURTHOUSE SECURITY FEE | $ | 1.00 |
| REC MGMT & PRESERVATION FEE | $ | 5.00 |
| RECORDING FEE | $ | 9.00 |
| Doc# 20030034380 | Pgs: 4 | |
| COURTHOUSE SECURITY FEE | $ | 1.00 |
| REC MGMT & PRESERVATION FEE | $ | 5.00 |
| RECORDING FEE | $ | 9.00 |
| Total | $ | 30 00 |
| Check Amount(s) | $ | 30.00 |
| Change Due | $ | 0 00 |
| Balance | $ | 0.00 |

| Check Number | | Amount |
|---|---|---|
| 7168 | $ | 30.00 |

Total Documents: 2
Total Fees: 6

Client Name: GENERAL PUBLIC
Filed By: WATSON PLUMBING
4/15/2003 3:07:33 PM

Cashier: ESHERNANDEZ

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

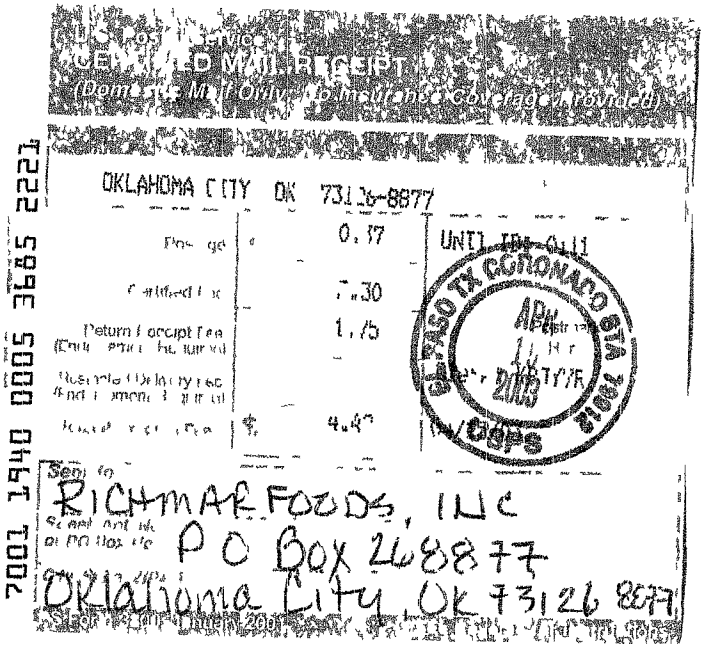
OKLAHOMA CITY OK 73126-8877

| | | |
|---|---|---|
| Postage | $ 0.37 | UNIT ID# 0111 |
| Certified Fee | 2.30 | |
| Return Receipt Fee (Endorsement Required) | 1.75 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | $ 4.42 | |

EL PASO TX CORONADO STA 79912 APR 14 2003 USPS

Sent to
RICHMAR FOODS, INC
Street, Apt. No.
or PO Box No. P O Box 268877
City, State, ZIP+4
Oklahoma City, OK 73126 8877

7001 1940 0005 3685 2221



CASH

**PUBLIC SERVICES**

549 MAGOFFIN AVENUE
EL PASO, TEXAS 79901
(915) 533-0047

| | | | |
|---|---|---|---|
| PHOTOS | $ | LETTER | $ 10.00 |
| FORMS | $ | NOTARY | $ |
| FINGERPRINTS | $ | OTHER | $ |
| TRANSLATIONS | $ | | |

AMOUNT OF ACCOUNT $ 10.00
AMOUNT PAID $

## AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN

**State of Texas**
**County of El Paso**

**George Watson** President of **George Watson Plumbing, Inc** appeared personally before me, the undersigned authority and upon oath deposed and stated

My name is **George Watson** I am President of **George Watson Plumbing. Inc, dba Watson Plumbing Company George Watson Plumbing, Inc** is a Texas Corporation whose address is 1212 Rubye Mae Place El Paso, Texas 79912 and who is referred to in this affidavit as "Claimant" I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit

The owner of the real property the subject of Claimant's lien is Madison Evergreen and Associates Administrative Representative for said property is Village Properties, 121 Spear Street, Suite 250 in San Francisco California, 94105 Administrative Representatives' Tenant is Fleming Companies Richmar Foods, Inc dba Food-4-Less aka Rainbow Market #8921physically located at 5200 Montana Avenue, El Paso, Texas, 79903 Fleming Companies Richmar Foods, Inc Corporate Offices are located at P O Box 268877, Oklahoma City, OK, 73126-8877 Pursuant to an agreement dated 2/12/03 between Claimant and Administrative Representatives' Tenant Claimant furnished labor and materials to improve that real property On or about 3/10/03 Claimant presented a bill to Administrative Representatives Tenant in the amount of $2,223 71, which is due and owing, a copy of the invoice and materials list is attached hereto as Exhibit "A

Claimant is the original contractor for the improvements for which a lien is claimed After allowing any just credits or offsets not including any additional interest or collection costs the amount of $2 223 71 remains unpaid and is due and owing under this contract Claimant claims a lien on the following property to secure payment of the above amount

**Property Description**

Remcon RePlat, Block 2, Lot 1 and Part of Closed Street adjacent on West of 2, aka 5200 Montana Avenue, El Paso, Texas, 79903

**George Watson Plumbing, Inc (Claimant)**

By _____
**George E. Watson, President**

Subscribed and sworn to before me on this the 16th day of April 2003

_____
Notary Public in and for the State of Texas

## AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN

**State of Texas**
**County of El Paso**

**George Watson** President of **George Watson Plumbing, Inc.** appeared personally before me, the undersigned authority and upon oath, deposed and stated

My name is **George Watson** I am President of **George Watson Plumbing, Inc, dba Watson Plumbing Company George Watson Plumbing, Inc.** is a Texas Corporation whose address is 1212 Rubye Mae Place El Paso, Texas 79912 and who is referred to in this affidavit as "Claimant" I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit

The owner of the real property the subject of Claimant s lien is Dipp and Co LP located at 101 W Mills Avenue, El Paso Texas 79901-1339 in El Paso County Owner's Representative for said property is Fleming Companies, Richmar Foods, Inc dba Food-4-Less aka Rainbow Market physically located at 10060 Rushing El Paso Texas, 79924 in El Paso County Fleming Companies, Richmar Foods, Inc , Corporate Offices are located at P O Box 268877 Oklahoma City OK 73126-8877 Pursuant to agreements dated 3/7/03, 3/27/03 and 4/7/03, between Claimant and Owner's Representatives Claimant furnished labor and materials to improve that real property On 3/7/03 3/27/03 and 4/7/03 Claimant presented a bill to Owner's Representative in the total amount of $368 37, which is due and owing a copy of the invoices and materials list are attached hereto as Exhibit "A, Pages 1 2 & 3 '

Claimant is the original contractor for the improvements for which a lien is claimed After allowing any just credits or offsets not including any additional interest or collection costs the amount of $2368 37 remains unpaid and is due and owing under this contract Claimant claims a lien on the following property to secure payment of the above amount

**Property Description**

1 Rushfair 1 Exc S 160Ft Ofe 328Ft & 129 93Ft on N 146 23Ft on E, 100Ft on S, 144 96Ft on W Beg 142 65Ft S, aka 10060 Rushing El Paso, Texas, 79924 in El Paso, County aka Rainbow Market

**George Watson Plumbing, Inc. (Claimant)**

By _____
**George E. Watson, President**

Subscribed and sworn to before me on this the 16th day of April 2003

_____
Notary Public in and for the State of Texas