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

UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF Delaware

PROOF OF CLAIM

Name of Debtor: Fleming Companies, Inc , et al

Case Number: 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)

Wright Petroleum Company, Inc

Name and address where notices should be sent

Wright Petroleum Company, Inc
1317 N FM 509
Harlingen, TX 78550

Telephone number (956)412-5100

☐ 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

REC'D JUN 26 2003

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor: 240

Check here if this claim ☐ replaces ☐ amends a previously filed claim dated _____

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 3/23/03 to 3/31/03

3 If court judgment, date obtained

4 Total Amount of Claim at Time Case Filed $ 37,659 86

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

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 $_____

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)(____)

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: 06/13/03

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)

W E Wright W E WRIGHT, JR PRES.

Penalty for presenting fraudulent claim Fine of up to $500 000 or imprisonment for up to 5 years or both 18 U

Fleming Companies Claim

01268

INVOICE 37,659 86

INVOICE NO

71042

WRIGHT PETROLEUM COMPANY, INC
1317 N FM 509
HARLINGEN TX 78550
TEL (956) 412-5100

SOLD TO
DUNIGAN FUEL, INC.
P O. BOX 2618

ABILENE, TX 79604

SHIP TO
DUNIGAN FUEL, INC.
P O BOX 2618

ABILENE, TX 79604

CCOUNT NO.	SALES MAN NO.	PURCHASE ORDER NO.	SHIP VIA	COLL.	PPD.	DATE SHIPPED	TERMS	INVOICE DATE	PAGE
240	1	519184	1			03/23/03	NET 10	03/23/03	

QTY. RDERED	QTY. SHIPPED	QTY. B.O.	ITEM NO.	DESCRIPTION	UNIT PRICE	DISC. %	EXTENDED PRICE
502	500		VALERO SUP	VAL CONV 93	1 1092		554.60
				CONVENTIONAL GASOLINE. DOES NOT MEET RFG REQUIREMENTS			
				MAY NOT BE USED IN REFORMULATED GASOLINE AREA.			
8000	8027		VALERO UNL	VAL CONV87 REGULAR	1 0176		8168 28
				CONVENTIONAL GASOLINE. DOES NOT MEET RFG REQUIREMENTS.			
				MAY NOT BE USED IN REFORMULATED GASOLINE AREAS			
1	1		LOADFEE	REIMB FOR PETRO PROD DLVY FEE	50 0000		50 00

GASOLINE FLAMMABLE LIQUID UN1203
FUEL OIL #2 COMBUSTIBLE LIQUID NA 1993

ability for State Motor Fuel Tax shown on invoice has been assumed and will be paid as required by law Seller warrants and agrees that goods delivered herunder were produced in ompliance with all applicable requirements of Section 6 7 and 12 of the Fair Labor Standards Act of 1938 as amended and of regulations and orders of the Administrator of the Wage and Hour division issued under Section 14 therof A Finance Charge of the maximum legal rate per year or 18% per year whichever is lesser will be charged on amounts not paid by the due date of the invoice Should this account become delin quent, Guarantor agrees to be responsible for and to pay all legal fees court costs and collection charges

MINIMUM OCTANE UNLEADED PREM - 9 ____
UNLEADED MID 89 UNLEADED REGULAR 87
LEADED REGULAR 89

SUBJECT TO CORRECTION OF CLERICAL ERRORS
DO NOT DESTROY
THIS IS YOUR INVOICE AND MANIFEST

SALE AMOUNT	8772.88
MISC CHARGES SALES TAX FREIGHT	
TOTAL	8772 88

INVOICE

INVOICE NO

71179

WRIGHT PETROLEUM COMPANY, INC
1317 N FM 509
HARLINGEN TX 78550
TEL (956) 412-5100

SOLD TO
DUNIGAN FUEL, INC
P O BOX 2618

ABILENE, TX 79604

SHIP TO
DUNIGAN FUEL, INC
P O BOX 2618

ABILENE, TX 79604

CCOUNT NO.	SALES MAN NO.	PURCHASE ORDER NO.	SHIP VIA	COLL.	PPD.	DATE SHIPPED	TERMS	INVOICE DATE	PAGE
240	1	519421	1			03/25/03	NET 10	03/25/03	

QTY. RDERED	QTY. SHIPPED	QTY. B.O.	ITEM NO.	DESCRIPTION	UNIT PRICE	DISC. %	EXTENDED PRICE
1100	1089		VALERO SUP	VAL CONV 93	1.1597		1262.91
CONVENTIONAL GASOLINE DOES NOT MEET RFG REQUIREMENTS.							
MAY NOT BE USED IN REFORMULATED GASOLINE AREA.							
7101	7010		VALERO UNL	VAL CONV87 REGULAR	1 0681		7487.38
CONVENTIONAL GASOLINE DOES NOT MEET RFG REQUIREMENTS							
MAY NOT BE USED IN REFORMULATED GASOLINE AREAS							
1	1		LOADFEE	REIMB FOR PETRO PROD DLVY FEE	50.0000		50.00

GASOLINE FLAMMABLE LIQUID UN1203
FUEL OIL #2 COMBUSTIBLE LIQUID NA 1993

Liability for State Motor Fuel Tax shown on invoice has been assumed and will be paid as required by law Seller warrants and agrees that goods delivered herunder were produced in compliance with all applicable requirements of Section 6 7 and 12 of the Fair Labor Standards Act of 1938 as amended and of regulations and orders of the Administrator of the Wage and Hour division issued under Section 14 therof A Finance Charge of the maximum legal rate per year or 18% per year whichever is lesser will be charged on amounts not paid by the due date of the invoice Should this account become delinquent Guarantor agrees to be responsible for and to pay all legal fees court costs and collection charges

MINIMUM OCTANE UNLEADED PREM 9 ____
UNLEADED MID 89 UNLEADED REGULAR 87
LEADED REGULAR 89

SUBJECT TO CORRECTION OF CLERICAL ERRORS
DO NOT DESTROY
THIS IS YOUR INVOICE AND MANIFEST

SALE AMOUNT	8800.29
MISC CHARGES SALES TAX FREIGHT	
TOTAL	8800 29

INVOICE

INVOICE NO

71190

WRIGHT PETROLEUM COMPANY, INC
1317 N FM 509
HARLINGEN TX 78550
TEL (956) 412-5100

SOLD TO
DUNIGAN FUEL, INC
P.O BOX 2618

ABILENE, TX 79604

SHIP TO
DUNIGAN FUEL, INC
P O BOX 2618

ABILENE, TX 79604

ACCOUNT NO.	SALES MAN NO.	PURCHASE ORDER NO.	SHIP VIA	COLL.	PPD.	DATE SHIPPED	TERMS	INVOICE DATE	PAGE
240	1	519749	1			03/28/03	NET 10	03/28/03	

QTY. ORDERED	QTY. SHIPPED	QTY. B.O.	ITEM NO.	DESCRIPTION	UNIT PRICE	DISC. %	EXTENDED PRICE
700	695		VALERO SUP	VAL CONV 93	1.2171		845 88
				CONVENTIONAL GASOLINE. DOES NOT MEET RFG REQUIREMENTS MAY NOT BE USED IN REFOPMULATED GASOLINE AREA.			
7901	7819		VALERO UNL	VAL CONV87 REGULAP	1.1255		8800 28
				CONVENTIONAL GASOLINE. DOES NOT MEET RFG REQUIREMENTS MAY NOT BE USED IN REFOPMULATED GASOLINE AREAS			
1	1		LOADFEE	REIMB FOR PETRO PROD DLVY FEE50 0000			50.00

GASOLINE FLAMMABLE LIQUID UN1203
FUEL OIL #2 COMBUSTIBLE LIQUID, NA 1993

Liability for State Motor Fuel Tax shown on invoice has been assumed and will be paid as required by law Seller warrants and agrees that goods delivered herunder were produced in compliance with all applicable requirements of Section 6 7 and 12 of the Fair Labor Standards Act of 1938 as amended and of regulations and orders of the Administrator of the Wage and Hour division issued under Section 14 therof A Finance Charge of the maximum legal rate per year or 18% per year whichever is lesser will be charged on amounts not paid by the due date of the invoice Should this account become delinquent Guarantor agrees to be responsible for and to pay all legal fees court costs and collection charges

MINIMUM OCTANE UNLEADED PREM 9 ____
UNLEADED MID 89 UNLEADED REGULAR 87
LEADED REGULAR 89

SUBJECT TO CORRECTION OF CLERICAL ERRORS
DO NOT DESTROY
THIS IS YOUR INVOICE AND MANIFEST

SALE AMOUNT	9696.16
MISC CHARGES SALES TAX FREIGHT	
TOTAL	9696.16

INVOICE

INVOICE NO

71206

WRIGHT PETROLEUM COMPANY, INC
1317 N FM 509
HARLINGEN TX 78550
TEL (956) 412-5100

SOLD TO
DUNIGAN FUEL, INC
P O. BOX 2618

ABILENE, TX 79604

SHIP TO
DUNIGAN FUEL, INC
P O BOX 2618

ABILENE, TX 79604

ACCOUNT NO.	SALES MAN NO.	PURCHASE ORDER NO.	SHIP VIA	COLL.	PPD.	DATE SHIPPED	TERMS	INVOICE DATE	PAGE
240	1	520104	1			03/31/03	NET 10	03/31/03	

QTY. ORDERED	QTY. SHIPPED	QTY. B.O.	ITEM NO.	DESCRIPTION	UNIT PRICE	DISC. %	EXTENDED PRICE
3627	3592		VALERO SUP	VAL CONV 93	1 2003		4311.48
	CONVENTIONAL GASOLINE. DOES NOT MEET RFG REQUIREMENTS. MAY NOT BE USED IN REFORMULATED GASOLINE AREA.						
5474	5435		VALERO UNL	VAL CONV87 REGULAR	1.1093		6029.05
	CONVENTIONAL GASOLINE. DOES NOT MEET RFG REQUIREMENTS. MAY NOT BE USED IN REFORMULATED GASOLINE AREAS.						
1	1		LOADFEE	REIMB FOR PETRO PROD DLVY FEE	50.0000		50.00

GASOLINE FLAMMABLE LIQUID, UN1203
FUEL OIL #2 COMBUSTIBLE LIQUID NA 1993

Liability for State Motor Fuel Tax shown on invoice has been assumed and will be paid as required by law Seller warrants and agrees that goods delivered herunder were produced in compliance with all applicable requirements of Section 6 7 and 12 of the Fair Labor Standards Act of 1938 as amended and of regulations and orders of the Administrator of the Wage and Hour division issued under Section 14 therof A Finance Charge of the maximum legal rate per year or 18% per year whichever is lesser will be charged on amounts not paid by the due date of the invoice Should this account become delinquent Guarantor agrees to be responsible for and to pay all legal fees court costs and collection charges

MINIMUM OCTANE UNLEADED PREM 9 ____
UNLEADED MID 89 UNLEADED REGULAR 87
LEADED REGULAR 89

SUBJECT TO CORRECTION OF CLERICAL ERRORS
DO NOT DESTROY
THIS IS YOUR INVOICE AND MANIFEST

SALE AMOUNT	10390 53
MISC CHARGES SALES TAX FREIGHT	
TOTAL	10390 53