

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
Fleming Companies, Inc., et al.,¹) Case No. 03-10945 (MFW)
) (Jointly Administered)
Debtors.)

WITHDRAWAL OF CLAIM NO. 1296
FILED BY COLORADO DEPARTMENT OF REVENUE

Pursuant to Federal Rule of Bankruptcy Procedure 3006, Colorado Department of Revenue hereby withdraws Claim No. 1296 filed on December 8, 2003, with prejudice, for the reason that the liability listed on the proof of claim is no longer due and owing.

Respectfully submitted,

Colorado Department of Revenue

By: Bruce Rumburg
Bruce Rumburg
Its: **Tax Compliance Agent**
Tel: **303-866-3793**
Fax: **303-866-2265**

¹ The Debtors are the following entities: Core-Mark International, Inc.; Fleming Companies, Inc.; ABCO Food Group, Inc.; ABCO Markets, Inc.; ABCO Realty Corp.; ASI Office Automation, Inc.; C/M Products, Inc.; Core-Mark Interrelated Companies, Inc.; Core-Mark Mid-Continent, Inc.; Dunigan Fuels, Inc.; Favar Concepts, Ltd.; Fleming Foods Management Co., L.L.C.; Fleming Foods of Texas, L.P.; Fleming International, Ltd.; Fleming Supermarkets of Florida, Inc.; Fleming Transportation Service, Inc.; Food 4 Less Beverage Company, Inc.; Fuelserv, Inc.; General Acceptance Corporation; Head Distributing Company; Marquise Ventures Company, Inc.; Minter-Weisman Co.; Piggly Wiggly Company; Progressive Realty, Inc.; Rainbow Food Group, Inc.; Retail Investments, Inc.; Retail Supermarkets, Inc.; RFS Marketing Services, Inc.; and Richmar Foods, Inc.



PROOF OF CLAIM FOR THE
COLORADO DEPARTMENT OF REVENUE

Creditor ID #

CDR # 20031337 - 11502

AMENDED

UNITED STATES BANKRUPTCY COURT
FOR THE
District of Delaware
824 Market Street,
9th floor
Wilmington DE 19801

Case # 03-10950 MFV
Chapter # 11
Filing Date 04/01/2003

IN THE MATTER OF Core-Mark Mid-Continent, Inc
 Core-Mark Mid-Continental

L10-86655

- 1 *The undersigned whose business address is 1375 Sherman Street Denver Colorado 80261 is an agent of the Department of Revenue Tax Audit & Compliance Division and is authorized to make this proof of claim on behalf of the State of Colorado Department of Revenue*
- 2 *The debtor is indebted to the State of Colorado in the amount of \$608 058 61 as stated below as of the petition date*
- 3 *The ground of liability is tax due under Colorado Statutes as Revised*

SECURED CLAIM (State tax lien pursuant to C.R.S. before petition date 39-27-105 5 39-26-117 39-22-604)

Tax Type	From	To	Assessed	Tax Amount	Penalty	Interest	Comment
COMBINED SALES	03/01/2003	03/31/2003		\$0 00	\$0 00	\$0 00	
Cigarette	03/01/2003	03/31/2003		\$586 274 88	\$0 00	\$0 00	
Tobacco Products	01/01/2003	03/31/2003		\$21,783 73	\$0 00	\$0 00	

UNSECURED PRIORITY CLAIM (Unsecured priority claim, under section 507(a)(8) of the Bankruptcy Code)

Tax Type	From	To	Assessed	Tax Amount	Penalty*	Interest	Comment
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*Penalty on priority tax is included in the general claim total

UNSECURED GENERAL CLAIM

Tax Type	From	To	Assessed	Tax Amount	Penalty	Interest	Comment
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Total Secured **\$608,058 61** Total Priority **\$0 00** Total General **\$0 00** Total Claim **\$608,058 61**

TO THE EXTENT THE DEPARTMENT'S CLAIM IS NOT SECURED, THE CLAIM IS A PRIORITY CLAIM

DISTRICT OF DELAWARE
 2003 JUN 26 AM 11:09
 1375 Sherman Street
 Denver, CO 80261

DIRECTOR OF REVENUE

BY Noel D Hasselgren
 Noel D Hasselgren, Bankruptcy Supervisor

DATE Friday, June 13, 2003

PLEASE SEND PAYMENT OR CORRESPONDENCE TO
 Colorado Department of Revenue
 1375 Sherman Street Room 504
 Attention Bankruptcy Unit
 Denver Colorado 80261 Phone (303)866-3711

Penalty for presenting fraudulent claim
 fine of not more than \$500 000 or imprisonment for not more than 5
 years or both Title 18 USC 152 and 3571

