

UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF <u>Columbia</u>		PROOF OF CLAIM
Name of Debtor <u>Fleming</u>		Case Number
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) <u>Wallace Transport</u>		☐ 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.
Name and address where notices should be sent <u>PO Box 67</u> <u>Planada CA 95365-0067</u> Telephone number <u>209-382-0131</u>		
Account or other number by which creditor identifies debtor <u>Cust # 36060</u>		Check here if this claim ☐ replaces a previously filed claim, dated _____ ☐ amends
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 _____ to _____ (date) (date)		
2. Date debt was incurred: <u>3/18/03 and 3/19/03</u>		3. If court judgment, date obtained:
4. Total Amount of Claim at Time Case Filed: \$ <u>1,582.00</u> 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.		THIS SPACE IS FOR COURT USE ONLY FILED JUL 24 2003 BMC Fleming Companies Claim  01726
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.		
Date <u>7-18-03</u>	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). <u>Louise E. Tanner R/R/COO Louise E. Tanner</u>	
Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.		

INVOICE

UNIT/TA TRANSPORT
P.O. BOX 67

FLAIDDA CA 95251067
PO BOX 0151

PLACENTA TERMINAL (01)

BILL TO: FLEMING (38160)
P.O. BOX 11306
1747 S ORANGE AVENUE
FRESNO CA 93772

INVT # 12/572 00
DATE 04/16/01
CUSTOMER REF # 28497
PU # 3161 6

SHIP DATE 01/11/01
DELIVERY DATE 02/19/01
JOB NUMBER 0000 00

SHIPPER CHIQUITA (CHISA) CARRIER FLEMING (FLEFF)
2737 S ORANGE
SALEM OP 9/201 FRESNO CA 95706

	QUANTITY	DESCRIPTION	TARIFF	MIL'S	ACTUAL WT	BILL UNITS	BILL RATE	BILL AMOUNT
01)	LOAD AT CHIQUITA	CHIQUITA	SALTM					
02)	DROP AT FLEFF	FLEMING	FRESNO					
03)	1,564	FREIGHT ALL KINDS			49,205	1 00	700 00 /Flat	100 10
04)		FUEL SURCHARGE				700 00	13 00 /PL	91 00

CARRIER'S LITE Carrier reserves the right to exercise the carrier's
lien on freight set forth in Civil Code Section 3061.5 and CARRIER'S
failure to timely pay billed charges may result in a lien on future
shipments including the cost of appropriate storage
FINANCE CHARGES A finance charge of 1 1/2% per month may be assessed
on any unpaid amounts over 30 days old. A one time late payment of \$6
may be assessed on any unpaid amounts over 60 days old
ATTORNEY'S FEES The prevailing party shall be entitled to reasonable
attorneys fees in the event of litigation to enforce the rights under
this agreement

Net 15 Days - Thank you for the business

TOTAL WEIGHT 49,205

TOTAL DUE 791 10

P O BOX 67 / PLANADA CALIFORNIA 95365

P U C 83 266

ICC M/C 135803

SHIPPER
NO

DATE

FREIGHT BILL

WT
WALLACE
TRANSPORT
PLANADA
(209) 382 0239

TELEPHONE

TR KHB 28 607763

TURLOCK
(209) 632 7507

LOAD #

132528

SHIPPER

CONSIGNEE

 Fleming
 2777 ORANGE AVE.
 FRESNO, CA 93706

QUAN	KIND	DESCRIPTION OF COMMODITIES	WEIGHT	RATE	CHARGES	PREPAID
124	CS	MIXED VEG.	43205			
						COLLECT
						C O D
						TEMP REQUESTED

LOADING

 POWER LOAD
 NO OF PALLETS EXCH
 POWER/ HAND LOAD
 HANDSTACK LOAD

SHIPPERS INITIALS

UNLOADING

 POWER UNLOAD
 NO OF PALLETS EXCH
 POWER/ HAND UNLOAD
 HANDSTACK UNLOAD

RECEIVERS INITIALS

RECEIVED
BY

ABOVE MERCHANDISE RECEIVED IN APPARENT GOOD CONDITION

SEAL INTACT

SEAL NUMBER

TIME SHIPMENT ARRIVED

A M P M

PU DRIVER

PU TRAC

PU TRAILER

TIME BEGAN UNLOADING

A M P M

LINE DRIVER

LINE TRACTOR

LINE TRAILER

TIME FINISHED UNLOADING

A M P M

DEL DRIVER

DEL TRACTOR

DEL TRAILER

BY

 CARRIER ACCEPTS NO RESPONSIBILITY FOR DELAY CAUSED BY FIRE THEFT STRIKES ACTS OF GOD OR OTHER
 CAUSES BEYOND ITS CONTROL THE CARRIER IS NOT RESPONSIBLE FOR ANY SHIPMENT UNLESS THIS ORDER IS
 RATIFIED IN WRITING PRIOR TO SHIPMENT

 ALL CLAIMS FOR LOSS OR DAMAGE MUST BE
 MADE WITHIN 5 DAYS

4 CONSIGNEES COPY



P O Box 388
New Richmond WI 54017
Phone 715/246 2241

The carrier shall not make delivery of this shipment without payment

NO 284397

Sales Order
NO 284397

Signature of Cosignor

Received \$ _____
to apply in prepayment of the
charges on the property
described hereon

Agent or Cashier _____
Per _____

the signature here
acknowledges only the

S H I P T O

**FLEMING/FRESNO
PRIMARY WAREHOUSE**
2797 SOUTH ORANGE AVE
FRESNO CA
93772 USA
PHONE _____
FAX _____

S H I P F R O M

SALEM DISTRIBUTION CENTER
1510 14TH STREET SE
SALEM OR
97302 USA
PHONE 503 763 2244
FAX 503 763 2271
CONTACT LUTHER JACOBSON

SEAL/ 0003194
CAR #

ROUTING
SLIPSHEETS / CUSTOMER TRUCK

Freight Customer Pickup Frt COLLECT Carrier Mode

FOB SALD SHIP DATE 3/17/03 CUSTOMER PO 316136-FS CSR/SALESMAN Lisa Moede / Dan Miller BROKER DAYMON ASSOCIATES INC

TOTAL QTY TOTAL WEIGHT ITEM KEY ITEM GROUP DESCRIPTION LOT # LOT QUANTITY LOT WEIGHT

85	2 295LB	004218740598	300X407 24/300 BEST YET GARBANZO BEANS	159P6/D339B	85	2 295LB
340	9 248LB	004218740600	300X407 24/300 BEST YET WHOLE KERNEL GOLDEN SWEET CORN	500W0/D291D	340	9 248LB
85	2 274LB	004218740602	300X407 24/300 BEST YET CREAM STYLE GOLDEN SWEET CORN	450W8/D282D	85	2 274LB
85	2 227LB	004218740611	300X407 24/300 BEST YET NO SALT ADDED CUT GREEN BEANS	130L1/D211E	85	2 227LB
255	6 681LB	004218740612	300X407 24/300 BEST YET CUT GREEN BEANS	127L2/D204E	255	6 681LB
34	877LB	004218740617	300X407 24/300 BEST YET WHOLE GREEN BEANS	091K6/C256E	34	877LB
340	9 214LB	004218740618	300X407 24/300 BEST YET SWEET PEAS	709W0/D167A	340	9 214LB
51	1,356LB	004218740630	300X407 24/300 BEST YET SLICED BEETS	381L1/D269B	51	1 356LB
51	1,362LB	004218740636	300X407 24/300 BEST YET SLICED CARROTS	404E2/C282D	51	1 362LB
68	1,809LB	004218740660	300X407 24/300 BEST YET SHELLLED BLACKEYE PEAS	146P6/E032F	68	1 809LB
51	1 301LB	004218740662	300X407 24/300 BEST YET LEAF SPINACH	3021A/3347	51	1 301LB
34	938LB	004218740663	300X407 24/300 BEST YET CUT SPEARS ASPARAGUS	027W1/D141A	34	938LB
51	1,377LB	004218740842	300X407 24/300 BEST YET CHILI WITH BEANS	061P4/E014D	51	1 377LB
17	452LB	007431715061	300X407 24/300 EXCEPTIONAL VALUE BLACKEYE PEAS	146P6/E032F	17	452LB

INVOICE

WALLACE TRANSPORT
P O BOX 67

PLANADA CA 95365-0067
209-382-0131

PLANADA TERMINAL (01)

BILL TO FLEMING (36060)
P O BOX 1136
2797 S ORANGE AVENUE
FRESNO CA 93772

INV NO 132547-00
DATE 03/26/03
CUSTOMER PEF # 284396
PO # 316135

SHIP DATE 03/19/03
DELIVERY DATE 03/20/03
JOB NUMBER 0000-00

SHIPPER	CHIQUITA	(CHISA)	CONSIGNEE	FLEMING	(FLEFR)
	SALEM	OR 97301		2797 S ORANGE FRESNO	CA 93706

	QUANTITY	DESCRIPTION	TARIFF	MILES	ACTUAL WT	BILL UNITS	BILL RATE	BILL AMOUNT
01)	LOAD AT	CHISA	CHIQUITA					
02)	DROP AT	FLEFR	FLEMING					
03)	1,594	FREIGHT ALL KINDS	SALEM FRESNO		42,470	1 00	700 00 /Flat	700 00
04)		FUEL SURCHARGE				700 00	13 00 /Pct	91 00

CARRIER'S LIEN Carrier reserves the right to exercise the carrier's lien on freight set forth in Civil Code Section 3051.5 and SHIPPER'S failure to timely pay billed charges may result in a lien on future shipments including the cost of appropriate storage.

FINANCE CHARGES A finance charge of 1 1/2% per month may be assessed on any unpaid amounts over 30 days old. A one-time late payment of 5% may be assessed on any unpaid amounts over 30 days old.

ATTORNEY'S FEES The prevailing party shall be entitled to reasonable attorneys fees in the event of litigation to enforce the rights under this agreement.

Net 15 Days - Thank You for the Business

TOTAL WEIGHT 42,470

TOTAL DUE 791 00

FROM FLEMING FRESNO

FAX NO 5594416596

Apr 18 2003 01 36PM P2

P.O. BOX 57 / PLANADA, CALIFORNIA 95365

P.O.C. 83286

ICC#M/C-135803

WT

WALLACE

TRANSPORT

TELEPHONE

PLANADA

(209) 832-0238

TURLOCK

(209) 832-7507

SHIPPER

NO

DATE

LOAD #

CONSIGNEE

QUAN	KIND	DESCRIPTION OF COMMODITIES	WEIGHT	RATE	CHARGES	PREPAID
						COLLECT
						C.O.D.
						TEMP REQUESTED

LOADING

POWER LOAD
NO OF PALLETS EXCH
POWER/ HAND LOAD
HANDSTACK LOAD

SHIPPERS INITIALS

UNLOADING

POWER UNLOAD
NO OF PALLETS EXCH
POWER/ HAND UNLOAD
HANDSTACK UNLOAD

RECEIVERS INITIALS

RECEIVED

BY

TIME SHIPMENT ARRIVED

A M P M

PU DRIVER

PU TRAC

PU TRAILER

ABOVE MERCHANDISE RECEIVED IN APPARENT GOOD CONDITION

SEAL INTACT

SEAL NUMBER

TIME BEGAN UNLOADING

A M P M

LINE DRIVER

LINE TRACTOR

LINE TRAILER

TIME FINISHED UNLOADING

A M P M

DEL DRIVER

DEL TRACTOR

DEL TRAILER

BY

CARRIER ACCEPTS NO RESPONSIBILITY FOR DELAY CAUSED BY FIRE THEFT STRIKES ACTS OF GOD OR OTHER CAUSES BEYOND ITS CONTROL. THE CARRIER IS NOT RESPONSIBLE FOR ANY SHIPMENT UNLESS THIS ORDER IS

ALL CLAIMS FOR LOSS OR DAMAGE MUST BE MADE WITHIN 5 DAYS

FROM FLEMING FRESNO

FAX NO 5594416596

Apr 18 2003 01 37PM P3

Mar 20 03 08:30a

FLEMING FRESNO

PSC 559 488 6821

P.2

FAX NO 5594416596

8:39AM

CHIQUITA SALEM-

NO 053 P 2/3



P.O. Box 288
New Richmond, WI 54017
Phone 715/246-3341

Subject of Section 7 of Conditions of applicable bill of lading.
If the shipment is to be delivered to the consignee without
receipt on the carrier the consignee shall sign the following statement:
The carrier shall not make delivery of this shipment without payment.

Signature of Consignor

302

Bill of Lading
NO : 284396
Sales Order
NO : 284396

Received \$ _____
to apply in payment of the
due gas on the property
described herein.

Agent or Cashier
For _____
the signature here
acknowledges only the

S
W
I
P
T
O
FLEMING/FRESNO
PRIMARY WAREHOUSE
2797 SOUTH ORANGE AVE
FRESNO CA
93772
PHONE
FAX
USA

S
W
I
P
T
O
SALEM DISTRIBUTION CENTER
1510 14TH STREET SE
SALEM OR
97302
PHONE: 503 763,2244
FAX: 503.763.2271
CONTACT: LUTHER JACOBSON
USA

REAL/
CARE

24 # 0003199

ROUTING

SLIPSHETS / CUSTOMER TRUCK

Freight Customer Pickup-FRT COLLECT

Curtain

Mile

FOB SAID SHIP DATE MINS CUSTOMER PO 31612-73 CSR/SALESMAN Lisa Meach / Dan Miller BROKER DAYMON ASSOCIATES INC

TOTAL QTY TOTAL WEIGHT ITEM KEY ITEM GROUP DESCRIPTION LOT# LOT QUANTITY LOT WEIGHT

600	18 486LB	004218740602	300X407 24/300 BEST YET WHOLE KERNEL GOLDEN SWEET CORN		
			500W3/D210B	439	11,941LB
			500W3/D276A	44	1 197LB
			500W3/D249C	109	2 963LB
			500W3/D2B0C	88	2,394LB
136	3 638LB	004218740601	300X407 24/300 BEST YET NO SALT ADDED W/K GLDN SWT CORN		
			526K1/D268C	136	3 638LB
34	910LB	004218740602	300X407 24/300 BEST YET CREAM STYLE GOLDEN SWEET CORN		
			430W8/D275D	34	910LB
20	310LB	004218740610	211X304 24/8 OZ BEST YET CUT GREEN BEANS		
			127K3/C238D	20	310LB
408	10 890LB	004218740612	300X407 24/300 BEST YET CUT GREEN BEANS		
			127L2/D193C	124	3 249LB
			127L2/D195C	124	3 249LB
			127L2/D228D	117	3 065LB
			127L2/D231A	43	1 127LB
170	4 807LB	004218740618	300X407 24/300 BEST YET SWEET PEAS		
			709W0/D167B	128	3 469LB
			709W0/D180B	42	1,136LB
88	1 795LB	004218740620	300X407 24/300 BEST YET MIXED VEGETABLES		
			805D6/D319F	88	1 795LB
17	454LB	004218740636	300X407 24/300 BEST YET SLICED CARROTS		
			404E2/C282D	17	454LB
51	1 301LB	004218740682	300X407 24/300 BEST YET LEAF SPINACH		
			3021A/3347	51	1 301LB

SE 3/20 jul

FROM FLEMING FRESNO
Mar 20 03 08:30a

FAX NO 5594416596
FLEMING FRESNO
CHIQUITA SALEM

Apr 18 2003 01 38PM P4
PSC 559 488 6621

NO 958 P 3/3

P.1



P.O. Box 388
New Richmond, WI 54017
Phone 715246-2241

Subject of Section 7 of Conditions of applicable bill of lading.
If the consignee is to be delivered to the consignee without
consent of the consignor, the consignee shall sign the following statement:
The carrier shall not make delivery of the shipment without payment.

Signature of Consignor

[Signature]

Bill of Lading
NO - 284396
Sales Order
NO - 284396

Received S
to apply in payment of the
charges on the property
described herein.

Agent of Carrier
For
the signature here
acknowledges only the

S
H
I
P
T
O
FLEMING/FRESNO
PRIMARY WAREHOUSE
2797 SOUTH ORANGE AVE
FRESNO CA
93772 USA
PHONE
FAX

S
H
I
P
T
O
SALEM DISTRIBUTION CENTER
1510 14TH STREET SE
SALEM OR
97302 USA
PHONE: 503 763.2241
FAX 503 763.2271
CONTACT LUTHER JACOBSON

SEAL
CARE

ROUTING
SLIP(S) / CUSTOMER TRUCK

Freight: Customer Pickup / Not COLLECT

Carrier

Note

FOR SALE	SHIP DATE	MAJOR	CUSTOMER PO	SHIP TO	SHIP FROM	Lot No	Lot Weight
TOTAL QTY	TOTAL WEIGHT	ITEM KEY	ITEM GOLF	DESCRIPTION	LOT #	LOT QUANTITY	LOT WEIGHT

10	270LB	104218764127	401X41	12/30 OZ BEST VET DARK RED KIDNEY BRAND	162P2/0093A	10	270LB
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Booking
Date
Vessel

TOTAL QTY	1,594	Pallets In	Pallets Out	TOTAL WEIGHT	42,470LB
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Permanent Post Office Address of Shipper: Chiquita Processed Foods, LLC P.O. Box 388, New Richmond, WI 54017

Per X WALLACE

Agent Chiquita

Per Roy O Bridget

Received B X Pedro Ribera
Date 3-19-03
Total Qty
Received 1594 CS.

Chiquita	7/15
Satisfactory	7/15
Inspected by	BCT's Roy
Date	3-19-03
All items	OK
be received	