

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE	PROOF OF CLAIM
In re Fleming Companies, Inc.	Case Number 03-10945



617090

Bar Date Ref # 2-NVM-83446

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 and Address

Montalvan's Sales Inc
2225 Scastle Harbor PL
Ontario CA 91761

0354653617090

☐ 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 this address differs from the address on the envelope sent to you by the court.

Creditor Telephone Number (909) 930-5670

If you have already filed a proof of claim with the Bankruptcy Court or BMC, you do not need to file again.

CREDITOR TAX ID # 33-0594438	ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR F-4	Check here <input type="checkbox"/> replaces or amends a previously filed claim dated _____
--	---	---

1 BASIS FOR CLAIM

- ☒ Goods sold ☐ Personal injury/wrongful death ☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
☐ Services performed ☐ Taxes ☐ Wages, salaries, and compensation (Fill out below)
☐ Money loaned ☐ Other (describe briefly) _____

Your social security number _____

Unpaid compensation for services performed from _____ to _____
(date) (date)**2 DATE DEBT WAS INCURRED** 01/25/03-01-28/03**3 IF COURT JUDGMENT, DATE OBTAINED**

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE	\$ <u>3324.95</u> (unsecured)	\$ _____ (secured)	\$ _____ (unsecured priority)	\$ <u>3324.95</u> (total)
--	-------------------------------	--------------------	-------------------------------	---------------------------

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 above if any \$ _____

6 UNSECURED PRIORITY CLAIM

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

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 4/1/01 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 your claim, please enclose a self-addressed stamped envelope and an additional copy of this proof of claim.

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4:00 p.m., September 15, 2003, Pacific Daylight Time.

BY MAIL TO
Bankruptcy Management Corporation
P.O. BOX 900
El Segundo, CA 90245-0900

BY HAND OR OVERNIGHT DELIVERY TO
Bankruptcy Management Corporation
1330 East Franklin Avenue
El Segundo, CA 90245

DATE SIGNED

08/05/03

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).

Carmen Montalvan V. Pres.

Penalty for presenting fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 AND 3571

See Other Side For Instructions**THIS SPACE FOR COURT
USE ONLY**

FILED

AUG 11 2003

BMC

Fleming Companies Claim



03374

MONTALVAN'S SALES, INC
 2225 S. CASTLE HARBOR PL
 ONTARIO, CA 91761
 " TRAYENDOLE EL SABOR DE SU TIERRA "
 (909) 930-5670 (909) 930-5677
 info@montalvans.com

* INVOICE *

Date . 01/10/03 No . 36126

Due Date: 01/25/03 Page 1

Ship To/Remarks

F-4
 FOOD 4 LESS - PROVO
 HAROLD,(PRODUCE)
 2250 NORTH UNIVERSITY PKWY
 needs 5 taro every other week
 PROVO UT 84601
 PHONE (801) 373-8626 FAX (801) 374-6042

Via	FOB	Terms NET 15 DAYS	Your#	Our# 36126	Rep
Description Item Number	Ordered Measure	Shipped Backordered	Unit Price Discount %	Extended	
PALM C BEEF 6 LB P6 56869-91001	2 0 CASE	2 0	111 0000	222 00	
PALM CORNED BEEF 6 x 3 lbs P3A 56869-91002	3 0 CASE	3.0	62 0000	186 00	
PALM C BEEF 24 X 1 lb P16 7-56869-91003	4.0 CASE	4.0	69.0000	276 00	
ALOHA SHOYU SOY SAUCE 6 X 1/2 AS1 73366-10081	6 0 CASE	6.0	25 0000	150 00	
ALOHA BARBECUE SAUCE 6X 1/2ga AB 73366-10090	3 0 CASE	3 0	32 0000	96.00	
CURED BEEF-WHITE 6 lbs CU6	1 0 EACH	1.0	8.0000	8 00	
P.T MACKEREL OILY 12/15oz PTM12 70715-07357	4 0 CASE	4 0	8.0000	32 00	
P.T MACKEREL IN WATER 12/15o PSM12 56869-00001	4.0 CASE	4.0	7.5000	30.00	
PT MACKEREL TOMATO SAUCE 12/1 PTMT12 56869-00015	4.0 CASE	4.0	8.2500	33 00	
P.T COCONUT MILK 6/ 96 oz CM1 70715-08353	2.0 CASE	2.0	25 7500	51 50	
P T. COCONUT MILK 24/13 5oz CM 70715-08354	10 0 CASE	10.0	15 5000	155.00	
PEE PEE COCONUT CREAM 24/400m PEPE 56869-10961	2 0 CASE	2 0	33 0000	66 00	
P T CABIN BISCUITS 4 X 9.14 PC10 56869-30003	2 0 CASE	2 0	34 5000	69 00	

Wt Total

Sub-Total
 Freight
 Total
 Adv Pay

Net To Pay

MONTALVAN'S SALES, INC
 2225 S CASTLE HARBOR PL
 ONTARIO, CA 91761
 " TRAYENDOLE EL SABOR DE SU TIERRA "
 (909) 930-5670 (909) 930-5677
 info@montalvans.com

*** INVOICE ***

Date : 01/10/03 No 36126

 Due Date 01/25/03 Page. 2

F-4
 FOOD 4 LESS - PROVO
 HAROLD,(PRODUCE)
 2250 NORTH UNIVERSITY PKWY
 needs 5 taro every other week
 PROVO UT 84601
 PHONE: (801) 373-8626 FAX (801) 374-6042

Ship To/Remarks

Via	FOB	Terms NET 15 DAYS	Your#	Our# 36126	Rep
Description Item Number	Ordered Measure	Shipped Backordered	Unit Price Discount %	Extended	
P.T KOKO BALL 12 X 8 oz	1 0	12 0	3 9500	47 40	
COCOA 56869-10004	EA				
P.T CURRY POWDER 12 X 1 LB	2 0	24 0	3 7500	90 00	
CP 56869-10002	EA				

Wt Total 0 0000

ALL PRICES ON THIS INVOICE ARE FINAL
 NO CHANGES UNLESS AUTHORIZED BY
 MAIN OFFICE 909-930-5670 ask for JULIO

Sub-Total 1511 90
 Freight 10 00
 Total 1521 90
 Adv Pay
 Net To Pay 1521 90

MONTALVAN'S SALES, INC
 2225 S CASTLE HARBOR PL
 ONTARIO, CA 91761
 " TRAYENDOLE EL SABOR DE SU TIERRA "
 (909) 930-5670 (909) 930-5677
 info@montalvans.com

* INVOICE *

Date 01/13/03 No. 36137

 Due Date. 01/28/03 Page. 1

F-4
 FOOD 4 LESS - PROVO
 HAROLD,(PRODUCE)
 2250 NORTH UNIVERSITY PKWY
 needs 5 taro every other week
 PROVO UT 84601
 PHONE (801) 373-8626 FAX (801) 374-6042

Ship To/Remarks

Via	FOB	Terms NET 15 DAYS	Your#	Our# 36137	Rep.
Description Item Number	Ordered Measure	Shipped Backordered	Unit Price Discount %	Extended	
PALM CORNED BEEF 6 x 3 lbs	4.0	4 0	62 0000	248 00	
P3A 56869-91002	CASE				
ALOHA SHOYU SOY SAUCE 6 X 1/2	4.0	4 0	25.0000	100 00	
AS1 73366-10081	CASE				
P T MACKEREL OILY 12/15oz	6.0	6 0	8.0000	48 00	
PTM12 70715-07357	CASE				
P.T. MACKEREL IN WATER 12/15o	6 0	6 0	7 5000	45.00	
PSM12 56869-00001	CASE				
PT MACKEREL TOMATO SAUCE 12/1	6 0	6 0	8 2500	49 50	
PTMT12 56869-00015	CASE				
P T. COCONUT MILK 6/ 96 oz	4 0	4 0	25 7500	103 00	
CM1 70715-08353	CASE				
P T COCONUT MILK 24/13 5oz	12 0	12 0	15.5000	186.00	
CM 70715-08354	CASE				
PEE PEE COCONUT CREAM 24/400m	4 0	4 0	33 0000	132 00	
PEPE 56869-10961	CASE				
P.T. CABIN BISCUITS 4 X 9.14	3.0	3.0	34.5000	103 50	
PC10 56869-30003	CASE				
P.T BREAKFAST CRACKER 4X9.14	3 0	3.0	42 0000	126.00	
PB10 56869-30001	CASE				
P T COCOA BEANS 12 X 1 LB	1 0	12 0	3.9500	47 40	
CB 56869-10001	POUND				
P T. KOKO BALL 12 X 8 oz	1 0	12 0	3 9500	47 40	
COCOA 56869-10004	EA				
Pallet Charge				5 00	

Wt Total	0 0000	Sub-Total	1240 80
		Freight	10 00
		Total	1250 80
		Adv Pay	
		Net To Pay	1250 80

ALL PRICES ON THIS INVOICE ARE FINAL
 NO CHANGES UNLESS AUTHORIZED BY
 MAIN OFFICE 909-930-5670 ask for JULIO

MONTALVAN'S SALES, INC
 2225 S CASTLE HARBOR PL
 ONTARIO, CA 91761
 " TRAYENDOLE EL SABOR DE SU TIERRA "
 (909) 930-5670 (909) 930-5677
 info@montalvans.com

*** INVOICE ***

Date 03/14/03 No 36441

 Due Date 03/29/03 Page 1

F-4
 FOOD 4 LESS - PROVO
 HAROLD,(PRODUCE)
 2250 NORTH UNIVERSITY PKWY
 needs 5 taro every other week
 PROVO UT 84601
 PHONE. (801) 373-8626 FAX (801) 374-6042

Ship To/Remarks

Via	FOB	Terms NET 15 DAYS	Your#	Our# 36441	Rep
Description Item Number	Ordered Measure	Shipped Backordered	Unit Price Discount %	Extended	
ALOHA SHOYU SOY SAUCE 6 X 1/2 AS1 73366-10081	7 0 CASE	7 0	25 0000	175 00	
ALOHA BARBECUE SAUCE 6X 1/2ga AB 73366-10090	2.0 CASE	2 0	32 0000	64 00	
FIJIAN TARO PINK 1 / 45 lbs FT	4 0 EA	4 0	34 0000	136 00	
P T MACKEREL IN WATER 12/15o PSM12 56869-00001	6 0 CASE	6.0	7.5000	45 00	
Pallet Charge				5 00	

Wt Total 180 0000

ALL PRICES ON THIS INVOICE ARE FINAL
 NO CHANGES UNLESS AUTHORIZED BY
 MAIN OFFICE 909-930-5670 ask for JULIO

Sub-Total : 425.00
 Freight . 10 00
 Total 435 00
 Adv Pay
 Net To Pay 435 00

MONTALVAN'S SALES, INC
 2225 S CASTLE HARBOR PL
 ONTARIO, CA 91761
 " TRAYENDOLE EL SABOR DE SU TIERRA "
 (909) 930-5670 (909) 930-5677
 info@montalvans.com

*** INVOICE ***

Date . 03/28/03 No. 36532

 Due Date 04/12/03 Page 1

F-4
 FOOD 4 LESS - PROVO
 HAROLD,(PRODUCE)
 2250 NORTH UNIVERSITY PKWY
 needs 5 taro every other week
 PROVO UT 84601
 PHONE (801) 373-8626 FAX (801) 374-6042

Ship To/Remarks

Via	FOB	Terms	Your#	Our#	Rep.
		NET 15 DAYS		33532	
Description	Item Number	Ordered Measure	Shipped Backordered	Unit Price Discount %	Extended
CROWN CORNED BEEF 24 X 12 oz		4 0	4.0	69.0000	276 00
CE12	75686990010	CASE			
PALM C BEEF 24 X 1 lb		4 0	4.0	69 0000	276 00
P16	7-56869-91003	CASE			
SALISBURY CORNED MUTTON 24/12		2 0	2 0	45 0000	90 00
SCM	56869-20010	CASE			
FIJIAN TARO PINK 1 / 45 lbs		4 0	4 0	34 0000	136 00
FT		EA			

Wt Total 180 0000

ALL PRICES ON THIS INVOICE ARE FINAL
 NO CHANGES UNLESS AUTHORIZED BY
 MAIN OFFICE 909-930-5670 ask for JULIO.

Sub-Total 778 00
 Freight 0 00
 Total 778 00
 Adv Pay -\$660.75
 Net To Pay \$117.25