

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM



043262

Bar Date Ref # 2 NVM 110797

In re  
**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.

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.

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

Name of Creditor and Address  
  
Cookie Specialties Inc  
482 N Milwaukee Ave  
Wheelins IL 60090

0354553643262

Creditor Telephone Number (847) 537-3888

CREDITOR TAX ID #

36-2743848

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR  
**Fleming Co, Inc TX**

Check here  replaces  or  a previously filed claim dated  if this claim  amends

1 BASIS FOR CLAIM

- Goods sold
- Services performed
- Money loaned
- Personal injury/wrongful death
- Taxes
- Other (describe briefly)
- Retiree benefits as defined in 11 U.S.C. § 1114(a)
- Wages, salaries, and compensation (Fill out below)
- Your social security number \_\_\_\_\_
- Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_ (date) (date)

2 DATE DEBT WAS INCURRED **3/3/03 & 3/20/03**

3 IF COURT JUDGMENT DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE

\$ **7,879.20**  
(unsecured)

\$ \_\_\_\_\_  
(secured)

\$ \_\_\_\_\_  
(unsecured priority)

\$ **7,879.20**  
(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. **- 0 -**

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

THIS SPACE FOR COURT  
**FILED**  
AUG 08 2003  
**BMC**

DATE SIGNED  
**8/6/03**

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).

**Grant Pierce, President**

Fleming Companies Claim



03389

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

Cookie Specialties Inc  
 482 N Milwaukee Ave  
 Wheeling, IL 60090

# Invoice

DATE	INVOICE NO
03/20/03	21748

BILL TO
Fleming Companies Inc - TX P O Box 24750 Oklahoma City, OK 73124-4750

SHIP TO
Fleming Co Garland Division 2600 McCree Rd Garland, TX 75046-9012

P O NO	TERMS	REP	SHIP DATE	SHIP VIA
421326GA	2% 10 Net 30		03/20/03	American Frt

# OF CASE	DESCRIPTION	size-item #	PRICE	AMOUNT
98	Matt's Chocolate Chip Cookies	12/1 lb C/C	20 10	1,969 80
49	Matt's Oatmeal Raisin Cookies	12/1lb O/R	20 10	984 90
49	Matt's Peanut Butter Cookies	12/1 lb P/B	20 10	984 90

<b>Total</b>	\$3,939 60
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Cookie Specialties Inc  
 482 N Milwaukee Ave  
 Wheeling, IL 60090

# Invoice

DATE	INVOICE NO
03/03/03	21700

BILL TO
Fleming Companies Inc - TX P O Box 24750 Oklahoma City, OK 73124-4750

SHIP TO
Fleming Co Garland Division 2600 McCree Rd Garland, TX 75046-9012

P O NO	TERMS	REP	SHIP DATE	SHIP VIA
214566GA	2% 10 Net 30		03/03/03	American Frt

# OF CASE	DESCRIPTION	size-item #	PRICE	AMOUNT
84	Matt's Chocolate Chip Cookies	12/1 lb C/C	20 10	1,688 40
84	Matt's Oatmeal Raisin Cookies	12/1lb O/R	20 10	1,688 40
28	Matt's Peanut Butter Cookies	12/1 lb P/B	20 10	562 80

<b>Total</b>	\$3,939 60
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FedEx Freight East  
2200 FORWARD DRIVE  
HARRISON AR 72601  
800 874 4723

DELIVERY RECEIPT

Freight Bill Number  
362785521 RO



Page 2 of 2

B/L # 21748		PO. # 421326-GA		Ship Date 03/20/03	Origin BEN	Dest DAL
CONSIGNEE 09070165 FLEMING COMPANIES INC 2600 MCCREE RD GARLAND DIVISION GARLAND TX 75041-3901				Trailer # P4528 SHIPPER 69560411 COOKIE SPECIALTIES 482 N MILWAUKEE WHEELING IL 60090		
H/AI	PCS	HM	DESCRIPTION	WGT-LBS	NMFC	PCF CLASS RATE CHARGES
			APPT032503 20 00SETUP032103 09 33 PAT (972) 840-4435			
** ANY ADDITIONAL SERVICES MAY RESULT IN ADDITIONAL CHARGES **						
4	196		PREPAID - WILL INVOICE SHIPPER	3065		
ACCESSORIAL SERVICES PERFORMED <input type="checkbox"/> INSIDE DELIVERY <input type="checkbox"/> LIFTGATE <input type="checkbox"/> RESIDENTIAL LIMITED ACCESS <input type="checkbox"/> DETENTION <input checked="" type="checkbox"/> SORT & SEGREGATE <input type="checkbox"/> OTHERS				WILL INVOICE RESPONSIBLE PARTY  <i>W. B. Biscoe</i>		
ASK ABOUT OUR EUROPE SERVICE! Received by <i>[Signature]</i> Date <i>3/25/03</i> Arrive <i>19215</i> Depart <i>21130</i> Delv Driver <i>P. Blaw</i> Driver # <i>X899</i> <input checked="" type="checkbox"/> DELV WITH S/W INTACT <i>4</i> # of Skids Delv <input checked="" type="checkbox"/> CLEAR <input type="checkbox"/> SHORT <input type="checkbox"/> OVER <input type="checkbox"/> DAMAGE EXCEPTIONS				Customer Requirements/Appointment Instruction APPT 03/25/2003 FROM 00.00 TO 20 00 (972) 840-4435 X-0000 PAT		

DRIVER COPY

*4 Skids*



FedEx Freight East  
2200 FORWARD DRIVE  
HARRISON AR 72601  
800 874 4723

DELIVERY RECEIPT

Freight Bill Number  
362785521 RO



Page 1 of 2

B/L # 21748	PO # 421326-GA	Ship Date 03/20/03	Origin BEN	Dest DAL
CONSIGNEE 09070165 FLEMING COMPANIES INC 2600 MCCREE RD GARLAND TX 75041-3901		SHIPPER 69560411 COOKIE SPECIALTIES 482 N MILWAUKEE		

H/U	PCS	HM	DESCRIPTION	WGT-LBS	NMFC	PCF CLASS	RATE	CHARGES
	98		MATTS REAL CHOC CHIP COOKIES	3065	072040-00	070		
	49		MATTS NAT OATMEAL RAISIN COOKIES		072040-00	070		
	49		MATTS REAL PEANUTT BUTTER COOKIES		072040-00	070		
	4		SKIDS					
			APPOINTMENT DELIVERY **					
			** FOOD STUFF **					
			421326GA					
			SGF - INSPECTING TERMINAL					
			002748 ORIGINAL WEIGHT					
			**SHIPMENT REWEIGHED AS ABOVE**					
			004772 FUEL SURCHG LTL SHPT6 50%					
			APPOINTMENT FROM 00 00 TO 20 00					
			** ANY ADDITIONAL SERVICES MAY RESULT IN ADDITIONAL CHARGES **					
			PREPAID - WILL INVOICE SHIPPER					

DRIVER COPY

*4 skids*

ACCESSORIAL SERVICES PERFORMED

INSIDE DELIVERY       LIFTGATE

RESIDENTIAL LIMITED ACCESS       DETENTION

SORT & SEGREGATE       OTHERS

WILL INVOICE RESPONSIBLE PARTY

*W. Baiscoe*

ASK ABOUT OUR EUROPE SERVICE!

Received by *W. Baiscoe*

Date *3/25/03* Arrive *19:15* Depart *21:30*

Delv Driver *P. Blanks* Driver # *X587*

DELV WITH S/W INTACT      4 # of Skids Delv

CLEAR       SHORT       OVER       DAMAGE

Customer Requirements/Appointment Instruction

APPT. 03/25/2003 FROM 00 00 TO 20 00

(972) 840-4435 X-0000 PAT