

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

**PROOF OF CLAIM**



557302

Bar Date Ref # 2-NVM-15727

In re *Fleming Foods of Texas LP*

Case Number *03-10955 (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**  
  
0354653557302  
Virginia Dept of Treasury, *DIV OF UNCLAIMED PROPERTY*  
PO Box 2478  
Richmond VA 23218-2478

Creditor Telephone Number *(804) 225-2393*

CREDITOR TAX I D #  
*54-6001745*

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

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

**1 BASIS FOR CLAIM**

- Goods sold
  - Services performed
  - Money loaned
  - Personal injury/wrongful death
  - Taxes
  - Other (describe briefly) *See attached*
  - 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** *See attached*

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE**

\$ _____ (unsecured)	\$ _____ (secured)	\$ _____ (unsecured priority)	\$ <i>See attached</i> (total)
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If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.

Check 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**

**6 UNSECURED PRIORITY 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 \$ \_\_\_\_\_

Check this box if you have an unsecured priority claim.

Specify the priority or 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.

<p><b>BY MAIL TO</b> Bankruptcy Management Corporation P O BOX 900 El Segundo, CA 90245-0900</p>	<p><b>BY HAND OR OVERNIGHT DELIVERY TO</b> Bankruptcy Management Corporation 1330 East Franklin Avenue El Segundo, CA 90245</p>
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**THIS SPACE FOR COURT USE ONLY**  
**FILED**  
**AUG 12 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).  
*Vicki D Bridgeman Director*



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**

**Proof of Claim Attachment**  
Fleming Foods of Texas, L P  
Case No 03-10955(MFW)

- 1 Claimant is a general unsecured creditor of the estate in such amount known only to the debtor
- 2 Claimant pursuant to its unclaimed property law (Va Code Ann §§ 55-210 30) is acting as conservator or custodian on behalf of the classes of persons set forth below who have failed to claim the property owing to them by the debtor for the statutory period of abandonment Accordingly, by operation of law, the state has succeeded to the claims of all such owners, except those who are no longer presumed abandoned by virtue of their having filed a claim herein

Claimant, by virtue of its unclaimed property law, makes claim to all property described below, that was presumed abandoned (1) prior to the debtor's filing of a Chapter 11 petition or (2) subsequent to the debtor's filing of a Chapter 11 petition but prior to the court's entry of a final decree approving reorganization

On information and belief, claimant claims the following property owing by the debtor to persons whose last known addresses, according to the books and records of the debtor, are in the claimant state, or if there are no such addresses, or the addresses are in a state which has no applicable unclaimed property law, claimant is entitled to such property if the debtor or its successor(s) in interest is incorporated in claimant's state

- A Unredeemed gift certificates and credit memoranda
  - B Outstanding wages, payroll, salary, and commission checks
  - C Unclaimed lay-away deposits, account credit balances and unidentified remittances
  - D Outstanding pension and profit sharing checks
  - E Outstanding vendor and expense checks, as well as any other miscellaneous outstanding checks
  - F Securities and/or associated cash for any debt or equity issue associated with debtor, including underlying shares, unredeemed shares, undeliverable shares, unexchanged shares, and shares issued as a result of any mergers, acquisitions or exchanges
  - G Any other unclaimed amounts issued or owing in the ordinary course of the debtor's business
- 3 The documents upon which this claim is based, including information about the dates on which the debts arose, are in the possession and control of the debtor