

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

**PROOF OF CLAIM**



552095

Bar Date Ref # 2-NVM-10325

In re **Fleming Companies Inc** 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.

**Name of Creditor and Address**  
  
0354653552095  
  
Lancaster County Treasurer  
555 S 10th St  
Lincoln NE 68508

- 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.

Creditor Telephone Number (402) 477-7398  
CREDITOR TAX ID # 476006482  
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR 09-12-106-001-000 &  
Check here  replaces or  amends a previously filed claim dated \_\_\_\_\_ if this claim

**1 BASIS FOR CLAIM** PU07493  
 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** 12-31-02 **3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE**  
 \$ \_\_\_\_\_ (unsecured) \$ \_\_\_\_\_ (secured) \$ 84,327.47 (unsecured priority) \$ 84,327.47 (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

THIS SPACE FOR COURT USE ONLY  
**FILED**  
**AUG 12 2003**  
**BMC**

DATE SIGNED: Aug 8, 2003  
 SIGN and print the name of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):  
**RICHARD NEUMBERGER, TREASURER**  
**LANCASTER COUNTY**  
**555 SOUTH 10th ST.**  
**LINCOLN, NEBRASKA 68508-2800**  
*Richard Neumberger*

Fleming Companies Claim  
 03811

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 1571.

**See Other Side For Instructions**

Taxes 21,950.39 +

Taxes 124,710.28 +

In Holding 62,345.20 -

Claim amount 84,327.47 -

ACTION ? SCREEN SSUM USER CMG1 RECALC/DEL N REASON DTE 2003 04 01

TAX ACCOUNTING PARCEL SUMMARY - LANCASTER PERSONAL PROP  
ROLL= PP CYC= LPP PARCEL= P007493 YR= 2002 PRINT-BILL N

FLEMING CO OF NEBR LINCOL ALT 0354601	ASSESSMENT	984,521	LAST PAYMENT
JU 55 TDIS 0001 SCHOOL 1 CL CI	EXEMPTIONS	0	0 00
PAYMT PLAN BANKRUPTCY X P NOTES	LATE FILING 1	0	
DIST WARR VOUCHERS STRICKEN	TAXABLE	984,521	TELLER
	EXEMPTIONS	0 00	##
NAM CHANGE <ATR STATUS A ACTIVE >	MILLAGE	020274200	UNPAID

	APPLIED	PAID	OWED	SUED? NO	SUIT-DATE
LEVY TAXES	19,960 52	0 00	19,960 52	SUIT-ID	SUIT#
SASC TAXES	0 00	0 00	0 00		CASE#
OLD FEES	1,996 05	0 00	1,996 05		
OLD INTR	0 00	0 00	0 00	LAST CHANGE	DATE 2003 05 14
NEW FEES			0 00	USER CMG1	TIME 08 41 45
NEW INTR			3 82		
TOTALS	21,956 57	0 00	21,960 39	TAX BILL #	0000002413

PENDNG 0 00 TLRNCE 0 00 OVRPYMT 0 00 PROTEST 0 00  
H--PS43W PAST DATE HAS BEEN ENTERED H--PV17W NEW INTEREST/FEES DISPLAYED

ACTION ? SCREEN PSUM USER CMG1 RECALC/DEL N REASON DPE 2003 04 01  
 ----- TAX ACCOUNTING PARCEL SUMMARY - LANCASTER REAL ESTATE -----  
 ROLL= RE CYC= LRE PARCEL= 09-12-106-001-000 YR= 2002 PRINT-BILL N

FLEMING CO THE	ALT 0761885	ASSESSMENT	6,150,000	LAST PAYMENT
JU 55 TDIS 0001	SCHOOL 1 CL 27	EXEMPTIONS	0	0 00
PAYMT PLAN X	BANKRUPTCY X P NOTES X	LATE FILING N	0	
TAX SALE	VOUCHERS SPL/PRIOR	TAXABLE	6,150,000	TELLER
STRICKEN	DIST WARRT ASSIGNMENT	EXEMPTIONS	0 00	##
RECAL 6%	<ATR STATUS A ACTIVE >	MILLAGE	020274200	UNPAID

	APPLIED	PAID	OWED	SUED? NO	SUIT-DATE
LEVY TAXES	124,686 40	0 00	124,686 40	SUIT-ID	SUIT#
SASC TAXES	0 00	0 00	0 00		CASE#
OLD FEES	0 00	0 00	0 00		
OLD INTR	0 00	0 00	0 00	LAST CHANGE	DATE 2003 08 01
NEW FEES			0 00	USER CMG1	TIME 08 35 35
NEW INTR			23 88		
TOTALS	124,686 40	0 00	124,710 28	TAX BILL #	0000025218

PENDNG 0 00 TLRNCE 0 00 OVRPYMT 0 00 PROTEST 0 00  
 H--PS43W PAST DATE HAS BEEN ENTERED H--PV17W NEW INTEREST/FEES DISPLAYED

In Holding for 2nd 1/2 taxes  
 \$ 62,343.20

Taxes 124,710.28\*  
 Part Pay 62,343.20 -  
 Amt → 62,367.08\*  
 Claiming

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

**In re Fleming Companies, Inc et al  
Case No 03-10945-(MFW)-11**

**DOCUMENTS APPENDED TO CLAIM**

On August 23, 2005, document(s) were appended to Claim Numbers **18484, 16105 and 3811** for the following reason(s)

- Stipulation and Settlement Agreement
- New Supporting Documents
- Change of Address
- Proof of Payment dated 8/12/05
- Other Docket Number ###

Fleming Companies, Inc - Estate

34559

REFERENCE NO / DESCRIPTION		INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
Account Payables - CAP					48,925 06
CHECK DATE	CHECK NUMBER	PAYEE		DISCOUNTS TAKEN	CHECK AMOUNT
8/12/05	34559	Lancaster County Treasurer			\$48,925 06

THE BACKGROUND OF THIS DOCUMENT IS PRINTED IN COLORED INK

Fleming Companies, Inc - Estate

Phone 405 841 5789

5701 North Shuttel  
Oklahoma City OK 73118

JPMorgan Chase Bank  
New York Controlled Disbursements

34559

**VOID-VOID**

CHECK #	DATE	AMOUNT
34559	Aug 12, 2005	*****\$48,925 06

Forty-Eight Thousand Nine Hundred Twenty-Five and 06/100 Dollars

Memo

PAY  
TO THE  
ORDER  
OF

Lancaster County Treasurer  
555 S 10th Str  
Lincoln, NE 68508



⑈0034559⑈ ⑆021000021⑆ ⑈904047075⑈

AUG 2 2005 4 07PM FLEMING 4858418023

NO 375 P 1



FAX

Barbara Hall  
Finance Director  
5601 Broadway Ext'n, Suite 100  
Oklahoma City, OK 73118  
telephone (405) 286-9802  
facsimile (405) 286-9819  
e-mail [florinichall@yahoo.com](mailto:florinichall@yahoo.com)

August 2, 2005

Chris, Nancy

Company Lancaster County Treasurer, Nebraska

(402) 441-8841

Phone (402) 477-7398

Total Pages 3 (including cover)



Chris, Nancy

Attached is our reconciliation of Lancaster County's property tax claims We have included all amounts that we'd discussed earlier and have calculated interest at 14% through 8/23/04 and at 5% through 8/5/05 as allowed by our plan Please advise if there are any discrepancies in our numbers

As soon as you respond to this fax that this is an acceptable settlement of all property tax claims against PCT as Post Confirmation Trust of Fleming Companies, Inc and related debtors, I will authorize payment

If you agree please have an authorized representative of Lancaster County sign the agreement below and fax to me at (405) 286-9819.

Thanks,  
Barbara

Lancaster County accepts the above mentioned proposal as full and final settlement of all property tax claims against PCT as Post Confirmation Trust of Fleming Companies, Inc and related debtors

\*

By   
Authorized Representative of Lancaster County, NE

Dated 8-5-05

Notice of Confidentiality

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From LANCASTER COUNTY TREASURER 402 441 8841 08/05/2005 07:53 #149 P.002/003

**Updated/Revised Claim For  
Lancaster County Treasurer**

Chris, Nancy  
555 S 10th St  
Lincoln, NE 68506

**Contact**  
Chris, Nancy  
(402) 477-7398  
(402) 441-8841

fax

**Proofs of Claim**  
3811, 8/12/03  
16105, 1/5/04  
16484, 7/2/04

Claim Number	Parcel or Account	Secured/Priority Portion of Tax Claim							Memo/Notes
		memo	+		+		=		
		Base Claim Total	Tax Due	Compensatory Penalties & Interest @ 14 0% to 06/30/04	Interest @ 14 0% from 06/30/04 to 8/23/04	Total Secured/Priority Due	Interest @ 5 0% Through 08/06/05 a	Total Priority Tax Payable	
3811	P007493	21,980.38	-	-	-	-	-	-	2002 PP Tax amended 2003 RE Tax amended withdrawn withdrawn 2002 PP Tax 2003 PP Tax
3811	08-12-106-001-000	82,367.08	-	-	-	-	-	-	
16105	P007493	22,006.86	-	-	-	-	-	-	
16105	08-12-106-001-000	124,187.04	-	-	-	-	-	-	
16484	P007493	25,380.22	19,980.62	3,403.65	413.43	23,777.80	1,130.26	24,907.85	
16484	P007493	22,428.95	22,006.86	421.98	455.61	22,884.66	1,067.81	23,972.47	
<b>Totals</b>		<b>278,310.44</b>	<b>41,987.38</b>	<b>3,825.64</b>	<b>869.24</b>	<b>46,662.26</b>	<b>2,218.06</b>	<b>\$ 48,880.32</b>	

**Recap by claim**

3811	84,327.47	-	-	-	-	-	-	-
16105	146,183.90	-	-	-	-	-	-	-
16484	47,789.07	41,967.38	3,825.64	869.24	46,662.26	2,218.06	48,880.32	
	<b>278,310.44</b>	<b>41,967.38</b>	<b>3,825.64</b>	<b>869.24</b>	<b>46,662.26</b>	<b>2,218.06</b>	<b>48,880.32</b>	

- a Interest to be paid at 5% simple interest on total outstanding "Secured/Priority Due" from 8/23/04 until paid in full per court approved plan of reorganization
- b Non-compensatory or punitive penalties are considered unsecured claims under bankruptcy code. Unsecured claims will be settled by distribution of Core Marks reorganization
- \* Lancaster County Treasurer accepts these payments as full and final settlement for all property tax claims against PCT as Post Confirmation Trust of Fleming Companies, Inc and related debtors in the Chapter 11 Bankruptcy filed in the U S District Court of Delaware, case 03-10945

11/10/04 11:02 AM FAX 402 441 8841