

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

**PROOF OF CLAIM**



375480

Bar Date Ref #

In re  
**Fleming Companies, Inc.**

Case Number  
**03-10945**

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.

**FILED  
AUG 11 2003  
BMC**

**Name of Creditor and Address**

0354653375480

Montalvan's Sales Inc  
2225 S Castle Harbor PL  
ONTARIO CA 91761

Creditor Telephone Number **909 930-5670**

CREDITOR TAX ID #  
**33-50594438**

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR  
**F-3**

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

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

**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**      **3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE**      \$ 1182.00      \$ \_\_\_\_\_      \$ 1182.00

(unsecured)      (secured)      (unsecured priority)      (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

**THIS SPACE FOR COURT USE ONLY**

**FILED**

**AUG 11 2003**

**BMC**

**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 Vice Pres**

Fleming Companies Claim



05151

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**

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 03/19/03 No 36433  
 Due Date 04/03/03 Page 1  
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F-3  
 FOOD 4 LESS WEST VALLEY -FLEMINGS #1158  
 JASON,(PRODUCE MANAGER)  
 1585 W 3500 SOUTH  
 WEST VALLEY UT 84119

Ship To/Remarks

PHONE (801) 972-5761 FAX (801) 972-6810

Via	FOB	Terms NET 15 DAYS	Your#	Our# 36433	Rep
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Description Item Number	Ordered Measure	Shipped Backordered	Unit Price Discount %	Extended
PALM CORNED BEEF 6 x 3 lbs P3A 56869-91002	4 0 CASE	4 0	62 0000	248 00
FIJIAN TARO PINK 1 / 45 lbs FT	3 0 EA	3 0	34 0000	102 00
P T CABIN BISCUITS 6/4 15 LB PC5 56869-30002	6 0 CASE	6 0	30 0000	180 00
P T. BREAKFAST CRACKERS 6/4 1 PB5 56869-30000	6.0 CASE	6 0	35 0000	210 00
P T BREAKFAST CRACKER 4X9 14 PB10 56869-30001	6 0 CASE	6 0	42 0000	252 00
P T. CURRY POWDER 12 X 8 oz CP8 56869-10059	6 0 EACH	72 0	2 5000	180 00

Wt Total 135 0000

Sub-Total 1172 00  
 Freight 10 00  
 Total 1182 00  
 Adv Pay  
 Net To Pay 1182 00

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