

Chapter 11



562436

Bar Date Ref # 2-NVM-21056

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

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...

- Check box if you are aware that anyone else has filed a proof of claim relating to your claim... 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

Name of Creditor and Address Memphis City Treasurer 125 N Main Rm 375 Memphis TN 38103-2080

Creditor Telephone Number (901) 576-6302 CREDITOR TAX ID # ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR 074001 B00004

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

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, Services performed, Money loaned, Personal injury/wrongful death, Taxes, Other, Retiree benefits, Wages salaries and compensation

2 DATE DEBT WAS INCURRED 1/03 3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE \$ 31,011.84 (unsecured) \$ 31,011.84 (secured) \$ 31,011.84 (unsecured priority) \$ 31,011.84 (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

5 SECURED CLAIM Check this box if your claim is secured by collateral (including a right of setoff) Brief description of collateral Real Estate Value of collateral \$ 31,011.84

6 UNSECURED PRIORITY CLAIM Check this box if you have an unsecured priority claim Specify the priority of the claim Wages salaries or commissions, Contributions to an employee benefit plan, Up to \$2 100 of deposits toward purchase lease or rental of property or services for personal family or household use, Alimony maintenance or support owed to a spouse former spouse or child, Taxes or penalties owed to governmental units, Other

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

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 19 2003 BMC

DATE SIGNED 8/12/03 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) Court Clerk Green Hewitt

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 8571

Fleming Companies Claim 05160

See Other Side For Instructions

CITY OF MEMPHIS, TENNESSEE

TAX BILL



| | | | | | |
|-------------------------|-------------------|--------------------|-------|--------------------|------------|
| Parcel/Account#: | 074001 B00004 | Lot Size: | 500 0 | Date | OPER LMK |
| Location | 5150 AMERICAN WAY | Lot Number: | | Mortgage Co | 08/08/2003 |
| Subdivision: | | Acreeage | | | |
| Classification: | COMMERCIAL | | | | |

FLEMING COMPANIES INC
 DELOITTE & TOUCHE
 STE 700
 5550 LYNDON B JOHNSON FWY
 DALLAS TX 75240-2336

Credit card payments via 576-7200 or 1-866-340-7379

See back of bill for bankruptcy refund and tax dispute information

| Year | Type | Assessment | Rate | Bill # | Tax | Interest Penalty | Court Costs | Attorney Fees | Other Fees | Tax Amount |
|------|------|------------|------|--------|-----|---------------------|----------------|------------------|---------------|------------|
|------|------|------------|------|--------|-----|---------------------|----------------|------------------|---------------|------------|

| | | | | | | | | | | |
|------|-------------|---------|--------|---------|-----------|----|----|----|----|-----------|
| 2003 | Real Estate | 960 000 | 3 2304 | 0142447 | 31 011 84 | 00 | 00 | 00 | 00 | 31 011 84 |
|------|-------------|---------|--------|---------|-----------|----|----|----|----|-----------|

Dear Taxpayer

Interest and penalty accrue at 1 5% a month (18% annually) after the original due date until paid in full

This statement does not reflect years filed in bankruptcy THE CITY HAS THE RIGHT AND MAY AT ITS DISCRETION

REPORT DELINQUENT TAXES TO ALL CREDIT BUREAUS LOOK UP OR PAY PROPERTY TAX @ cityofmemphis.org OR 576-7200

**** 2003 TAXES MUST BE PAID BY SEPTEMBER 30 2003 TO AVOID LATE FEES ****

TOTAL AMOUNT DUE 31 011 84

| | | | |
|-----------------------|------------|------------|------------|
| Amount due if paid by | 09/30/2003 | 10/31/2003 | 11/30/2003 |
| | 31 011 84 | 31 477 02 | 31 942 20 |

If a mortgage company pays your taxes, please forward to them

Detach and mail this portion with your payment
 Please be sure to write the amount paid in the box below

TOTAL AMOUNT DUE IF PAID BY 08/31/2003 31 011 8

Please find enclosed with my taxes an extra \$ _____ above
 my tax bill donated to the CONTRIBUFUND for school safety

Enter address change here

Name _____

Address _____

City _____ **State** _____

Zip _____ **Phone** _____

Changes require signature of all owners

Signature _____

Signature _____

| | |
|------------------------|-------------------|
| PARCEL/ACCOUNT# | 074001 B00004 |
| LOCATION | 5150 AMERICAN WAY |

Please enter amount paid

DO NOT WRITE BELOW THIS LINE

Return check & bill to

Treasurer, City of Memphis
 PO BOX 185
 MEMPHIS, TN 38101-0185

