| UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE | PROOF OF CLAIM |
|---|---|
| In re Fleming Co Inc | Case Number 03-10945(MFW) |

641418

Bar Date Ref # 2-NVM-108833

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**

0354653641418

Peak Distributing
3636 So 300 W
Salt Lake City UT 84115

Creditor Telephone Number ( )

☐ 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 TAX I D # 87-0299765

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

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

**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 _____ (date) to _____ (date)

**2 DATE DEBT WAS INCURRED**

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE** $ 36,842.28 (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**

**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 1 9 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)

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

Fleming Companies Claim
05169

***See Other Side For Instructions***

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



| NUMBER | DATE |
|---|---|
| 0000051158 | 07/17/03 |

# STATEMENT OF ACCOUNT

051158
SOLD TO

SHIP TO

FOOD 4 LESS WEST VALLEY
P O Box 268877
Oklahoma City, OK 73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 02/24/03 | 00276253 | 59 72 | 0 00 | 59.72 |
| 02/24/03 | 00276254 | 357 72 | 0 00 | 417.44 |
| 02/25/03 | 00276280 | 18.21 | 0 00 | 435.65 |
| 02/25/03 | 00276283 | 106.50 | 0 00 | 542 15 |
| 02/25/03 | 00276284 | 429 05 | 0 00 | 971.20 |
| 02/27/03 | 00276306 | 26 95 | 0.00 | 998 15 |
| 02/27/03 | 00276307 | 399 64 | 0.00 | 1397.79 |
| 02/28/03 | 00276342 | 36 69 | 0.00 | 1434.48 |
| 02/28/03 | 00276345 | 46 62 | 0 00 | 1481 10 |
| 02/28/03 | 00276346 | 733 80 | 0 00 | 2214 90 |
| 03/03/03 | 00276400 | 20 87 | 0 00 | 2235 77 |
| 03/03/03 | 00276402 | 461 69 | 0 00 | 2697 46 |
| 03/04/03 | 00276445 | 277.17 | 0 00 | 2974.63 |
| 03/04/03 | 00276446 | 22.04 | 0 00 | 2996.67 |
| 03/06/03 | 00276468 | 39.38 | 0 00 | 3036.05 |
| 03/06/03 | 00276470 | 567 05 | 0 00 | 3603 10 |
| 03/07/03 | 00276498 | 41.51 | 0.00 | 3644 61 |
| 03/07/03 | 00276499 | 73 32 | 0.00 | 3717.93 |
| 03/07/03 | 00276500 | 568.09 | 0 00 | 4286 02 |
| 03/10/03 | 00276554 | 37 23 | 0.00 | 4323.25 |
| 03/10/03 | 00276555 | 583.38 | 0.00 | 4906.63 |
| 03/11/03 | 00276582 | 26 61 | 0 00 | 4933.24 |
| 03/11/03 | 00276583 | 90 48 | 0.00 | 5023.72 |
| 03/11/03 | 00276584 | 379.83 | 0.00 | 5403.55 |
| 03/13/03 | 00276611 | 313.27 | 0.00 | 5716.82 |
| 03/13/03 | 00276612 | 11 90 | 0.00 | 5728.72 |
| 03/13/03 | 00276613 | 17.64 | 0.00 | 5746.36 |
| 03/14/03 | 00276637 | 34.13 | 0 00 | 5780.49 |
| 03/14/03 | 00276639 | 418.32 | 0.00 | 6198.81 |
| 03/17/03 | 00276681 | 25.99 | 0.00 | 6224.80 |
| 03/17/03 | 00276684 | 168.56 | 0.00 | 6393.36 |
| 03/18/03 | 00276703 | 39 90 | 0.00 | 6433.26 |
| 03/18/03 | 00276705 | 202.63 | 0.00 | 6635.89 |
| 03/18/03 | 00276706 | 41.28 | 0.00 | 6677.17 |
| 03/20/03 | 00276730 | 24.23 | 0.00 | 6701.40 |
| 03/20/03 | 00276733 | 292.99 | 0.00 | 6994.39 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| | |
|---|---|
| SUB TOTAL | |
| TAX | |
| FREIGHT | |
| TOTAL | 6994.39 |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



| NUMBER | DATE |
|---|---|
| 0000051200 | 07/17/03 |

# STATEMENT OF ACCOUNT

051200
SOLD TO

SHIP TO

FOOD 4 LESS
P.O. Box 268877
Oklahoma City, OK

KEARNS

73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 02/24/03 | 00336072 | 62 53 | 0.00 | 62.53 |
| 02/24/03 | 00336075 | 560.82 | 0 00 | 623.35 |
| 02/25/03 | 00336108 | 14.00 | 0 00 | 637.35 |
| 02/25/03 | 00336109 | 42.97 | 0 00 | 680 32 |
| 02/25/03 | 00336111 | 282 34 | 0 00 | 962 66 |
| 02/26/03 | 00995511 | 169 20 | 0.00 | 1131 86 |
| 02/27/03 | 00336144 | 72.88 | 0.00 | 1204.74 |
| 02/27/03 | 00336145 | 39.31 | 0 00 | 1244.05 |
| 02/27/03 | 00336148 | 535.38 | 0 00 | 1779 43 |
| 02/28/03 | 00336179 | 54.36 | 0.00 | 1833.79 |
| 02/28/03 | 00336182 | 373.66 | 0.00 | 2207.45 |
| 03/01/03 | 00336239 | 37 30 | 0 00 | 2244.75 |
| 03/01/03 | 00336242 | 273.64 | 0 00 | 2518.39 |
| 03/03/03 | 00336251 | 61 02 | 0 00 | 2579.41 |
| 03/03/03 | 00336254 | 555 61 | 0.00 | 3135.02 |
| 03/03/03 | 00336255 | 17 88 | 0.00 | 3152.90 |
| 03/04/03 | 00336287 | 36.95 | 0.00 | 3189.85 |
| 03/04/03 | 00336290 | 108.80 | 0 00 | 3298.65 |
| 03/06/03 | 00336322 | 28 43 | 0.00 | 3327.08 |
| 03/06/03 | 00336325 | 399.00 | 0.00 | 3726.08 |
| 03/06/03 | 00336326 | 13.44 | 0 00 | 3739.52 |
| 03/07/03 | 00336356 | 56.20 | 0.00 | 3795.72 |
| 03/07/03 | 00336359 | 323.47 | 0.00 | 4119.19 |
| 03/08/03 | 00336393 | 63.83 | 0.00 | 4183.02 |
| 03/08/03 | 00336396 | 326.11 | 0.00 | 4509.13 |
| 03/08/03 | 00336397 | 40.32 | 0.00 | 4549.45 |
| 03/10/03 | 00336430 | 66.60 | 0.00 | 4616.05 |
| 03/10/03 | 00336433 | 602.80 | 0.00 | 5218.85 |
| 03/11/03 | 00336487 | 10.66 | 0.00 | 5229.51 |
| 03/11/03 | 00336490 | 267.49 | 0.00 | 5497.00 |
| 03/13/03 | 00336497 | 62.86 | 0.00 | 5559.86 |
| 03/13/03 | 00336500 | 398.82 | 0.00 | 5958.68 |
| 03/14/03 | 00336529 | 47 24 | 0.00 | 6005.92 |
| 03/14/03 | 00336532 | 271.24 | 0.00 | 6277.16 |
| 03/15/03 | 00336562 | 44.62 | 0.00 | 6321.78 |
| 03/15/03 | 00336565 | 340.02 | 0.00 | 6661.80 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| |
|---|
| SUB TOTAL |
| TAX |
| FREIGHT |
| TOTAL |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



0000051200 STATEMENT OF ACCOUNT

| NUMBER | DATE |
|---|---|
| | 07/17/03 |

051200
SOLD TO

SHIP TO

FOOD 4 LESS
P.O. Box 268877
Oklahoma City, OK

KEARNS

73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 03/15/03 | 00336566 | 40.32 | 0 00 | 6702 12 |
| 03/17/03 | 00336597 | 52 40 | 0.00 | 6754 52 |
| 03/17/03 | 00336600 | 489 89 | 0 00 | 7244 41 |
| 03/18/03 | 00336628 | 62 69 | 0.00 | 7307.10 |
| 03/18/03 | 00336631 | 221.66 | 0 00 | 7528.76 |
| 03/20/03 | 00336661 | 47.66 | 0 00 | 7576 42 |
| 03/20/03 | 00336664 | 332 01 | 0.00 | 7908.43 |
| 03/21/03 | 00336696 | 39.67 | 0.00 | 7948 10 |
| 03/21/03 | 00336699 | 297.88 | 0.00 | 8245.98 |
| 03/22/03 | 00336731 | 45.64 | 0 00 | 8291.62 |
| 03/22/03 | 00336734 | 360.19 | 0.00 | 8651.81 |
| 03/24/03 | 00336769 | 47.16 | 0.00 | 8698.97 |
| 03/24/03 | 00336770 | -4.14 | 0.00 | 8694.83 |
| 03/24/03 | 00336771 | -4 60 | 0 00 | 8690.23 |
| 03/24/03 | 00336772 | 578 69 | 0.00 | 9268.92 |
| 03/25/03 | 00336801 | 14 00 | 0.00 | 9282.92 |
| 03/25/03 | 00336802 | 17.65 | 0 00 | 9300.57 |
| 03/25/03 | 00336803 | -10 03 | 0.00 | 9290.54 |
| 03/25/03 | 00336804 | -4.71 | 0.00 | 9285.83 |
| 03/25/03 | 00336805 | 70.92 | 0.00 | 9356.75 |
| 03/27/03 | 00336858 | 24.20 | 0.00 | 9380.95 |
| 03/27/03 | 00336859 | -12.42 | 0.00 | 9368 53 |
| 03/27/03 | 00336860 | -21 25 | 0.00 | 9347 28 |
| 03/27/03 | 00336861 | 407 20 | 0.00 | 9754.48 |
| 03/28/03 | 00336866 | 46.62 | 0.00 | 9801.10 |
| 03/28/03 | 00336867 | 32.55 | 0.00 | 9833.65 |
| 03/28/03 | 00336868 | -19.82 | 0.00 | 9813.83 |
| 03/28/03 | 00336869 | -14 09 | 0.00 | 9799.74 |
| 03/28/03 | 00336870 | 379.06 | 0.00 | 10178.80 |
| 03/29/03 | 00336898 | 31.08 | 0.00 | 10209.88 |
| 03/29/03 | 00336899 | 39.34 | 0.00 | 10249.22 |
| 03/29/03 | 00336900 | -12.98 | 0 00 | 10236.24 |
| 03/29/03 | 00336901 | -9 82 | 0 00 | 10226.42 |
| 03/29/03 | 00336902 | 273.49 | 0 00 | 10499.91 |
| 03/29/03 | 00336911 | -27.00 | 0 00 | 10472.91 |
| 03/29/03 | 00336912 | 27.00 | 0.00 | 10499.91 |

TERMS Net 30 days

PLEASE PAY ON THIS
INVOICE
WE DO NOT ITEMIZE AGAIN

| |
|---|
| SUB TOTAL |
| TAX |
| FREIGHT |
| TOTAL |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



| NUMBER | DATE |
|---|---|
| 0000051200 | 07/17/03 |

# STATEMENT OF ACCOUNT

051200
SOLD TO

SHIP TO

FOOD 4 LESS
P.O Box 268877
Oklahoma City, OK

KEARNS

73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 03/31/03 | 00336934 | 42.49 | 0.00 | 10542 40 |
| 03/31/03 | 00336935 | -15 61 | 0 00 | 10526.79 |
| 03/31/03 | 00336936 | -17 38 | 0 00 | 10509 41 |
| 03/31/03 | 00336937 | 429 28 | 0 00 | 10938 69 |
| 03/31/03 | 00336938 | 16.50 | 0 00 | 10955 19 |
| 03/31/03 | 00336964 | -16.20 | 0 00 | 10938 99 |
| 03/31/03 | 00336965 | 23 88 | 0 00 | 10962.87 |
| 03/31/03 | 00336966 | -45.20 | 0 00 | 10917.67 |
| 04/01/03 | 00336991 | 25 45 | 0 00 | 10943 12 |
| 04/01/03 | 00336992 | -22 29 | 0.00 | 10920.83 |
| 04/01/03 | 00336993 | -40.62 | 0.00 | 10880.21 |
| 04/01/03 | 00336994 | 266.29 | 0 00 | 11146 50 |
| 04/01/03 | 00336995 | -23.88 | 0.00 | 11122 62 |

TERMS Net 30 days

PLEASE PAY ON THIS
INVOICE
WE DO NOT ITEMIZE AGAIN

| | |
|---|---|
| SUB TOTAL | |
| TAX | |
| FREIGHT | |
| TOTAL | 11122.62 |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



0000051223 STATEMENT OF ACCOUNT

| NUMBER | DATE |
|---|---|
| | 07/17/03 |

051223
SOLD TO

SHIP TO

FOOD 4 LESS SPANISH FORK
P.O. Box 268877
Oklahoma City, OK 73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 02/22/03 | 00211098 | 16.80 | 0 00 | 16 80 |
| 02/24/03 | 00211115 | 61 81 | 0.00 | 78.61 |
| 02/24/03 | 00211118 | 343 68 | 0 00 | 422 29 |
| 02/25/03 | 00211154 | 28 00 | 0 00 | 450.29 |
| 02/25/03 | 00211155 | 30.34 | 0 00 | 480 63 |
| 02/25/03 | 00211156 | 49 46 | 0 00 | 530 09 |
| 02/27/03 | 00211168 | 102.42 | 0.00 | 632 51 |
| 02/27/03 | 00211170 | 106 38 | 0.00 | 738.89 |
| 02/28/03 | 00211194 | 57.46 | 0 00 | 796.35 |
| 02/28/03 | 00211195 | 70.11 | 0 00 | 866.46 |
| 03/01/03 | 00211218 | 64 86 | 0 00 | 931 32 |
| 03/01/03 | 00211219 | 55 02 | 0.00 | 986 34 |
| 03/01/03 | 00211220 | 19 02 | 0.00 | 1005.36 |
| 03/03/03 | 00211234 | 317.36 | 0.00 | 1322.72 |
| 03/03/03 | 00211236 | 121 59 | 0 00 | 1444 31 |
| 03/04/03 | 00211253 | 24.59 | 0.00 | 1468.90 |
| 03/04/03 | 00211255 | 58.24 | 0.00 | 1527.14 |
| 03/06/03 | 00211279 | 272 09 | 0 00 | 1799.23 |
| 03/06/03 | 00211280 | 40.08 | 0.00 | 1839.31 |
| 03/06/03 | 00211282 | 89 49 | 0.00 | 1928.80 |
| 03/06/03 | 00211283 | 15 48 | 0.00 | 1944.28 |
| 03/07/03 | 00211303 | 159.32 | 0.00 | 2103.60 |
| 03/07/03 | 00211304 | 31.32 | 0 00 | 2134.92 |
| 03/07/03 | 00211305 | 32 93 | 0.00 | 2167.85 |
| 03/08/03 | 00211328 | 136 78 | 0.00 | 2304.63 |
| 03/08/03 | 00211330 | 66.17 | 0 00 | 2370.80 |
| 03/08/03 | 00211331 | 50.16 | 0.00 | 2420.96 |
| 03/10/03 | 00211347 | 388.82 | 0.00 | 2809.78 |
| 03/10/03 | 00211348 | 40.32 | 0.00 | 2850.10 |
| 03/10/03 | 00211350 | 102.02 | 0.00 | 2952.12 |
| 03/11/03 | 00211371 | 30.36 | 0 00 | 2982.48 |
| 03/11/03 | 00211373 | 24.84 | 0.00 | 3007.32 |
| 03/13/03 | 00211399 | 78.75 | 0.00 | 3086.07 |
| 03/15/03 | 00211435 | 55.72 | 0.00 | 3141.79 |
| 03/17/03 | 00211451 | 87.90 | 0.00 | 3229.69 |
| 03/18/03 | 00211473 | 30.96 | 0.00 | 3260.65 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| |
|---|
| SUB TOTAL |
| TAX |
| FREIGHT |
| TOTAL |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115

0000051223 STATEMENT OF ACCOUNT

| NUMBER | DATE |
|---|---|
| | 07/17/03 |

051223
SOLD TO

SHIP TO

FOOD 4 LESS SPANISH FORK
P.O Box 268877
Oklahoma City, OK 73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 03/20/03 | 00211495 | 65 53 | 0 00 | 3326 18 |
| 03/21/03 | 00211512 | 12 10 | 0 00 | 3338 28 |
| 03/22/03 | 00211539 | 64 90 | 0.00 | 3403 18 |
| 03/24/03 | 00211554 | -34 42 | 0 00 | 3368.76 |
| 03/24/03 | 00211555 | 105 19 | 0 00 | 3473.95 |
| 03/25/03 | 00211572 | 19.51 | 0 00 | 3493 46 |
| 03/27/03 | 00211595 | -20 34 | 0 00 | 3473 12 |
| 03/27/03 | 00211596 | 33 78 | 0.00 | 3506 90 |
| 03/28/03 | 00211613 | -17 46 | 0 00 | 3489 44 |
| 03/28/03 | 00211614 | 71 00 | 0 00 | 3560 44 |
| 03/29/03 | 00211637 | 19.00 | 0 00 | 3579 44 |
| 03/31/03 | 00211649 | -50 33 | 0 00 | 3529.11 |
| 03/31/03 | 00211650 | 79 69 | 0.00 | 3608 80 |
| 04/01/03 | 00211670 | -12 73 | 0.00 | 3596.07 |
| 04/01/03 | 00211671 | 35.26 | 0 00 | 3631 33 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| | |
|---|---|
| SUB TOTAL | |
| TAX | |
| FREIGHT | |
| TOTAL | 3631.33 |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115

| NUMBER | DATE |
|---|---|
| 0000050157 | 07/17/ |

# STATEMENT OF ACCOUNT

050157
SOLD TO

SHIP TO

FOOD 4 LESS
P.O. Box 268877
Oklahoma City, OK

PROVO
73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 03/28/03 | 00015531 | 90.61 | 0 00 | 6087 03 |
| 03/28/03 | 00015532 | -56.79 | 0 00 | 6030 24 |
| 03/31/03 | 00015561 | 181.89 | 0 00 | 6212 13 |
| 03/31/03 | 00015562 | -53 27 | 0 00 | 6158 86 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| | |
|---|---|
| SUB TOTAL | |
| TAX | |
| FREIGHT | |
| TOTAL | 6158.86 |

**PEAK DISTRIBUTING CO INC**
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115

| NUMBER | DATE |
|---|---|
| 0000050157 | 07/17/03 |

# STATEMENT OF ACCOUNT

050157

SOLD TO

SHIP TO

FOOD 4 LESS
P.O. Box 268877
Oklahoma City, OK 73126-8877

PROVO

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 02/24/03 | 00015191 | 523 58 | 0.00 | 523.58 |
| 02/24/03 | 00015193 | 135.05 | 0 00 | 658.63 |
| 02/25/03 | 00015210 | 67.08 | 0 00 | 725.71 |
| 02/25/03 | 00015211 | 60.83 | 0 00 | 786 54 |
| 02/25/03 | 00015212 | 22 56 | 0.00 | 809 10 |
| 02/27/03 | 00015231 | 466 68 | 0.00 | 1275.78 |
| 02/27/03 | 00015232 | 69.29 | 0 00 | 1345.07 |
| 02/28/03 | 00015252 | 81.36 | 0.00 | 1426.43 |
| 02/28/03 | 00015254 | 103 42 | 0.00 | 1529 85 |
| 03/03/03 | 00015269 | 653 00 | 0.00 | 2182 85 |
| 03/03/03 | 00015270 | 194 43 | 0 00 | 2377.28 |
| 03/04/03 | 00015287 | 86.76 | 0 00 | 2464 04 |
| 03/04/03 | 00015288 | 67 24 | 0.00 | 2531 28 |
| 03/04/03 | 00015289 | 74.64 | 0 00 | 2605.92 |
| 03/06/03 | 00015307 | 581.75 | 0 00 | 3187 67 |
| 03/06/03 | 00015308 | 105.72 | 0.00 | 3293.39 |
| 03/06/03 | 00015309 | 72 33 | 0.00 | 3365 72 |
| 03/07/03 | 00015328 | 299.12 | 0 00 | 3664 84 |
| 03/07/03 | 00015329 | 105.15 | 0 00 | 3769 99 |
| 03/10/03 | 00015345 | 628 83 | 0.00 | 4398.82 |
| 03/10/03 | 00015347 | 174 07 | 0.00 | 4572 89 |
| 03/11/03 | 00015364 | 402.00 | 0 00 | 4974.89 |
| 03/11/03 | 00015365 | 111.66 | 0.00 | 5086.55 |
| 03/11/03 | 00015366 | 49.96 | 0.00 | 5136.51 |
| 03/13/03 | 00350546 | 85.20 | 0.00 | 5221.71 |
| 03/15/03 | 00350572 | 115.31 | 0.00 | 5337.02 |
| 03/17/03 | 00350593 | 185.29 | 0.00 | 5522.31 |
| 03/18/03 | 00350614 | 124.54 | 0.00 | 5646.85 |
| 03/20/03 | 00350640 | 85.31 | 0.00 | 5732.16 |
| 03/21/03 | 00015411 | 72.73 | 0.00 | 5804.89 |
| 03/24/03 | 00015433 | 167 16 | 0.00 | 5972.05 |
| 03/24/03 | 00015434 | -80.75 | 0.00 | 5891.30 |
| 03/25/03 | 00015453 | 96 16 | 0.00 | 5987.46 |
| 03/25/03 | 00015454 | -41 94 | 0.00 | 5945 52 |
| 03/27/03 | 00015475 | 62.56 | 0.00 | 6008 08 |
| 03/27/03 | 00015476 | -11.66 | 0.00 | 5996.42 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| |
|---|
| SUB TOTAL |
| TAX |
| FREIGHT |
| TOTAL |

**PEAK DISTRIBUTING CO INC**
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



| NUMBER | DATE |
|---|---|
| 0000050121 | 07/17/03 |

# STATEMENT OF ACCOUNT

SOLD TO 050121

SHIP TO

FOOD 4 LESS VAN WINKLE
P.O. Box 268877
Oklahoma City, OK 73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 12/02/02 | 00152125 | -28.64 | 0.00 | -28 64 |
| 12/28/02 | 00152446 | 103 62 | 0.00 | 74.98 |
| 12/28/02 | 00152448 | -24.76 | 0 00 | 50.22 |
| 12/30/02 | 00152462 | 101.79 | 0 00 | 152.01 |
| 12/30/02 | 00152463 | 99.64 | 0.00 | 251 65 |
| 12/30/02 | 00152464 | 94.82 | 0.00 | 346 47 |
| 12/30/02 | 00152465 | 24 00 | 0.00 | 370.47 |
| 12/30/02 | 00152466 | -23.39 | 0 00 | 347.08 |
| 12/30/02 | 00152467 | -25.33 | 0.00 | 321 75 |
| 02/24/03 | 00153168 | 155 37 | 0.00 | 477 12 |
| 02/24/03 | 00153169 | 194.94 | 0.00 | 672.06 |
| 02/25/03 | 00153185 | 85.55 | 0 00 | 757.61 |
| 02/25/03 | 00153186 | 48 53 | 0.00 | 806 14 |
| 02/27/03 | 00153202 | 90.69 | 0.00 | 896.83 |
| 02/27/03 | 00153203 | 130.75 | 0 00 | 1027.58 |
| 02/27/03 | 00153204 | 105.67 | 0.00 | 1133.25 |
| 02/28/03 | 00153220 | 82 18 | 0.00 | 1215.43 |
| 02/28/03 | 00153221 | 124.37 | 0.00 | 1339 80 |
| 03/01/03 | 00153241 | 111.81 | 0.00 | 1451.61 |
| 03/01/03 | 00153242 | 115.40 | 0.00 | 1567.01 |
| 03/03/03 | 00153257 | 128 76 | 0.00 | 1695.77 |
| 03/03/03 | 00153258 | 132.24 | 0.00 | 1828.01 |
| 03/04/03 | 00153274 | 115.51 | 0.00 | 1943.52 |
| 03/04/03 | 00153275 | 47.70 | 0.00 | 1991.22 |
| 03/04/03 | 00153276 | 26.88 | 0.00 | 2018.10 |
| 03/06/03 | 00153295 | 97.51 | 0.00 | 2115.61 |
| 03/06/03 | 00153296 | 180.79 | 0 00 | 2296.40 |
| 03/07/03 | 00153349 | 49.51 | 0 00 | 2345.91 |
| 03/07/03 | 00153350 | 109.07 | 0.00 | 2454.98 |
| 03/08/03 | 00153370 | 139.30 | 0.00 | 2594.28 |
| 03/08/03 | 00153371 | 133.04 | 0.00 | 2727.32 |
| 03/08/03 | 00153373 | 40.32 | 0 00 | 2767.64 |
| 03/10/03 | 00153386 | 96.35 | 0.00 | 2863.99 |
| 03/10/03 | 00153387 | 212.10 | 0.00 | 3076.09 |
| 03/11/03 | 00153402 | 83.42 | 0.00 | 3159.51 |
| 03/11/03 | 00153403 | 124.15 | 0.00 | 3283.66 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| |
|---|
| SUB TOTAL |
| TAX |
| FREIGHT |
| TOTAL |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



| NUMBER | DATE |
|---|---|
| 0000050121 | 07/17/03 |

# STATEMENT OF ACCOUNT

050121
SOLD TO

SHIP TO

FOOD 4 LESS VAN WINKLE
P.O. Box 268877
Oklahoma City, OK 73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 03/11/03 | 00153404 | 62.94 | 0 00 | 3346 60 |
| 03/13/03 | 00153427 | 68 55 | 0 00 | 3415 15 |
| 03/14/03 | 00153447 | 119 70 | 0 00 | 3534 85 |
| 03/15/03 | 00153473 | 125 59 | 0.00 | 3660.44 |
| 03/17/03 | 00153492 | 72 13 | 0.00 | 3732 57 |
| 03/18/03 | 00153512 | 136.10 | 0 00 | 3868.67 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| | |
|---|---|
| SUB TOTAL | |
| TAX | |
| FREIGHT | |
| TOTAL | 3868.67 |

PEAK DISTRIBUTING CO INC
SPECIALTY FOOD PRODUCTS
3636 SOUTH 300 WEST 261-3597
SALT LAKE CITY UTAH 84115



| NUMBER | DATE |
|---|---|
| 0000050130 | 07/17/03 |

# STATEMENT OF ACCOUNT

050130
SOLD TO

SHIP TO

FOOD 4 LESS ROSE PARK
P.O. Box 268877
Oklahoma City, OK 73126-8877

| DATE | INVOICE# | AMOUNT | PAID | BALANCE |
|---|---|---|---|---|
| 02/24/03 | 00223032 | 327.12 | 0 00 | 327 12 |
| 02/24/03 | 00223033 | 77 70 | 0 00 | 404 82 |
| 02/24/03 | 00223034 | 26 59 | 0 00 | 431 41 |
| 02/25/03 | 00223057 | 316.89 | 0.00 | 748 30 |
| 02/27/03 | 00223060 | 394.80 | 0.00 | 1143.10 |
| 02/28/03 | 00223085 | 62.64 | 0 00 | 1205 74 |
| 03/01/03 | 00223108 | 320.88 | 0 00 | 1526 62 |
| 03/01/03 | 00223109 | 18.55 | 0.00 | 1545 17 |
| 03/04/03 | 00223149 | 47 97 | 0.00 | 1593 14 |
| 03/04/03 | 00223150 | 579.76 | 0.00 | 2172.90 |
| 03/04/03 | 00223151 | 25 08 | 0.00 | 2197 98 |
| 03/06/03 | 00223185 | 216.18 | 0.00 | 2414.16 |
| 03/06/03 | 00223186 | 18.22 | 0.00 | 2432.38 |
| 03/07/03 | 00223209 | 46 44 | 0.00 | 2478.82 |
| 03/07/03 | 00223210 | 768.37 | 0.00 | 3247 19 |
| 03/08/03 | 00223229 | 101 42 | 0.00 | 3348 61 |
| 03/10/03 | 00223248 | 88 63 | 0 00 | 3437 24 |
| 03/10/03 | 00223249 | 184.87 | 0 00 | 3622 11 |
| 03/11/03 | 00223269 | 11 47 | 0 00 | 3633 58 |
| 03/11/03 | 00223270 | 334.23 | 0.00 | 3967.81 |
| 03/13/03 | 00276614 | 30.73 | 0.00 | 3998.54 |
| 03/13/03 | 00276616 | 40 32 | 0.00 | 4038.86 |
| 03/13/03 | 00276617 | 492 69 | 0 00 | 4531 55 |
| 03/14/03 | 00276641 | 34.50 | 0.00 | 4566.05 |
| 03/14/03 | 00276642 | 26.88 | 0.00 | 4592.93 |
| 03/14/03 | 00276643 | 652.39 | 0 00 | 5245.32 |
| 03/15/03 | 00276660 | 34.45 | 0 00 | 5279.77 |
| 03/17/03 | 00276685 | 30.19 | 0.00 | 5309.96 |
| 03/17/03 | 00276687 | 96 18 | 0.00 | 5406.14 |
| 03/18/03 | 00276707 | 46.62 | 0 00 | 5452.76 |
| 03/18/03 | 00276708 | 34.81 | 0.00 | 5487.57 |
| 03/18/03 | 00276711 | 143.57 | 0.00 | 5631.14 |

TERMS Net 30 days

PLEASE PAY ON THIS INVOICE
WE DO NOT ITEMIZE AGAIN

| | |
|---|---|
| SUB TOTAL | |
| TAX | |
| FREIGHT | |
| TOTAL | 5631.14 |

THE BACKGROUND OF THIS DOCUMENT IS PRINTED IN COLORED INK

Fleming Companies
Richmar Foods, Inc
DBA Food-4-Less
P O Box 268877
Oklahoma City, OK 73126-8877

Void After 90 Days

DO NOT RE-DEPOSIT

Number 8747126373
JPMORGAN CHASE BANK
76903 SAN ANGELO

88 88
1113

03/24/2003

PAY TO THE
ORDER OF

PEAK DISTRIBUTING
5636 SO 300 WEST
SALT LAKE CITY UT 84115

STOP PAYMENT
STALE DATED
NON NEGOTIABLE
BOGUS
OTHER

REFER TO MAKER

VOID OVER $5,066 41

THE AMOUNT OF

* * * * * * * * * 5 , 0 6 6 41 *

ASK ASK ASK ASK ASK ASK ASK ASK ASK FIVE COM ZERO SIX SIX PER FOUR ONE ASK

Authorized Signature

⑈8747126373⑈ ⑆111300880⑆ ⑈0630006505 2⑈ ⑈0000506641⑈

ENDORSE HERE

X

PAY TO THE ORDER OF
ZIONS FIRST NATIONAL BANK
SALT LAKE CITY UT 84101-1000
124000054
FOR DEPOSIT ONLY
PLAK DISTRIBUTING CO INC 0798
SPECIAL FOOD PRODUCTS

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

C42/ 05806

MAR 29 03

REPASS

03/31/03

124000054 05/25/03
ZIONS BANK S.L., UT
081-774-0-00

SALT LAKE CITY
UTAH
124-000

Fleming Companies, Richmar Foods, Inc , DBA Food-4-Less, PO Box 268877, OKC, OK 73126-8877

Remittance Advice

| Vendor # | Name | No | 8747126373 |
|---|---|---|---|
| 5001380 | PEAK DISTRIBUTING | Date | 03/24/2003 |



Please use check number 8747126373 to clear the following items

| Store | Invoice No | Date | Gross Amount | Discount Amount | Net Amount |
|---|---|---|---|---|---|
| 8706 | 15157 | 02/20/2003 | 71 06 | 0 00 | 71 06 |
| 8706 | 15158 | 02/20/2003 | 251 70 | 0 00 | 251 70 |
| 8709 | 153106 | 02/20/2003 | 187 76 | 0 00 | 187 76 |
| 8715 | 276166 | 02/20/2003 | 20 85 | 0 00 | 20 85 |
| 8715 | 27616Z | 02/20/2003 | 402 50 | 0 00 | 402 50 |
| 8708 | 335959 | 02/20/2003 | 31 08 | 0 00 | 31 08 |
| 8708 | 335960 | 02/20/2003 | 37 23 | 0 00 | 37 23 |
| 8708 | 335963 | 02/20/2003 | 250 54 | 0 00 | 250 54 |
| 8709 | 153125 | 02/21/2003 | 115 50 | 0 00 | 115 50 |
| 8709 | 153126 | 02/21/2003 | 87 60 | 0 00 | 87 60 |
| 8709 | 153127 | 02/21/2003 | 73.08 | 0 00 | 73 08 |
| 8716 | 211051 | 02/21/2003 | 197.96 | 0 00 | 197 96 |
| 8716 | 211052 | 02/21/2003 | 39.08 | 0 00 | 39 08 |
| 8716 | 211054 | 02/21/2003 | 79 65 | 0 00 | 79 65 |
| 8714 | 222988 | 02/21/2003 | 451.20 | 0 00 | 451 20 |
| 8715 | 276196 | 02/21/2003 | 31 07 | 0 00 | 31 07 |
| 8715 | 276199 | 02/21/2003 | 482 99 | 0 00 | 482 99 |
| 8708 | 335999 | 02/21/2003 | 30.77 | 0 00 | 30 77 |
| 8708 | 336002 | 02/21/2003 | 336 62 | 0 00 | 336 62 |
| 8706 | 15175 | 02/22/2003 | 209 00 | 0 00 | 209 00 |
| 8706 | 15176 | 02/22/2003 | 88 62 | 0 00 | 88 62 |
| 8706 | 15177 | 02/22/2003 | 96.83 | 0 00 | 96 83 |
| 8709 | 153149 | 02/22/2003 | 105 34 | 0 00 | 105 34 |
| 8709 | 153150 | 02/22/2003 | 307 68 | 0 00 | 307 68 |
| 8716 | 211074 | 02/22/2003 | 36.28 | 0 00 | 36 28 |
| 8716 | 211075 | 02/22/2003 | 33 53 | 0 00 | 33 53 |
| 8716 | 211097 | 02/22/2003 | 33 03 | 0 00 | 33 03 |
| 8716 | 211099 | 02/22/2003 | 52 46 | 0 00 | 52 46 |
| 8714 | 222918 | 02/22/2003 | 32.88 | 0 00 | 32 88 |
| 8714 | 222919 | 02/22/2003 | 62 16 | 0 00 | 62 16 |
| 8714 | 222920 | 02/22/2003 | 76 80 | 0 00 | 76 80 |
| 8714 | 222926 | 02/22/2003 | 648 46 | 0 00 | 648 46 |
| 8714 | 222927 | 02/22/2003 | 56 88 | 0 00 | 56 88 |
| 8714 | 222964 | 02/22/2003 | 119 18 | 0 00 | 119 18 |
| 8714 | 223006 | 02/22/2003 | 461 56 | 0 00 | 461 56 |
| 8708 | 336037 | 02/22/2003 | 14 00 | 0 00 | 14 00 |
| 8708 | 336038 | 02/22/2003 | 44.24 | 0 00 | 44 24 |
| 8708 | 336041 | 02/22/2003 | 185 35 | 0 00 | 185 35 |
| 8709 | 153493 | 03/17/2003 | 8 86- | 0 00 | 8 86- |
| 8715 | 276682 | 03/17/2003 | 22 42- | 0 00 | 22 42- |
| 8715 | 276683 | 03/17/2003 | 30 00- | 0 00 | 30 00- |
| 8714 | 276686 | 03/17/2003 | 14 77- | 0 00 | 14 77- |
| 8708 | 336598 | 03/17/2003 | 4 45- | 0 00 | 4 45- |
| 8708 | 336599 | 03/17/2003 | 8 73- | 0 00 | 8 73- |
| 8706 | 350594 | 03/17/2003 | 30 29- | 0 00 | 30 29- |
| 8709 | 153513 | 03/18/2003 | 37 73- | 0 00 | 37 73- |
| 8716 | 211450 | 03/18/2003 | 37 01- | 0 00 | 37 01- |
| 8716 | 211472 | 03/18/2003 | 16 45- | 0 00 | 16 45- |
| Carry Forward | | | 5,631 81 | 0 00 | **5,631 81** |

## INTEROFFICE MEMORANDUM

| | |
|---|---|
| **TO** | JULIE HUNT |
| **FROM** | DAN SMITH, RYAN JOB AND SCOTT LUND |
| **SUBJECT** | FLEMING FOODS AND PEAK DISTIBUTING |
| **DATE** | 05/21/03 |
| **CC** | PEAK DISTRIBUTING |

Julie,

Our master distributor (Peak Distributing) in Salt Lake City, Utah received a payment check from Fleming Foods on March 28th 2003 for $5,066 41 The check did not clear and was re-deposited March 31st 2003 and again failed to clear the bank As you know, Fleming Foods did not declare bankruptcy until April 1st 2003

We feel that with the prepay money we have left in our account and the fact that they will close the remaining Food 4 Less stores on June 1st 2003, it would be the fair thing to pay Peak Distributing out of the prepay account Please issue a check for $5,066 41 or a credit on their account for the same Peaks Mission contact is Barbara Lee at Fax # (972-232-5188)

We have attached all the documentation between Peak Distributing and the bank and hope that you will feel the same

Thank you for your help on this matter

Sincerely,

Dan Smith (Director of Sales Southern CA )

Ryan Job (Area Manager Utah)

Scott Lund (District Manager Utah)