

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

**PROOF OF CLAIM**



557070

Bar Date Ref # 2-NVM 15491

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

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**  
*Edward J Klein  
805 S 11th, #5  
LINCOLN, NE 68508*

Creditor Telephone Number ( )

CREDITOR TAX ID #  
*505-42-0470*

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here  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)  
*Common stock holder*
- 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** *10/71, 1/96, 3/96, 12/96*

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE**  
\$ *703,403* (unsecured) \$ \_\_\_\_\_ (secured) \$ *845355* (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 25 2003**  
**BMC**

DATE SIGNED  
*8-15-03*

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)  
*Edward J Klein*

Fleming Companies Claim  
 06480

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**

Edward J Klem  
TOD Account

JOHN H BLUMER  
(402) 475-3644

NH	Description	Symbol/ CUSIP	Opening Transactions			Closing Transactions			Real G/L	T	
			Date	Quantity	Price	Net Amount	Date	Price			Net Amount
	EFJ INC	EFJI	01/07/02	1,000	59	590 00					
	A G EDWARDS, INC	AGE	09/17/97	500	29 555	14,777 65	02/17/98	41 062	20,248 57	5,470 92	S
	A G EDWARDS, INC	AGE	09/17/97	250	29 555	7,388 82	06/23/99	31 188	7,683 62	294 80	L
	A G EDWARDS, INC	AGE	10/06/97	250	38 063	9,665 23	06/23/99	31 188	7,683 63	(1,981 60)	L
	A G EDWARDS, INC	AGE	<i>Remvested</i>	13 181	36 789	484 92	06/23/99	31 188	405 11	(79 81)	L
	ENRON CORP	ENRNQ	10/23/01	500	21 01	10,505 00	11/07/01	8 01	4,004 86	(6,500 14)	S
	ENRON CORP	ENRNQ	11/13/01	1,000	9 42	9,420 00					
	ENRON CORP	ENRNQ	11/15/01	1,000	9 61	9,610 00					
	L M ERICSSON TEL CO NEW (OLD)	294821400	02/22/01	1,000	8 188	8,187 50	06/18/01	5 01	5,009 83	(3,177 67)	S
	L M ERICSSON TEL CO NEW (OLD)	294821400	02/26/01	3,000	8 50	25,500 00	06/18/01	5 01	15,029 50	(10,470 50)	S
	L M ERICSSON TEL CO NEW (OLD)	294821400	03/05/01	1,000	8 875	8,875 00	06/18/01	5 01	5,009 83	(3,865 17)	S
	L M ERICSSON TEL CO NEW (OLD)	294821400	03/06/01	5,000	9 563	47,812 50	09/17/01	3 63	18,149 39	(29,663 11)	S
	L M ERICSSON TEL CO NEW (OLD)	294821400	03/20/01	4,000	6 281	25,125 00	02/20/02	3 99	15,959 76	(9,165 24)	S
	L M ERICSSON TEL CO NEW (OLD)	294821400	03/20/01	1,000	6 281	6,281 25	04/23/02	2 53	2,529 92	(3,751 33)	L
	* EXPRESS SCRIPTS INC	ESRX	02/26/97	250	33 50	8,512 62	07/21/97	49 125	12,125 63	3,613 01	S
	* EXPRESS SCRIPTS INC	ESRX	05/23/97	250	44 25	11,228 35	07/21/97	49 125	12,125 63	897 28	S
	FAMOUS DAVES AMER INC	DAVE	06/06/02	1,000	7 39	7,390 00	07/23/02	6 10	6,099 82	(1,290 18)	S
	FAMOUS DAVES AMER INC	DAVE	06/06/02	500	7 387	3,693 55	07/23/02	6 10	3,049 96	(643 59)	S
	FAMOUS DAVES AMER INC	DAVE	06/06/02	1,000	7 39	7,390 00	07/23/02	6 101	6,101 31	(1,288 69)	S
	FAMOUS DAVES AMER INC	DAVE	12/31/02	2,000	2 902	5,805 00					
	FEDEX CORP	FDX	08/31/99	500	42 188	21,361 85	02/11/00	37 125	18,314 89	(3,046 96)	S
	FEDEX CORP	FDX	09/21/99	500	38 063	19,282 83	02/14/00	36 938	18,222 06	(1,060 77)	S
	FILENET CORP	FILE	10/25/96	500	29 25	14,847 00	12/27/96	28 75	14,155 63	(691 37)	S
	FINE HOST CORP NT	317832103	12/18/98	1,000	85	892 50	<i>Unknown</i>	00	<i>Not Provided</i>	<i>N/A</i>	
	FINE HOST CORP NT	317832103	12/18/98	4,000	85	3,570 00	02/01/99	281	1,061 56	(2,508 44)	S
	FINE HOST CORP NT	317832103	12/18/98	1,000	688	724 88	02/01/99	281	265 39	(459 49)	S
	FIRST AUSTRALIA PRIME INCM FD	318653102	12/09/97	2,000	7 563	15,416 56	06/23/99	6 625	13,052 92	(2,363 64)	L
	FIRST AUSTRALIA PRIME INCM FD	318653102	10/23/98	719	00	5,300 00	06/23/99	6 625	4,692 53	(607 47)	S
	FIRST AUSTRALIA PRIME INCM FD	318653102	10/30/98	281	5 30	1,489 30	06/23/99	6 625	1,833 93	344 63	S
	FIRST AUSTRALIA PRIME INCM FD	318653102	<i>Remvested</i>	430 101	6 424	2,763 03	06/23/99	6 625	2,807 04	44 01	L
	RTS FIRST AUSTRALIA PRIME INCOME FUND	318653938	10/02/98	719	00	<i>Not Provided Unknown</i>		00	<i>Not Provided</i>	<i>N/A</i>	
	FLEMING COMPANIES INC	FLMIQ	10/25/71	100	11 00	1,100 00	03/31/99	8 50	811 01	(288 99)	L

This report represents a summary of your investments and has been prepared for your convenience. The prices/information contained herein have been obtained from sources believed reliable, and although A G Edwards & Sons Inc has made every attempt to make it as complete as possible, this information should not be considered a replacement for official documents such as trade confirmations, account statements and 1099 forms which should be retained for tax purposes.

**Edward J Klem**  
**TOD Account**

**JOHN H BLUMER**  
(402) 475-3644

NH	Description	Symbol/ CUSIP	Opening Transactions			Closing Transactions			Real G/L	T	
			Date	Quantity	Price	Net Amount	Date	Price			Net Amount
	FLEMING COMPANIES INC	FLMIQ	01/09/96	1,000	20 50	20,806 52	05/05/97	15 75	15,490 91	(5,315 61)	L
	FLEMING COMPANIES INC	FLMIQ	03/15/96	500	16 75	8,541 60	05/06/97	16 00	7,869 34	(672 26)	L
	FLEMING COMPANIES INC	FLMIQ	12/20/96	500	17 25	8,784 00	05/06/97	16 00	7,869 34	(914 66)	S
	FLEMING COMPANIES INC	FLMIQ	03/31/03	5,000	52	2,600 00	06/10/03	135	676 47	(1,923 53)	S
	FLEMING COMPANIES INC	FLMIQ	04/22/03	20,000	115	2,300 00	06/10/03	135	2,705 87	405 87	S
	FLEMING COMPANIES INC	FLMIQ	04/24/03	50,000	13	6,500 00	06/10/03	135	6,764 68	264 68	S
	FLEMING COMPANIES INC	FLMIQ	<i>Reinvested</i>	4 024	17 406	70 04	05/06/97	16 00	63 33	(6 71)	L
	FLEMING COMPANIES INC	FLMIQ	<i>Reinvested</i>	7	11 457	8 02	03/31/99	8 50	5 68	(2 34)	L
	FORD MOTOR CO CAP TR II 6 5% CUM CONV TRUST ORIGINATED	F S	07/18/02	1,000	49 50	49,500 00					
	FORD MOTOR CO CAP TR II 6 5% CUM CONV TRUST ORIGINATED	F S	10/15/02	23 381	34 75	812 50					
	FORD MOTOR CO CAP TR II 6 5% CUM CONV TRUST ORIGINATED	F S	<i>2003Rem</i>	59 827	42 494	2,542 31					
	FRIEDMAN BILLINGS RAMSEY GROUP	358433100	02/08/00	2,000	14 50	29,381 02	02/11/00	16 25	32,101 21	2,720 19	S
	GENERAL INSTRUMENT CORP DEL	370120107	04/09/98	300	22 00	6,710 36	04/20/98	23 25	6,881 80	171 44	S
	GENERAL INSTRUMENT CORP DEL	370120107	04/09/98	200	22 00	4,473 58	04/20/98	23 312	4,602 20	128 62	S
	GENERAL SIGNAL CORP	370838104	12/02/97	250	40 625	10,312 58	02/24/98	39 125	9,628 74	(683 84)	S
	GENERAL SIGNAL CORP	370838104	<i>Reinvested</i>	1 693	39 87	67 50	02/21/98	39 125	65 21	(2 29)	L
	GUILFORD PHARMACEUTICALS INC	GLFD	04/15/97	500	21 50	10,931 31	07/07/97	22 25	10,965 19	33 88	S
	GUILFORD PHARMACEUTICALS INC	GLFD	04/16/97	500	22 875	11,626 03	07/07/97	22 25	10,965 20	(660 83)	S
	GULF OIL CORP (PA)	402460109	08/09/72	100	24 50	2,450 00	<i>Unknown</i>	00	<i>Not Provided</i>	<i>N/A</i>	
	HARRIS CORP	HRS	07/07/97	250	83 00	20,940 50	08/13/97	81 312	20,177 46	(763 04)	S
	HARRIS CORP	HRS	07/23/97	250	86 063	21,706 13	08/13/97	81 312	20,177 46	(1,528 67)	S
	HARRIS CORP	HRS	08/01/97	250	87 063	21,956 13	08/13/97	81 312	20,177 46	(1,778 67)	S
	HARRIS CORP	HRS	08/06/97	250	86 50	21,815 50	08/13/97	81 312	20,177 45	(1,638 05)	S
	HARRIS CORP	HRS	08/21/97	1,000	44 034	44,034 25	02/23/98	50 938	50,471 18	6,436 93	S
	HARRIS CORP	HRS	<i>Reinvested</i>	9 49	46 477	441 07	02/23/98	50 938	478 97	37 90	L
	HIGH SPEED NET SOLUTIONS INC	429793102	04/30/99	1,000	3 875	4,053 58	06/23/99	2 062	1,970 98	(2,082 60)	S
	HIGH SPEED NET SOLUTIONS INC	429793102	07/23/99	2,000	3 375	7,021 50	08/04/99	3 50	6,806 06	(215 44)	S
	HUBBELL INC CLASS B	HUB'B	12/03/98	500	39 188	19,867 92	06/23/99	42 312	20,895 01	1,027 09	S
	HUBBELL INC CLASS B	HUB'B	12/29/98	11	35 00	390 55	06/23/99	42 312	459 69	69 14	S
	HUBBELL INC CLASS B	HUB'B	12/29/98	489	35 00	17,361 64	12/14/99	27 50	13,258 23	(4,103 41)	S

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