

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM



484266

Bar Date Ref # 2-N-9691

YOUR CLAIM IS SCHEDULED AS

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

The amounts reflected above constitute your claim as scheduled by the Debtor...

If the amounts shown above are listed as Contingent, Unliquidated or Disputed, a proof of claim must be filed...

Name of Creditor and Address

0354851484286

MARTY SCHWARTZ THREE FIRST NATIONAL PLAZA STE 3700 STE, 3700 CHICAGO IL 60602

MSRF, Inc 2501 N Elston Ave Chicago, IL 60647

Creditor Telephone Number (773) 227-1115

CREDITOR TAX ID #:

36-4003273

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

n/a

Check here if this claim replaces or amends

a previously filed claim dated n/a

1 BASIS FOR CLAIM

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

Your social security number Unpaid compensation for services performed from to

2 DATE DEBT WAS INCURRED 9/2001 - 11/2001

3 IF COURT JUDGMENT, DATE OBTAINED 4/15/2003

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE \$ 11,189.57 (unsecured) \$ 11,189.57 (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, 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... 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

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

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

Fleming Companies Claim



07350

DATE SIGNED

8/29/03

SIGN and print the name and title of any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

X

- Steve Reich

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

SFP 03 2003

BMC

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
1ST MUNICIPAL DISTRICT

LINE NO 42

MORF INC
FLEMING COMPANIES INC

No 03M1-107220

TRIAL CALL ORDER

Present before the court Plaintiff(s) Defendant(s) Plaintiff(s)' Counsel Defendant(s)' Counsel

THIS MATTER having come before the court, the court having jurisdiction and being fully advised,

IT IS HEREBY ORDERED

- 4213 Alias Summons to Issue for _____
- 4292 File Amended Complaint _____
- 4295 Take and Complete Discovery By _____
- 4235 File Counterclaim _____
- 4234 File Appearance/Jury Demand (strike Jury Demand if not allowed) _____
- 4234 Answer to or otherwise plead within _____ days
- 4219 Defendant _____ is defaulted, cause set for
- 4247 PROVE-UP on _____, _____ at _____ a m / p m
- 4482 Set for STATUS All parties must appear _____, _____ at _____ m in Room _____
- 4482 Set for TRIAL on _____, _____ at _____ m in Room _____
- 8005 Case Dismissed for Want of Prosecution
- 8011 Case Dismissed by Agreement of Parties/No Cost With Without Prejudice
- 4219 X-Parte Default Judgment for Plaintiff for \$ 11,129.57 v FLEMING COMPANIES, INC
8001 (Defendant)
- 4293 with costs assessed
- 8001 Judgment for Plaintiff after trial for \$ _____ with costs assessed v _____
4293 (Defendant)
- 9002 Judgment for Defendant _____ after trial
- 8001 Judgment is entered by agreement for \$ _____ v _____
(Defendant)
- 9207 it being further agreed that installment payments be made as follows _____

- () _____
- 9208 The Court finds no just reason for delay in enforcement or appeal of this judgment
- () See Attached Order _____

4304 The date of _____ is hereby stricken

Atty No 5007
 Name JIM HEDER by MACH SCHWARTZ DATED _____
 Atty for 77
 Address 3700 N. FLORA - 3700 ENTER _____
 City/State/Zip CHICAGO, IL 60602
 Telephone (312) 553-4293 Judge _____ Judge's No _____

Judge Joyce Marie Murphy Gorman
 APR 15 2005
 Circuit Court - 1816