

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE	PROOF OF CLAIM
In re Fleming Companies, Inc	Case Number 03-10945



s137386

Scheduled Claim Ref # 2-F2 25012

YOUR CLAIM IS SCHEDULED AS

\$5 369 40 UNSECURED

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

0354429434688

SWEETWATER FARMS
158 CHISOLM RD
INMAN KS 67546

☐ 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.

The amounts reflected above constitute your claim as scheduled by the Debtor. If you agree with the amounts set forth herein and have no other claim against the Debtor, you do not need to file this proof of claim EXCEPT as stated below.

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

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

Creditor Telephone Number ()

CREDITOR TAX ID # 48-1189840	ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR	Check here <input type="checkbox"/> replaces or <input type="checkbox"/> amends a previously filed claim dated _____ if this claim
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1 BASIS FOR CLAIM

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Goods sold | <input type="checkbox"/> Personal injury/wrongful death | <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) |
| <input type="checkbox"/> Services performed | <input type="checkbox"/> Taxes | <input type="checkbox"/> Wages, salaries and compensation (Fill out below) |
| <input type="checkbox"/> Money loaned | <input type="checkbox"/> 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	\$ <u>5,369.40</u> (unsecured)	\$ _____ (secured)	\$ <u>5,369.40</u> (unsecured priority)	\$ _____ (total)
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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

FILED

SEP 08 2003

Fleming Companies Claim



08548

DATE SIGNED

8-29-03

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

See Other Side For Instructions

Sweetwater Farms, L L C
John & Chris Hershberger
158 Chisholm Rd
Inman, KS 67546
620 585 2709

August 27, 2003

DATE	INVOICE #	PO #	AMOUNT
1-10-03	21041	388372	\$ 241 20
2-18-03	21053	588571	221 90
2-21-03	21054	588580	318 00
2-25-03	21055	588603	416 85
2-28-03	21056	807147	275 50
3-04-03	21057	588637	430 25
3-07-03	21058	417158	398 50
3-11-03	21059	417285	363 00
3-14-03	21060	417182	703 90
3-18-03	21061	414212	545 00
3-21-03	21062	417221	525 60
3-25-03	21063	417231	374 70
3-28-03	21064	417295	<u>555 00</u>

Total \$5369 40

Invoice # 21053 & 21054 were paid with an insufficient funds check check # 23571361

Invoice # 21056 was paid with an insufficient funds check check # 23572407

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 595-2700 FAX (620) 595-2701

CUSTOMER'S ORDER NO 388372	PHONE	DATE 1-10-03
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NAME Fleming - Tulsa Division

ADDRESS 4203 145th East Ave

Tulsa, OK

SOLD BY	CASH	C O D	CHARGE	ON ACCT	MDSE. RET'D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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3c	124oz case Affr Fe	670	2010c
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6	124oz case Spicy	670	4020c
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[Signature]
01-10-03

*check
copies
for
mailing*

RECEIVED BY	TAX
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241.20

Sweetwater Farms LLC

158 Chisholm Rd.
INMAN, KANSAS 67546
(620) 585-2709 FAX (620) 585-2784

CUSTOMER'S ORDER NO 588571	PHONE	DATE 2-18-03
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NAME Fleming - Tulsa Division

ADDRESS 4205 145th East Ave

Tulsa, OK

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT	MOSE RET'D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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15	10lb Bean Sprout	720	108.00
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12	12 4oz case Alfalfa	670	80.40
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5	12 4oz case Spicy	670	33.50
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32

[Signature]

02-18-03

TAX

total 221.90

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 585-2709 FAX (620) 585-2700

CUSTOMER'S ORDER NO. 588580	PHONE	DATE 2-21-03
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NAME

Fleming - Tulsa Division

ADDRESS

420 S 145th East Ave

Tulsa, OK

SOLD BY	CASH	C O D	CHARGE	ON ACCT	MDSE RET D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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15	10lb Bean Sprout	7.20	108.00
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6	10 8oz case Bean	4.85	29.10
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22	12 4oz Case Alfalfa	6.70	147.40
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5	12 4oz case Sprig	6.70	33.50
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02-21-03

CASES - 48

[Signature]
Pon

TAX

PAGE 2 OF 2

318.00

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 585-2709 FAX (620) 585-2784

CUSTOMER'S ORDER NO 588603	PHONE	DATE 2-25-03
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NAME Fleming - Tulsa Division

ADDRESS 420 S 145th East Ave

Tulsa, OK

SOLD BY (68)	CASH	C O D	CHARGE	ON ACCT	MDSE RET D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
15	10.1lb Bean Sproat	7.20	108.00
25	10.8oz Case Bean	4.85	121.25
18	12.4oz Case Alfa Fa	6.70	120.60
10	12.4oz Case Spicy	6.70	67.00
68			
02-25-03			
TOTAL 416.85			

TOTAL 416.85

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 585-2760 FAX (620) 585-2764

INMAN, KANSAS 67546

(620) 585-2700 FAX 1000: 505 271-
4440, 504 2704

Tulsa, OK

TOTAL 57560

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 535-2780 FAX (620) 585-2784

CUSTOMER'S ORDER NO. 588637 PHONE 713965 DATE 3-4-03

NAME Fleming - Tulsa Division

ADDRESS 420 S 14th East Ave

Tulsa, OK

SOLD BY	CASH	COD	CHARGE	ON ACCT	MDSE RET D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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10	10 lb Bean Sprout	7.20	72.00
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25	10 8oz Case Bean	4.85	123.75
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25	12.4oz Case Alfalfa	6.70	167.50
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10	12.4oz case Spicy	6.70	67.00
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Robert K. Lattimer
03-04-03

TAX		
TOTAL		430.25

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 595-2788 FAX (620) 595-2784

126

CUSTOMER'S ORDER NO 417158	PHONE	DATE 3-7-03
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NAME Fleming - Tulsa Division

ADDRESS 420 S 145th East Ave

Tulsa, OK

SOLD BY	CASH	C O D	CHARGE	ON ACCT	MDSE RET'D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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30	10.1lb Bean Sprout	7.20	216.00
10	10.8oz case Bean	4.85	48.50
15	12.4oz case Alfalfa	6.70	100.50
5	12.4oz case Sprig	6.70	33.50
<u>60</u>			

[Signature]
60 cases
3-9-03

RECEIVED BY	TAX	TOTAL
		298.50

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 595-2700 FAX (620) 595-2784

7/14/16

CUSTOMER'S ORDER NO 417285	PHONE	DATE 3-11-03
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NAME Fleming - Tulsa Division

ADDRESS 420 S 145th East Ave

Tulsa, OK

SOLD BY	CASH	C.O.D	CHARGE	ON ACCT	MOSE RET D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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20	10 lb Bean Sprout	7.20	144.00
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12	10-8oz Case Bean	4.85	58.20
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20	12.4oz Case Alfalfa	6.70	134.00
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4	12.4oz Case Spring	6.70	26.80
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[Signature]
03-11-03

TAX	
TOTAL	363.00

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 595-2700 FAX (620) 595-2781

714512

*116

CUSTOMER'S ORDER NO 417182	PHONE	DATE 3-14-03
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NAME **Fleming - Tulsa Division**

ADDRESS **420 S 945th East Ave**

Tulsa, OK

SOLD BY	CASH	C O D	CHARGE	ON ACCT	MOSE RET D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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25	10lb Bean Sprout	720	180.00
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50	10.8oz case Bean	485	242.50
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30	12 1/2oz case Atta Fa	670	201.00
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12	12 1/2oz case Sprig	670	80.40
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117

117

Robert K. Turner

03-14-03

		TAX	
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TOTAL **703.90**

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 595 3748 FAX (620) 595 3794

714666

#116

CUSTOMER'S ORDER NO. 414212	PHONE	DATE 3-18-03
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NAME

ADDRESS

Fleming - Tulsa Division

420 S 145th East Ave

Tulsa, OK

SOLD BY	CASH	C O D	CHARGE	ON ACCT	MDSE RET'D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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25	10 lb Bean Sprout	7.20	180.00
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20	12.8oz can Bean	4.85	97.00
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25	12.4oz case Alfalfa	6.70	167.50
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15	12.4oz case Sprig	6.70	100.50
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TOTAL 85

Robert K. Kellum
03-18-03

RECEIVED BY

TAX

545.00

Sweetwater Farms LLC

158 Chisholm Rd

WAGON K7546

(620) 585-2709 FAX (620) 585-2784

714381

124

CUSTOMER'S ORDER NO 417221	PHONE	DATE 3-21-03
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NAME **Fleming - Tulsa Division**

ADDRESS **4205 145th East Ave**

Tulsa, OK

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT	MOSE RET'D	PAID OUT
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QTY.	DESCRIPTION	PRICE	AMOUNT
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13	10 1lb Bean Spro-t	720	93.40
20	10 8oz Case Bean	485	97.00
30	12.4oz Case Atta Fa	670	201.00
20	12.4oz Case Spicy	670	134.00

10/1/03

[Signature]

03-21-03

TAX

TOTAL **525.40**

Sweetwater Farms LLC

158 Chisholm Rd
INMAN, KANSAS 67546
(620) 525-7700 FAX (620) 525-7781

Door # 126

CUSTOMER'S ORDER NO

417231

PHONE

715011

DATE

3.25.03

NAME

Fleming - Tulsa Division

ADDRESS

420 S. 145th East Ave

Tulsa, OK

SOLD BY	CASH	COD	CHARGE	ON ACCT	MDSE RET D	PAID OUT	
QTY.		DESCRIPTION				PRICE	AMOUNT
6		10 lb Bean Sprout				7.20	43.20
20		10 8oz case Bean				4.85	97.00
25		12.4oz case Alfalfa				6.70	167.50
10		12.4oz case Spicy				6.70	67.00
601		Total \$374.70					
		03-25-03					
						TAX	
RECEIVED BY						TOTAL	374.70

initials (61)

Sweetwater Farms LLC

158 Chisholm Rd.
INMAN, KANSAS 67546
(320) 305 2703 FAX (320) 305-2704

DOOR # 132

CUSTOMER'S ORDER NO

477295

PHONE

DATE

3-28-03

NAME

Fleming - Tulsa Division

ADDRESS

420 S 145th East Ave

Tulsa, OK

SOLD BY

CASH

COD

CHARGE

ON ACCT

MOSE RET'D

PAID OUT

QTY.

DESCRIPTION

PRICE

AMOUNT

15

10lb Bean Sprout

720

108.00

30

10 8oz Case Bean

485

145.50

30

12 4oz Case Alfalfa

670

201.00

15

12 4oz Case Spicy

670

100.50

90 TOTAL

90

Mark A. Meach

03-28-03

TAX

RECEIVED BY

TOTAL 555.00