UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

580782

Bar Date Ref # 2 NVM-41006

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

Name of Creditor and Address

0354653580782

Fried Provision CO
PO Box F
W Main & Pattison
Evans City PA 16033

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 #	ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR	Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated
25-1073751	07655	

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 3/17/03

3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE

$	$	$	$
(unsecured)	(secured)	801.60 (unsecured priority)	801.60 (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
SEP 09 2003
BMC

Fleming Companies Claim
09331

DATE SIGNED
9/4/03

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)

JAMES H DEILY

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

FLEMING COMPANIES, INC

Check No 904085884

50 937

213

CORE-MARK

395 Oyster Point Blvd
Suite 415
So San Francisco, CA 94080

JPMORGAN CHASE BANK
6040 TARBELL ROAD
SYRACUSE NY 13206

DO NOT REDEPOSIT

RETURN TO FED UTICA
FOR REASON INDICATED BELOW
APR 08 2003

DATE 2003-03-29 Void 60 Days From Date

REFER TO MAKER

AMOUNT $ $********801 60

RETURNED BY
JPMORGAN CHASE BANK 7655

FRIED PROVISION
N MAIN PATTISON
EVANS CITY , PA 16033

0433114497

TREASURER

210090518 210090518 13 04-04-03

⑈904085884⑈ ⑆L 130937⑆ ... 09668⑈ ⑈0000080160⑈

2/03 XF SPTR 1 2

30-0030-0
210000827 160 160 160
210000827 04-02-03

213099379

RETURNS - 220
210090518 0430-0030-0
210090518 04-04-03

PAY TO THE ORDER OF
CITIZENS NATIONAL BANK

Invoice

FRIED PROVISION CO
P O BOX F 141 N WASHINGTON ST
EVANS CITY PA 16033 0180
PHONE (724) 538 3160
FAX (724) 538 3262

FOR THE FRESH TASTE OF QUALITY

DATE	INVOICE #
3/17/2003	6479

BILL TO:

FLEMING , ALTOONA DIV
DIV FLEMING COMPAMIES,INC
P O BOX 470
3010 SEVENTH AVE
ALTOONA, PA 16603

SHIP TO:

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
143-0033190	7 days		3/17/2003	AMER DIS		

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT
480	10016	40 ISALY'S SLICED HAM 4/3#	1 67	801 60

TOTAL $801 60

REGISTER #

Fleming FLEMING CONVENIENCE

PURCHASE ORDER

SHIP TO
ALTOONA
3010 7TH AVE
ALTOONA
PA 16602
USA

VENDOR
143 FRIED PROVISION
N MAIN &PATTISON
EVAN CITY PA 16033
CUSTOMER SERVICE

ORDER DATE 2003-03-03 724-538-3160
ARRIVAL DATE 2003-03-17 Monday 724-538-3262
PAYMENT TERMS
DISCOUNT BRACKET 10 Days
FOB

PAGE 1 OF 1
PURCHASE ORDER # 143-0033190
THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, BILLS OF LADING, SHIPPING CONTAINERS AND PACKING LISTS
STANDING ORDER #

CS RCVD | PURCHASED BY | VENDOR # 07655 | SUB # 00 | BUYER # 435

WEIGHT 400 | CU VOL | CASES 40

✓ QUANTITY ORDERED	PURCH UNIT	UPC CODE	ITEM NUMBER	ITEM DESCRIPTION	PACKING DESCRIPTION	CASE PACK	SELL UNITS ORDERED	OFF INVOICE ALLOWANCE	OTHER ALLOWANCES	UNIT COST	EXTENDED COST	S/E	WHSE OCA ON
40	CS	10016	435818	ISALY P-SL HAM CHPD 3/4 Z	4/3 LB	1	40			20 04	801 60		12-438302
				**********									
				##ORDER SENT VIA FAX##									
40							40	00	00		801 60		

ONFIRMED
3/3/03
[illegible]

INSTRUCTIONS: SEND ORIGINAL INVOICE AND BILL OF LADING TO THE ABOVE DISTRIBUTION CENTER

NOTICE: SUBSTITUTIONS EITHER IN PACKING OR PRICE WILL NOT BE ACCEPTED WITHOUT PRIOR AUTHORITY FROM ISSUING DISTRIBUTION CENTER. WE RESERVE THE RIGHT TO RETURN ANY OR ALL MERCHANDISE SUBSTITUTED WITHOUT PRIOR AUTHORITY, TO REFUSE ANY OR ALL MERCHANDISE SHIPPED LATER THAN 30 DAYS FROM DATE OF ORDER AND TO DEDUCT FROM PAYMENT ANY EXPENSE OR LOSS INCURRED THROUGH ERROR ON THE PART OF THE SHIPPER.

P O. BOX F - 141 N WASHINGTON STREET
EVANS CITY, PA 16033

DELICATESSEN DISTRIBUTING INC
licensor of Isaly's Dairy Deli Stores & Products

FRIED PROVISION COMPANY
Specializing in Quality Delicatessen Products Since 1921

9/4/03

Bankruptcy Management Corporation
PO Box 900
El Segundo, Ca 90245-0900

Dear Adminstrator

Enclosed please find the proof of claim in regards to the Fleming Companies Inc Bankruptcy, case number 03- 10945(MFW) The date of filing was April 1, 2003

The documents are for the purchase of luncheon meat dated March 17,2003 The product was received and a check # 904085884 dated 3/27/03 for payment was issued for our invoice # 6479 The check was deposited and returned to us and told to not redeposit

We believe this is an unsecured priority claim being less than $2100 00 of deposits towards purchase and receipt of ordered product

Thank you for you attention this matter

James H Deily
President