

UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE

**PROOF OF CLAIM**

Name of Debtor  
**PIGGLY WIGGLY COMPANY**

Case Number  
**03-10965 (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" of payment of an administrative expense may be filed pursuant to 11 U.S.C. §503.**

Name of Creditor (The person or entity to whom the debtor owes money or property)  
**NESTLÉ PREPARED FOODS CO HAND HELD FOODS GROUP  
FKA CHEF AMERICA, INC**

- 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 the address differs from the address on the envelope sent to you by the court

Name and Addresses Where Notices Should be Sent  
NANCY REYNOSO  
NESTLÉ USA  
800 N BRAND BLVD  
GLENDALE CA 91203  
Telephone number (818) 549 5638

THIS SPACE IS FOR COURT USE ONLY

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR  
None

Check here if this claim  replaces  amends a previously filed claim dated \_\_\_\_\_

**1 BASIS FOR CLAIM**

- Goods sold
- Services performed
- Money loaned
- Personal injury/wrongful death
- Taxes
- Other \_\_\_\_\_

- Retiree benefits as defined in 11 U.S.C. § 1114(a)
- Wages salaries and compensations (Fill out below)  
Your social security number \_\_\_\_\_  
Unpaid Compensations for services performed  
from \_\_\_\_\_ to \_\_\_\_\_  
(date) (date)

**2 DATE DEBT WAS INCURRED**

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AT TIME CASE FILED \$ 1,511,260.92**

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 Setoff rights
- Value of Collateral \$ Unknown at this time reconciliation/investigation continues
- Amount of arrearage and other charges at time case filed included in secured claim if any \$ \_\_\_\_\_

**6 UNSECURED PRIORITY CLAIM**

- Check this box if you have an unsecured priority claim  
Amount entitled to priority \$ 538,376.50  
Specify the priority of the claim
- Wages salaries or commissions (up to \$4 650) earned not more than 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 — 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 of governmental units — 11 U.S.C. § 507(a)(8)
- Other — Specify applicable paragraph of 11 U.S.C. § 507(a) (Reclamation claim)  
*Amounts are subject to adjustment on 04/01/04 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 the filing of your claim enclose a stamped self addressed envelope and copy of this proof of claim

THIS SPACE IS FOR COURT USE ONLY

**FILED**

SEP 10 2003

**BMC**

Date  
9/8/03

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)

By Nancy Reynoso  
Nancy Reynoso, Its duly authorized agent

Filing Companies Claim  
09385

Penalty for presenting fraudulent claim: Fine of up to \$500 000 or imprisonment for up to 5 years or both 18 U.S.C. §§ 152 and 3571

Nestle USA

NESTLE USA  
CREDIT ASSISTANT  
TEL: (800) 451-5000



September 9, 2003

Bankruptcy Management Corporation  
1330 East Franklin Avenue  
El Segundo, CA 90245

RE PIGGLY WIGGLY COMPANY  
Case #03-10965 (MFW)

Dear Sirs

Enclosed is a proof of claim and two copies. Please acknowledge the filing of our claim, time stamp a copy for our records and return to my attention.

Enclosed, for your convenience, is a self-addressed stamped envelope.

Sincerely,

*Margot Johnson*

Margot Johnson  
Credit Assistant

/mj

Enclosures

Nestle Prepared Foods Company  
 Hand-Held Foods Group  
 FKA Chef America Inc

**STATEMENT**

Fleming Companies, Inc

<u>Inv Date</u>	<u>Invoice No</u>	<u>P/O No</u>	<u>Ship Date</u>	<u>Del Date</u>	<u>Amount Due</u>	
03/03/03	417955	047391-HW	3/3/03	3/3/03	\$7,378 16	
03/04/03	418226	260833-MA	3/3/03	3/4/03	\$36,303 12	
03/04/03	418227	812478-ME	3/3/03	3/4/03	\$66,529 48	
03/05/03	418698	273871-GA	3/4/03	3/5/03	\$57,464 88	
03/05/03	418736	451299-LU	3/5/03	3/6/03	\$14,609 40	
03/05/03	418843	405904-NA	3/5/03	3/6/03	\$54,705 24	
03/06/03	419057	436185-PX	3/5/03	3/7/03	\$12,042 60	
03/10/03	419564	729657-LF	3/7/03	3/10/03	\$12,207 00	
03/10/03	419634	291350-FS	3/10/03	3/10/03	\$12,332 40	
03/10/03	419635	786220-KC	3/7/03	3/10/03	\$12,050 40	
03/10/03	419688	645300-LI	3/8/03	3/11/03	\$14,779 80	
03/11/03	419903	841682-ME	3/10/03	3/12/03	\$38 843 72	
03/11/03	419904	307847-MA	3/10/03	3/11/03	\$37,167 48	
3/11/03	419945	706032	3/10/03	3/11/03	\$17,967 60	
3/11/03	419972	889519-SC	3/11/03	3/11/03	\$34,907 04	
3/11/03	419980	333316-GA	3/11/03	3/11/03	\$42,889 08	
3/12/03	420180	417444-LU	3/11/03	3/12/03	\$51,861 60	
3/12/03	420181	417555-LU	3/11/03	3/12/03	\$51,861 60	
3/12/03	420231	590539-WW	3/11/03	3/12/03	\$13,119 00	
3/12/03	420248	821835-TU	3/11/03	3/13/03	\$30,299 52	
3/12/03	420279	861096-ME	3/11/03	3/12/03	\$81,012 96	
3/13/03	420415	1790011720	3/12/03	3/12/03	\$2,327 86	
3/13/03	420440	706033	3/12/03	3/12/03	\$12,127 80	
3/17/03	420884	789156-SC	3/13/03	3/14/03	\$17,388 00	
3/19/03	421384	881236-TU	3/18/03	3/20/03	\$24,535 80	
3/19/03	421393	082533-HW	3/19/03	3/19/03	\$29,953 48	
3/19/03	421416	656783-WW	3/18/03	3/19/03	\$3,785 10	
3/20/03	421554	500061190	3/20/03	3/20/03	\$3,621 12	
3/20/00	421558	490649-PX	3/19/03	3/20/03	\$12,367 80	
3/20/02	421562	401845-GA	3/19/03	3/19/03	\$45,800 76	
3/21/03	421659	821836-TU	3/20/03	3/21/03	\$70,877 52	R
3/21/03	422035	316164-FS	3/20/03	3/20/03	\$12,318 60	R
3/24/03	422450	1430034510	3/24/03	3/24/03	\$4,833 36	R
3/24/03	422464	377989-MA	3/21/03	3/21/03	\$77,893 92	R
3/24/03	422465	377990-MA	3/21/03	3/24/03	\$39,760 56	R
3/24/03	422521	698972-LI	3/23/03	3/25/03	\$11,338 20	R
3/24/03	422522	515386-SL	3/21/03	3/24/03	\$16,660 40	R
3/24/03	422563	100023-HW	3/24/03	3/24/03	\$5,175 30	R
3/24/03	422571	711395-LI	3/23/03	3/25/03	\$22 314 60	R
3/25/03	422795	865926-ME	3/24/03	3/25/03	\$34,776 00	R

3/25/03	i422844	710395	3/24/03	3/25/03	\$20,035 20 R
3/25/03	i422869	104295-SC	3/25/03	3/25/03	\$34,697 88 R
3/26/03	i423047	707815	3/25/03	3/26/03	\$12,582 00 R
3/26/03	i423059	594459-GE	3/25/03	3/26/03	\$31,298 40 R
3/26/03	i423074	710254	3/25/03	3/26/03	\$38,691 84 R
3/26/03	i423131	051064-TU	3/26/03	3/27/03	\$32,038 80 R
3/27/03	i423308	710400	3/26/03	3/26/03	\$12,243 60 R
3/27/03	i423326	566051-LU	3/26/03	3/27/03	\$10,566 00 R
3/28/03	i423492	450672-GA	3/27/03	3/27/03	\$50,274 32 R

Total Non Reclamation invoices	\$852,239 80
Total Reclamation Invoices	\$538,376 50
<b>Total A/R Invoice Amount</b>	<b><u>\$1,390,616 30</u></b>

Unauthorized Deductions	\$120,644 62
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<b>TOTAL AMOUNT DUE</b>	<b><u><u>\$1,511,260 92</u></u></b>
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