

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

**PROOF OF CLAIM**



s137412

Scheduled Claim Ref # 2-F2 25038

**YOUR CLAIM IS SCHEDULED AS**

\$5 177 00 UNSECURED

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. 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.

**Name of Creditor and Address**  
  
TAG/ICIB SERVICES INC  
Northbrook Blvd., Suite B-20  
North Charleston, SC 29406

0354429434863

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 (846) 824-1996

CREDITOR TAX ID #  
132884536

ACCOUNT OR OTHER NUMBER BY WHICH CREDITED TO IDENTIFY CREDITOR  
Customer ID #4500

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

**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 \_\_\_\_\_ to \_\_\_\_\_ (date) (date)

**2 DATE DEBT WAS INCURRED** 11/00 - 3/03

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE** \$ 293,549.02 (unsecured) \$ \_\_\_\_\_ (secured) \$ \_\_\_\_\_ (unsecured priority) \$ 293,549.02 (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 11 2003**  
**RMC**  
Fleming Companies Claim  
10347

DATE SIGNED  
9/10/03

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).  
Kevin S Heiser, Atty for TAG/ICIB

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

## SUMMARY OF CLAIM

The debt associated with this proof of claim is evidenced by voluminous invoices regarding services provided by TAG/ICIB Services. The services related to this claim involve the shipping and carrying of goods by Matson Navigation Company on behalf of Fleming Companies, Inc. The invoices associated with this claim are for detention services ranging from the dates of 11/13/00 through 1/24/03. The total claim for detention services is \$271,449.02. Further invoices exist for storage services ranging from the dates of 1/03/02 through 3/27/03. The total claim for storage services is \$22,100.00.

Account summary pages indicating amounts outstanding for all services are attached hereto. Copies of the invoices can be provided if deemed necessary. This summary was substituted for the invoices as the total number of invoices is voluminous.

Detention Services	\$271,449.02
<u>Storage Services</u>	<u>\$ 22,100.00</u>
 Total Claim	 \$293,549.02

**TAG/ICIB Services**  
**Statement of Account**

**Date 09/03/2003**

**FLEMING COMPANIES INC**  
91-315 HANUA STREET  
KAPOLEI HI, 96707

**TAG/ICIB SERVICES, INC.**  
P O BOX 30206  
HONOLULU HI, 96820  
808-842-4402

<b><u>Current</u></b>	<b><u>31-60</u></b>	<b><u>61-90</u></b>	<b><u>Over 90</u></b>	<b><u>Total</u></b>
\$0 00	\$3,498 00	\$0 00	\$267,951 02	\$271,449 02

# TAG/ICIB Services

## Statement of Account

**Date** 09/03/2003

<b>FLEMING COMPANIES INC</b> 91-315 HANUA STREET KAPOLEI HI, 96707	<b>TAG/ICIB SERVICES, INC</b> P O BOX 30206 HONOLULU HI, 96820 808-842-4402
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*Invoice No* HAW024695  
*Date* 04/16/2003  
*Client* MATSON  
*Bill of Lading* HI9900079000  
*Discharge Port* HONOLULU  
*Status* LITIGATION

<u>Equipment</u>	<u>Date</u>	<u>Free Time</u>	<u>Date</u>	<u>Days</u>	<u>Rate</u>	<u>Pay/Adj</u>	<u>Amount Due</u>
AMFU836054	03/21/2003	03/31/2003	04/02/2003	2	\$50 00	\$0 00	\$100 00

Invoice Total      \$100 00

*Invoice No* HAW024697  
*Date* 04/16/2003  
*Client* MATSON  
*Bill of Lading:* HI4940079000  
*Discharge Port* HONOLULU  
*Status* LITIGATION

<u>Equipment</u>	<u>Date</u>	<u>Free Time</u>	<u>Date</u>	<u>Days</u>	<u>Rate</u>	<u>Pay/Adj</u>	<u>Amount Due</u>
AMZU837755	03/21/2003	03/31/2003	04/01/2003	1	\$50 00	\$0 00	\$50 00

Invoice Total      \$50 00

*Invoice No* HAW024886  
*Date* 04/21/2003  
*Client* MATSON  
*Bill of Lading:* HI4505073001  
*Discharge Port* HONOLULU  
*Status* LITIGATION

<u>Equipment</u>	<u>Date</u>	<u>Free Time</u>	<u>Date</u>	<u>Days</u>	<u>Rate</u>	<u>Pay/Adj</u>	<u>Amount Due</u>
MATU225672	03/27/2003	04/06/2003	04/08/2003	2	\$50 00	\$0 00	\$100 00

Invoice Total      \$100 00

<u>Current</u>	<u>31-60</u>	<u>61-90</u>	<u>Over 90</u>	<u>Total</u>
\$0 00	\$0 00	\$0 00	\$22,100 00	\$22,100 00

LAW OFFICES  
**NELSON MULLINS RILEY & SCARBOROUGH, L L P**  
A REGISTERED LIMITED LIABILITY PARTNERSHIP

KEVIN J HEISER  
(803) 255 9438  
INTERNET ADDRESS KH3@NMRS.COM

BANK OF AMERICA CORPORATE CENTER  
SUITE 2400  
100 NORTH TRYON STREET  
CHARLOTTE NORTH CAROLINA 28202 4000  
TELEPHONE (704) 417 3000  
FACSIMILE (704) 377 4814  
WWW.NMRS.COM

OTHER OFFICES  
ATLANTA GEORGIA  
CHARLESTON SOUTH CAROLINA  
COLUMBIA SOUTH CAROLINA  
GREENVILLE SOUTH CAROLINA  
MYRTLE BEACH SOUTH CAROLINA  
RALEIGH NORTH CAROLINA  
WINSTON SALEM NORTH CAROLINA

September 10, 2003

**Via Federal Express**

Claims Agent  
Bankruptcy Management Corp  
1330 East Franklin Avenue  
El Segundo, CA 90245

Re Bankruptcy Case of Fleming Companies, Inc  
District of Delaware Case No 03-10945  
Our File # 16101/09000

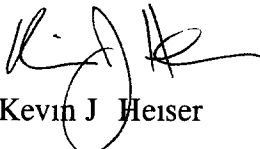
Dear Claims Agent

Please find enclosed for filing, two original proof of claim forms on behalf of TAG/ICIB Services, Inc in the above referenced bankruptcy matter. Along with the original claim forms, I have enclosed 3 copies of each claim.

If you would, please file the 2 original claim forms and, once filed, return to me a clocked copy of each. For your convenience I have enclosed 2 self-addresses stamped envelopes.

Thank you for your assistance with this matter and please do not hesitate to contact me should you have any questions.

Very truly yours,

  
Kevin J Heiser

KJH kh3  
Enclosures