

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM



s132704

Scheduled Claim Ref # 2 F2 20330

YOUR CLAIM IS SCHEDULED AS

\$1 855 48 UNSECURED

FILED
SEP 11 2003
BMC

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

0354429390309

DAVE S MARKET-LIMA #626
2411 SHAWNEE ROAD
LIMA OH 45806

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 #

34-1760499

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here replaces or amends if this claim

a previously filed claim dated _____

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

3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE

\$ 1,855.48 (unsecured)

\$ (secured)

\$ (unsecured priority)

\$ (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

THIS SPACE FOR COURT USE ONLY

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

FILED
SEP 11 2003
BMC

DATE SIGNED

9-9-03

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)

Clayton V. ...

Fleming Companies Claim

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



10392

See Other Side For Instructions



616 EAST MAIN STREET
CRIDERSVILLE, OHIO 45806
PHONE (419) 645-5905
FAX (419) 645-5910

August 18, 2003

Aileen F Maguire
Campbell & Levine, LLC
800 King Street
Suite 300
Wilmington, DE 19801

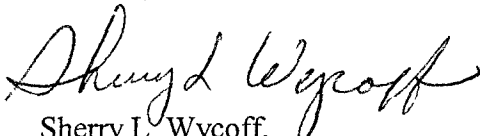
Re Fleming Companies, Inc
C A No 03-10945 (MFW)

Dear Ms Maguire

Attached is a spreadsheet of the returned checks issued by Fleming, along with copies of the checks

Please give me a call if you need any further information

Sincerely,


Sherry L. Wycoff,
Controller

Cc D Evans
V Bryant

DAVE'S MARKETS, INC

FLEMING CHECKS RETURNED AS UNPAID

CHECK DATE	CHECK NO	ADMIN	ADA	BLUFFTON	CRIDERSVILLE	KENTON	OTTAWA	SHAWNEE	LAKEVIEW	GRAND TOTAL
1/28/03	04-068765		\$ 1,230 66							
1/28/03	04-068766			\$ 1,201 98						
1/28/03	04-068767				\$ 774 21					
1/28/03	04-068768					\$ 733 67				
1/28/03	04-068769						\$ 601 65			
1/28/03	04-068771								\$ 640 54	
1/28/03	04-068770							\$ 1,800 84		
1/28/03	04-068621	\$ 22,406 11								
3/25/03	04-070056		\$ 39 60							
3/25/03	04-070057			\$ 46 07						
3/25/03	04-070058				\$ 27 44					
3/25/03	04-070059					\$ 23 78				
3/25/03	04-070060						\$ 26 61			
3/25/03	04-070061							\$ 54 64		
3/25/03	04-070062								\$ 38 96	
TOTALS		\$ 22,406 11	\$ 1,270 26	\$ 1,248 05	\$ 801 65	\$ 757 45	\$ 628 26	\$ 1,855 48	\$ 679 50	\$ 29,646 76

UNRECORDED COPY

Flaming

Dr. 71 Mission St. 18

CASB BANK OF CALIF. SAN FRANCISCO

MADE PAYABLE TO THE ORDER OF

VOID AFTER 60 DAYS RETURN TO ISSUER

PAID TO THE ORDER OF

~~REFER TO BANK~~

⑈04070059⑈ ⑆111300880⑆ ⑈06300035865⑈

⑈0000002378⑈

UNRECORDED COPY

Flaming

Dr. 71 Mission St. 44513

CASB BANK OF CALIF. SAN FRANCISCO

MADE PAYABLE TO THE ORDER OF

VOID AFTER 60 DAYS RETURN TO ISSUER

~~REFER TO BANK~~

PAID TO THE ORDER OF

⑈04070060⑈ ⑆111300880⑆ ⑈06300035865⑈

⑈0000002661⑈

UNRECORDED COPY

Flaming

Dr. 207 Mission St. 4468

CASB BANK OF CALIF. SAN FRANCISCO

MADE PAYABLE TO THE ORDER OF

VOID AFTER 60 DAYS RETURN TO ISSUER

~~REFER TO BANK~~

PAID TO THE ORDER OF