

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM



643321

Bar Date Ref # 2-NVM 110857

In re Fleming Companies

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.

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.

Name of Creditor and Address  
H & E Equipment Services LLC 0354653643321  
fka Icm Equipment CO  
4899 W 2100 S  
Salt Lake City UT 84117

Creditor Telephone Number 801-974-0385

CREDITOR TAX ID #  
72-1257046

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR  
I006575

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)  
equipment rental
- 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 11/02 - 3/3/03

3 IF COURT JUDGMENT, DATE OBTAINED \_\_\_\_\_

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE \$ 2,388.22 (unsecured) \$ \_\_\_\_\_ (secured) \$ 2,353.22 (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 12 2003

DATE SIGNED  
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).  
[Signature] Regional Credit Manager

DMA  
Fleming Companies Claim



11870

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

H&E EQUIPMENT SERVICES LLC  
 4899 WEST 2100 SOUTH  
 SALT LAKE CITY, UT 84120

Customer  
 1006575

S T A T E M E N T

Pg  
 1

09/05/03

Bill To  
 FLEMING COMPANIES INC

P O BOX 26828  
 SALT LAKE CITY UT 84126

Date	Invoice	Credit Ref	Description	Amount	Balance
11/22/02	C24306		INVOICE	127 50	
3/31/03	C24306	KS 3/31	A/R ADJUST NET ZERO #	127 50	
3/04/03	C24306	SH 3/4	A/R ADJUST - NET ZERO -# P O BRIAN GOLDING	127 50	127 50 ✓
12/19/02	v00397		INVOICE	322 31	
3/31/03	v00397	KS 3/31	A/R ADJUST NET ZERO #	322 31	
3/04/03	v00397	SH 3/4	A/R ADJUST NET ZERO # P O	322 31	322 31 ✓
3/10/03	k59027	K15015	INVOICE P O CHUCK MOON	960 50	960 50 ✓
3/21/03	k66625	K07912	INVOICE <i>3/3-30/02</i> P O CHUCK MOON	480 25	480 25 ✓
4/07/03	k76215	K15015	INVOICE <i>3/12-4/1</i> P O CHUCK MOON	960 50	960 50 ✓
4/18/03	k83551	K07912	INVOICE P O CHUCK MOON	488 75	488 75 ✓
5/05/03	k93381	K15015	INVOICE P O CHUCK MOON	977 50	977 50 ✓
5/16/03	t01517	K07912	INVOICE P O CHUCK MOON	488 75	488 75
5/31/03	t10544	K15015	INVOICE P O CHUCK MOON	977 50	977 50
6/13/03	t19472	K07912	INVOICE P O CHUCK MOON	488 75	488 75
6/18/03	t22650	K15015	INVOICE P O CHUCK MOON	367 75	367 75
7/11/03	t37883	K07912	INVOICE P O CHUCK MOON	488 75	488 75
7/30/03	t50391	K07912	INVOICE P O CHUCK MOON	408 00	408 00

*3/18 31 - \$480 20 ✓*  
*4/1-14/03 480 30*  
*3/31 \$1746 ✓*  
*4/1-27 \$471 29*

CONTINUED

0.00 \*

127.50\*+  
 322.31 +  
 960.50 +  
 480.25 +  
 480.20 +  
 17.46 +  
 2,388.22 \*