

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

**PROOF OF CLAIM**



553531

Bar Date Ref # 2 NVM 11785

In re  
Fleming Companies, Inc , et.al.

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.

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**

**Excel Corporation**  
151 N Main  
PO Box 2519  
Wichita, KS 67202

035465355331

Creditor Telephone Number ( ) 316-291-2500

CREDITOR TAX ID #  
75-1449430

ACCOUNT OR OTHER NUMBER BY WHICH  
CREDITOR IDENTIFIES DEBTOR

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

**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** 03/29/03

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE** \$ 42,154.62 (unsecured) \$ (secured) \$ (unsecured priority) \$ 42,154.62 (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

DATE SIGNED

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)

28 Sep 2003

Alan Snowden, Director of Finance

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

**FILED**  
SEP 15 2003

**BMC**

Fleming Companies Claim



12725

See Other Side For Instructions



A Cargill Foods Company

INVOICE

Best Total Value

<b>Invoice No</b> 863358 <b>Invoice Date</b> 03-29-2003 <b>Customer PO No</b> 996452 <b>Broker/Confirm</b> /996452 <b>Excel Order No</b> 800242 <b>Company No</b> 11126 <b>AB No</b> 100098	<b>Payment Due</b> 03-30-2003 <b>Terms</b> WIRE TRANSFER IN ADVANCE <b>Delivery Date</b> 03-31-2003 <b>Carrier</b> Richard Nestor <b>Unit No</b> 147 <b>BOL No</b> 0863358
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**B**  
**I** Fleming Companies Inc  
**L** Attn Kevin Welch  
**L** 3524 NW 56th St  
**T** Oklahoma City, OK 73112-4547  
**O**

**S**  
**H** % California Pacific  
**I** 3623 Munster Avenue  
**P**  
**T** Hayward, CA 94545-0000  
**O**

For questions regarding this invoice, please call (800) 835-2837

Product	Description		Qty	Weight	Price	Amount
				LB		USD
11221	B/I LIP ON 2" 16-UP	16-UP	10	714 70	4 0455LB	2,891 32
16024	CBI ROUND		16	1,092 20	1 2455LB	1,360 34
18325	SMT 1 PC TOP BUTT		5	330 70	2 5455LB	841 80
17826	SMT CH 1X0 STRIP		10	570 30	4 8455LB	2,763 39
10326	FULL CUT SHORT RIBS		4	351 50	3 1455LB	1,105 64
16925	SMT ROUND FLAT	1/4"	35	1,687 20	1 5755LB	2,658 18
16620	SMT PLD KNUCKLE		15	915 10	1 5455LB	1,414 29
16826	SMT INSIDE	1/4"	4	286 40	1 3955LB	399 67
86822	CAB INSIDE ROUND		10	764 50	1 3255LB	1,013 34
11241	B/I LIP-ON 2" 16-UP	16-UP	10	728 00	3 5455LB	2,581 12
18444	TOP BUTT		6	436 20	1 8955LB	826 82
16125	SMT H/O RND W/PLD KNUX	1/4"	9	473 90	1 5255LB	722 93
17125	SMT EYE OF ROUND	1/4'	12	774 60	1 8455LB	1,429 52
12020	BRISKETS		40	2,750 40	1 0055LB	2,765 53
19320	SM FLANK STEAK	S/B	1	32 40	3 8455LB	124 59
18620	TRI-TIP Peeled		3	176 30	3 3055LB	582 76
11422	SMT CH CLOD 1PC 1/4"	1/4"	2	110 10	1 3755LB	151 44
18424	BNLS TOP BUTTS		30	1,896 00	2 3255LB	4,409 15
17846	SMT CH 1X0 STRIP		7	398 70	3 6455LB	1,453 46
18924	PEELED TENDERLOIN	SUP	20	1,495 80	8 1455LB	12,184 04
18345	SMT 1 PC TOP BUTT		3	229 00	2 0755LB	475 29
	<b>total</b>		<b>252</b>	<b>16,214 00</b>		<b>\$42,154 6200</b>

COMMENTS

86822 cab sub for choice  
do not pay commission  
FEDEX INV  
5107326006

R