

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

**PROOF OF CLAIM**



606765

Bar Date Ref # 2-NVM-72546

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

**Name of Creditor and Address**

PLATTE COUNTY TREASURER

Platte County Treasurer  
PO Box 967  
Columbus NE 68601

0354653606765

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 ( ) (402) 563-4930

CREDITOR TAX ID #  
47-60006498

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR  
710117208 & 710116417

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

**1 BASIS FOR CLAIM**

Goods sold  Personal injury/wrongful death  Retiree benefits as defined in 11 U S C § 1114(a)

Services performed  Taxes  Wages salaries and compensation (Fill out below)

Money loaned  Other (describe briefly) Your social security number \_\_\_\_\_

Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_ (date) (date)

**2 DATE DEBT WAS INCURRED** 12/31/02

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE** \$ \_\_\_\_\_ (unsecured) \$ \_\_\_\_\_ (secured) \$ 5,981.62 (unsecured priority) \$ 5,981.62 (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)

~~XXXXX~~ 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  
**FILED**  
SEP 25 2003  
BMC  
Fleming Companies Claim  
 14297

DATE SIGNED 9/23/03

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)  
MARIETTA NEWMAN, PLATTE COUNTY NEBR TREASURER

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

**PLATTE COUNTY TREASURER  
P O BOX 967 - COLUMBUS, NE 68601  
2002 REAL ESTATE TAX STATEMENT**

PROPERTY LOCATION  
COLUMBUS NE 68601  
LEGAL DESCRIPTION  
S400' OF 34 AVE FROM N LINE OF 25 ST TO  
N LINE OF 23 ST NOW VACATED ABUTTING D &  
L VACATED STS & ALLEYS COLUMBUS

GLENN E & ORVILLE ALDRICH  
%FLEMING CO INC ATT LEASE ADMIN  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-0000

TAXES DUE 12/31/2002  
DELINQUENT  
1ST HALF 05/01/2003  
2ND HALF 09/01/2003  
  
STATEMENT 2002-0  
ID NUMBER 710116417  
TAX DISTRICT 1  
1TCM-L  
GROSS VALUE 96,000  
EXEMPT VALUE  
TAXABLE VALUE 96,000  
  
GROSS TAX 1,748 06  
OTHER CREDITS  
PENALTY DUE  
TOTAL TAX 1,748 06

DESCRIPTION	TAX RATE	PRIOR TAX	CURRENT TAX	SPECIAL MESSAGES
PLATTE COUNTY	0 242122	234 89	232 42	PRIOR TAX PROVIDED FOR YOUR INFORMATION          <b>CALL FOR INTEREST DUE ON BACK TAXES</b> (402) 563-4913
COUNTY AG SOCI	0 011996	11 67	11 52	
COLUMBUS 1	1 003938	915 49	963 79	
COLUMBUS 1 BON	0 106464	111 72	102 21	
ESU #7	0 015334	14 73	14 72	
CENTRAL TECH	0 070000	64 23	67 20	
LOWER LOUP NRD	0 021258	21 26	20 41	
COLUMBUS	0 327831	314 89	314 72	
AIRPORT AUTHOR	0 021944	17 78	21 07	
<b>NET TOTALS</b>	<b>1.820887</b>	<b>1,706.66</b>	<b>1,748.06</b>	

TAX RATE EQUALS CENTS OF TAX PER \$100.00 OF TAXABLE VALUE  
PLEASE RETAIN THE TOP PORTION AND  
RETURN THE APPROPRIATE STUB WITH YOUR PAYMENT

MAKE ALL CHECKS PAYABLE TO

MARIETTA NEWMAN - PLATTE COUNTY TRE  
P O BOX 967 - COLUMBUS, NE 68601

PLATTE COUNTY TREASURER  
FULL PAYMENT  
DUE DECEMBER 31, 2002

PLATTE COUNTY TREASURER  
SECOND HALF PAYMENT  
DELINQUENT SEPTEMBER 1, 2003

PLATTE COUNTY TREASURER  
FIRST HALF PAYMENT  
DELINQUENT MAY 1, 2003

STATEMENT # 2002-0  
TAX DISTRICT 1  
ID NUMBER 710116417  
REAL ESTATE

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TAX DISTRICT 1  
ID NUMBER 710116417  
REAL ESTATE

STATEMENT # 2002-0  
TAX DISTRICT 1  
ID NUMBER 710116417  
REAL ESTATE

ALDRICH/GLENN E & ORVILL  
%FLEMING CO INC ATT LEA  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-

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OKLAHOMA CITY OK 73118-

ALDRICH/GLENN E & ORVILL  
%FLEMING CO INC ATT LEA  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-

VAC-S&A---40  
TOTAL DUE 874 03

VAC-S&A---40  
TOTAL DUE 874 03

VAC-S&A---40  
TOTAL DUE 0 00

**PLATTE COUNTY TREASURER  
P O BOX 967 - COLUMBUS, NE 68601  
2002 REAL ESTATE TAX STATEMENT**

PROPERTY LOCATION  
3318 23 ST COLUMBUS NE 68601  
LEGAL DESCRIPTION  
LOT 14 WAGNERS COLUMBUS

TAXES DUE 12/31/2002  
DELINQUENT  
1ST HALF 05/01/2003  
2ND HALF 09/01/2003

GLENN ALDRICH ETAL)  
%FLEMING CO INC ATT LEASE ADMIN  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-0000

STATEMENT 2002-0  
ID NUMBER 710117208  
TAX DISTRICT 1  
1TCM-L  
GROSS VALUE 561,000  
EXEMPT VALUE  
TAXABLE VALUE 561,000  
GROSS TAX 10,215 18  
OTHER CREDITS  
PENALTY DUE  
TOTAL TAX 10,215 18

DESCRIPTION	TAX RATE	PRIOR TAX	CURRENT TAX	SPECIAL MESSAGES
PLATTE COUNTY	0 242122	1,372 59	1,358 31	PRIOR TAX PROVIDED FOR YOUR INFORMATION
COUNTY AG SOCI	0 011996	68 22	67 30	
COLUMBUS 1	1 003938	5,349 91	5,632 09	
COLUMBUS 1 BON	0 106464	652 88	597 26	
ESU #7	0 015334	86 10	86 02	
CENTRAL TECH	0 070000	375 35	392 70	
LOWER LOUP NRD	0 021258	124 24	119 26	
COLUMBUS	0 327831	1,840 12	1,839 13	
AIRPORT AUTHOR	0 021944	103 89	123 11	
<b>NET TOTALS</b>	<b>1.820887</b>	<b>9,973 30</b>	<b>10,215 18</b>	

TAX RATE EQUALS CENTS OF TAX PER \$100.00 OF TAXABLE VALUE  
PLEASE RETAIN THE TOP PORTION AND  
RETURN THE APPROPRIATE STUB WITH YOUR PAYMENT

MAKE ALL CHECKS PAYABLE TO  
MARIETTA NEWMAN - PLATTE COUNTY TRE  
P O BOX 967 - COLUMBUS, NE 68601

PLATTE COUNTY TREASURER  
FULL PAYMENT  
DUE DECEMBER 31, 2002

PLATTE COUNTY TREASURER  
SECOND HALF PAYMENT  
DELINQUENT SEPTEMBER 1, 2003

PLATTE COUNTY TREASURER  
FIRST HALF PAYMENT  
DELINQUENT MAY 1, 2003

STATEMENT # 2002-0  
TAX DISTRICT 1  
ID NUMBER 710117208  
REAL ESTATE

STATEMENT # 2002-0  
TAX DISTRICT 1  
ID NUMBER 710117208  
REAL ESTATE

STATEMENT # 2002-0  
TAX DISTRICT 1  
ID NUMBER 710117208  
REAL ESTATE

ALDRICH/GLENN (ETAL)  
%FLEMING CO INC ATT LEA  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-

ALDRICH/GLENN (ETAL)  
%FLEMING CO INC ATT LEA  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-

ALDRICH/GLENN (ETAL)  
%FLEMING CO INC ATT LEA  
5701 N SHARTEL  
OKLAHOMA CITY OK 73118-

WAG-ADD---190  
TOTAL DUE 5,107 59

WAG-ADD---190  
TOTAL DUE 5,107 59

WAG-ADD---190  
TOTAL DUE 0 00

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

**In re Fleming Companies, Inc et al  
Case No 03-10945-(MFW)-11**

**DOCUMENTS APPENDED TO CLAIM**

On August 4, 2005, document(s) were appended to Claim Numbers **14297, 15711 and 16337** for the following reason(s)

- Settlement Agreement and Letter dated 8/2/05
- New Supporting Documents
- Change of Address
- Proof of Payment
- Other Docket Number ###

# Fleming

## FAX

Barbara Hall  
Finance Director  
5001 Broadway Ex'n Suite 100  
Oklahoma City OK 73118  
telephone (405) 286-9802  
facsimile (405) 286-9819  
e-mail [barbarahall@vahoo.com](mailto:barbarahall@vahoo.com)

August 3, 2005  
To Marietta Newman  
Company: Platte County Treasurer  
(402) 563-0750  
Phone (402) 563-4930  
Total Pages 2 (including cover)

### Marietta

Attached is our reconciliation of Platte County's property tax claims. We have included 5% interest from 8/23/04 through a projected payment date of 8/5/05 as allowed by our Plan of Reorganization.

As soon as you respond to this fax that this is an acceptable settlement of all property tax claims against PCT as Post Confirmation Trust of Fleming Companies, Inc and related debtors, I will authorize payment.

If you agree please have an authorized representative of Platte County sign the agreement below and fax to me at (405) 286-9819

Thanks,  
Barbara

Platte County accepts the above mentioned proposal as full and final settlement of all property tax claims against PCT as Post Confirmation Trust of Fleming Companies, Inc. and related debtors

By: \_\_\_\_\_  
Authorized Representative of Platte County Kansas

Dated: \_\_\_\_\_

### Notice of Confidentiality

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\*\*\*\*\*OUR RECORDS SHOW THAT THE TAXES IN QUESTION, ON PARCEL # 710086933 ARE PAID IN FULL. THE FIRST INSTALLMENT PAID ON 6/13/03 AND THE SECOND INSTALLMENT PAID ON 1/05/04.



MARIETTA NEWMAN, PLATTE CO (TREASURER)

Updated/Revised Claim For

## Platte County Treasurer

Marietta Newman

PO Box 967

Columbus, NE 68602-0967

Contact

Marietta Newman

(402) 563-4930

(402) 563-0750 fax

		Secured/Priority Portion of Tax Claim				Memo/Notes
		+		=		
Claim Number	Parcel or Account	memo Base Claim Total	+	Tax Due	Interest @ 5 0% Through 08/05/05 a	
14297	VARIOUS	5,981 62	-	-	-	-
15711	VARIOUS	14,770 28	-	-	-	-
16337	710086933	2,287 04	2,287 04	108 71		<b>2,395 75</b>
<b>Total</b>		<b>23,038 94</b>	<b>2,287 04</b>	<b>108 71</b>		<b>2,395 75</b>

amended by 16337  
amended by 16337  
2003 RE Tax

a Interest to be paid at 5% simple interest on total outstanding "Secured/Priority Due" from 8/23/04 until paid in full per court approved plan of reorganization

\* Platte County Treasurer accepts these payments as full and final settlement for all property tax claims against PCT as Post Confirmation Trust of Fleming Companies, Inc and related debtors in the Chapter 11 Bankruptcy