

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF DELAWARE

21 NOV 24 PM 1:13

IN RE)

DUNIGAN FUELS, INC)

Debtor(s))


Case No 03-10973 MFW
(Chapter 11)

WITHDRAWAL OF CLAIM OF THE OKLAHOMA TAX COMMISSION

The State of Oklahoma, *ex rel* Oklahoma Tax Commission ("Commission"), hereby withdraws its proof of claim filed on October 24, 2003, in the amount of \$133,447.81 for the reason that the liability listed on the proof of claim is no longer due and owing

Respectfully submitted,

OKLAHOMA TAX COMMISSION



Joseph P. Gappa, OBA #14720
Assistant General Counsel
P O Box 53248
Oklahoma City, OK 73152-3248
Tel (405) 521-3141
Fax (405) 521-2036

Docket # 4588 eod 11/25/03

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of November 2003, a true and correct copy of the above and foregoing document was mailed, with proper postage thereon fully prepaid, to the following

Natalie Hoyer Keller
Kirkland & Ellis
ATTORNEYS AT LAW
200 East Randolph Drive
Chicago IL 60601



Joseph P. Gappa

0310973 withdrw lms

In re (Name of Debtor)
DUNIGAN FUELS, INC

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.

Name of Creditor
(The person or other entity to whom the debtor owes money or property)
OKLAHOMA TAX COMMISSION

Name and Address Where Notices Should Be Sent
**OKLAHOMA TAX COMMISSION
BANKRUPTCY SECTION
GENERAL COUNSEL'S OFFICE
P O BOX 53248
OKLAHOMA CITY, OK 73152-3248
Telephone No (405) 521-3141**

- Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy or statement giving particulars.
- Check box if you 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.

REC'D OCT 30 2003

THIS SPACE IS FOR COURT USE ONLY

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR
752402058F

Check here if this claim a previously filed claim dated **August 11, 2003** replaces amends } in the amount of **\$129,871.98**

- 1 BASIS FOR CLAIM
- Goods sold
 - Services performed
 - Money loaned
 - Personal injury/wrongful death
 - Taxes
 - Other (Describe briefly)

CHAPTER **11**

- Retiree benefits as defined in 11 U.S.C. § 1114(a)
- Wage, salaries, and commissions (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ to _____ (date) (date)

2 DATE DEBT WAS INCURRED
SEE ATTACHED

3 IF COURT JUDGMENT, DATE OBTAINED

4 CLASSIFICATION OF CLAIM Under the Bankruptcy Code all claims are classified as one or more of the following (1) Unsecured nonpriority (2) Unsecured Priority (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM.

SECURED CLAIM \$ _____
Attach evidence of perfection of security interest. Brief Description of Collateral:
 Real Estate Motor Vehicle Other (Describe) _____
Amount of arrearage and other charges included in secured claim above if any \$ _____

- UNSECURED PRIORITY CLAIM \$ **123,814.99**
Specify the priority of the claim:
 Wages, salaries, or commissions (up to \$2000 earned not more than 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 \$900 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6)
- Taxes or penalties of governmental units - 11 U.S.C. § 507(a)(7)
- Other - 11 U.S.C. §§ 507(a)(2), (a)(5) - (Describe briefly)

UNSECURED NONPRIORITY CLAIMS \$ **9,632.82**
A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or the extent that value of such property is less than the amount of the claim.

5 TOTAL AMOUNT OF CLAIM AT TIME CASE FILED \$ **9,632.82** (Unsecured) \$ _____ (Secured) \$ **123,814.99** (Priority) \$ **133,447.81** (Total)

Check this box if claim includes prepetition charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

6 CREDITS AND SETOFFS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.

THIS SPACE IS FOR COURT USE ONLY

7 SUPPORTING DOCUMENT Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interest. If the documents are not available, explain. If the documents are voluminous, attach a summary.

8 TIME-STAMPED COPY To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Date
OCT 20 2003

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)
Joseph P. Barry
OFFICE OF GENERAL COUNSEL

Penalty for Presenting Fraudulent Claim
Fine of up to \$500,000 or imprisonment for up to 5 years or both 18 U.S.C. §§ 152 and 3571

CASE NUMBER 03-10973 MFW

DUNIGAN FUELS, INC

THAT DUNIGAN FUELS, INC
WAS (WERE) AT THE TIME OF BEING ADJUDGED BANKRUPT AND STILL IS (ARE)
JUSTLY INDEBTED TO THE STATE OF OKLAHOMA FOR

DIESEL

ID NUMBER G WILLIAMS ENERGY

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	13203 82	00	00	00	13203 82
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

DIESEL

ID NUMBER MONTHLY REPORT

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	1775 68	00	00	00	1775 68
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

DIESEL

ID NUMBER SEMINOLE REFINED

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0302	3253 29	325 33	6 68	00	3585 30
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

DIESEL

ID NUMBER SINCLAIR

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	9397 03	.00	.00	00	9397 03
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

DIESEL

ID NUMBER VALERO

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	4692 58	.00	00	00	4692 58
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

MOTOR FUEL TAX

ID NUMBER G WILLIAMS ENERGY

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	70817 70	00	00	00	70817 70
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

MOTOR FUEL TAX
ID NUMBER. MONTHLY REPORT

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	1485 12	00	00	.00	1485 12
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

MOTOR FUEL TAX
ID NUMBER SEMINOLE REFINED

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0302	1367 05	136 71	2 81	00	1506 57
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

MOTOR FUEL TAX
ID NUMBER SINCLAIR

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	11934 41	00	00	00	11934 41
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

MOTOR FUEL TAX
ID NUMBER VALERO

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	5878 82	00	00	00	5878 82
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

STORAGE LEAKAGE FUND
ID NUMBER DUNIGAN FUELS

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0203	315 03	00	00	00	315 03
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

STORAGE LEAKAGE FUND
ID NUMBER G WILLIAMS ENERGY

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	5866 85	00	00	00	5866 85
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

STORAGE LEAKAGE FUND
ID NUMBER. SEMINOLE REFINED

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0302	341 93	34 19	00	00	376 12
	AS EVIDENCED BY DEBTOR'S FILED REPORTS				

STORAGE LEAKAGE FUND
ID NUMBER SINCLAIR

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	1529 95	.00	00	00	1529 95
AS EVIDENCED BY DEBTOR'S FILED REPORTS					

STORAGE LEAKAGE FUND
ID NUMBER VALERO

PERIOD	TAX-LIABILITY	PENALTY	INTEREST	APPL-FEES	TOTAL
0303	1082 83	.00	00	00	1082 83
AS EVIDENCED BY DEBTOR'S FILED REPORTS					

FOR AN AGGREGATE AMOUNT DUE AND OWING TO THE STATE OF OKLAHOMA
AS \$ 133,447 81

PLEASE BE ADVISED THAT ALL PAYMENTS SHOULD BE MAILED TO THE OKLAHOMA TAX
COMMISSION, ACCOUNT MAINTENANCE DIVISION, P O BOX 53248, OKLAHOMA CITY, OK
73152-3248

EXHIBIT "A"