FORM B10 (Official Form 10)

UNITED STATES BANKRUPTCY COURT District of Delaware

PROOF OF CLAIM

Name of Debtor
Fleming Companies, Inc , et al

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

Name of Creditor (The person or other entity to whom the debtor owes money or property)
Rex A Strickland

Name and address where notices should be sent
c/o Stephen A Sherman & Associates
117 Park Avenue
Fourth Floor
Oklahoma City, OK 73102

Telephone number **(405)235-0707**

☐ 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 the address differs from the address on the envelope sent to you by the court

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor
Contract No 7042

Check here if this claim ☐ replaces ☑ amends a previously filed claim dated **9-15-03**

1 Basis for Claim

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☑ Other **Lease Rejection Damages**

☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages, Salaries and compensations (Fill out below)
Your SS #
Unpaid compensation for services performed
from _____ (date) to _____ (date)

2 Date debt was incurred
04/01/2003

3 If court judgment, date obtained

4 Total Amount of Claim at Time Case Filed $ **1,034,629 75**

☐ 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 to setoff)
Brief Description of Collateral
☐ Real Estate ☐ Motor Vehicle
☐ Other _____

Value of Collateral $ **0 00**

Amount of arrearage and other charges at time case filed included in secured claim above if any $ **0 00**

6 Unsecured Priority Claim

☐ Check this box if you have an unsecured priority claim
Amount entitled to priority $ **0 00**
Specify the priority of the claim

☐ Wages salaries or commissions (up to $4000) * 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 $1 800* 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 of 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 4/1/98 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 the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim

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FILED
DEC 0 5 2003
BMC
Fleming Companies Claim
14929

Date
12/03/2003

Sign and print the name and title if any of the creditor or other person authorized to file this claim (attach power of attorney if any)
Ben F Meek III
Ben F Meek, III **Attorney for Rex A Strickland**

Penalty for presenting fraudulent claim Fine up to $50,000 or imprisonment up to 5 years or both 18 U S C §§ 152 and 3571

SEE EXHIBITS ATTACHED TO PROOF OF CLAIM
FILED 9-15-03

STEPHEN A SHERMAN & ASSOCIATES
ATTORNEYS AND COUNSELORS AT LAW
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WRITER S E MAIL
ben@shermanfirm com

December 4, 2003

VIA FEDERAL EXPRESS
Bankruptcy Management Corporation
1330 East Franklin Avenue
El Segundo, California 90245

RE ***Fleming Companies, Inc , et al , In the U S Bankruptcy Court for the District of Delaware, Case No 03-10945 (MFW)***

Dear Sir or Madam

Enclosed please find an original and five (5) copies of an Amended Proof of Claim of Rex Strickland, in the referenced matter Please file the documents and return to me one (1) file-stamped copy in the self-addressed stamped envelope which I have enclosed for your convenience Any remaining copies not used may be discarded

Please do not hesitate to call if you have questions or comments

Yours very truly,

Ben F Meek, III

BFM wjr

Enclosures as above

cc Client (w/encl)