IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
	)	
Fleming Companies, Inc., et al.,[1]	)	Case No. 03-10945 (MFW)
	)	(Jointly Administered)
Debtors.	)	

NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON AUGUST 4, 2003 AT 11:30 A.M.

CONTINUED MATTERS

1. Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and Aviation Equipment (Docket No. 13, Filed April 2, 2003)

   Response Deadline: April 14, 2003 at 4:00 p.m., prevailing Eastern time; extended to April 16, 2003 4:00 p.m. for Richard P.S. Hannum, Esquire

   Status: The outstanding portions of this matter are continued to the August 19, 2003 omnibus hearing.

2. Application Pursuant to 11 U.S.C. §§ 327(a) and 328 and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Employment and Retention of Deloitte & Touche LLP as Independent Auditors, Accountants and Property Tax Service Providers Nunc Pro Tunc to April 1, 2003 (Docket No. 454, Filed April 18, 2003)

   Response Deadline: April 29, 2003 at 4:00 p.m. at 4:00 p.m.

   Status: This mater has been continued to the August 19, 2003 omnibus hearing.

[1] The Debtors are the following entities: Core-Mark International, Inc.; Fleming Companies, Inc.; ABCO Food Group, Inc.; ABCO Markets, Inc.; ABCO Realty Corp.; ASI Office Automation, Inc.; C/M Products, Inc.; Core-Mark Interrelated Companies, Inc.; Core-Mark Mid-Continent, Inc.; Dunigan Fuels, Inc.; Favar Concepts, Ltd.; Fleming Foods Management Co., L.L.C., Fleming Foods of Texas, L.P.; Fleming International, Ltd.; Fleming Supermarkets of Florida, Inc.; Fleming Transportation Service, Inc.; Food 4 Less Beverage Company, Inc.; Fuelserv, Inc.; General Acceptance Corporation; Head Distributing Company; Marquise Ventures Company, Inc.; Minter-Weisman Co.; Piggly Wiggly Company; Progressive Realty, Inc.; Rainbow Food Group, Inc.; Retail Investments, Inc.; Retail Supermarkets, Inc.; RFS Marketing Services, Inc.; and Richmar Foods, Inc.

3. Motion of Phoenix Foodco Investors, L.L.C. and SLC Foodco Investors, LLC for Order Under 11 U.S.C. §§ 105, 365(D)(3) and 503(b) Directing Debtors to Pay Unpaid Administrative Lease Obligations (Docket No. 522, Filed April 22, 2003)

   Response Deadline: April 29, 2003 at 4:00 p.m.

   Status: This matter is continued to the August 19, 2003 omnibus hearing.

4. Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (Subleased Locations) (Docket No. 644, Filed April 30, 2003)

   Response Deadline: May 13, 2003 at 4:00 p.m.

   Status: This outstanding portions of this matter are being continued to the August 19, 2003 omnibus hearing.

5. Debtors' Motion for Entry of an Order Authorizing the Debtors to (A) Sell Certain Additional Residual Assets That are Not Subject to the Initial Webcast Sale Pursuant to Section 363 of the Bankruptcy Code and (B) Establishing an Expedited Procedure to Sell Residual Assets in Future Pursuant to the Auction Agreement with Dovebid, Inc. (Docket No. 1205, Filed May 30, 2003)

   Response Deadline: June 18, 2003

   Status: A general order on this Motion has been entered. This matter as it relates to Kenosha Associates has been continued to the August 19, 2003 omnibus hearing.

6. Debtors' Application for the Entry of an Order (I) Authorizing the Employment and Retention of DMC Real Estate, Inc. as Real Estate Broker and (II) Approving Payment of a Professional Services Fee (Docket No. 1382, Filed June 9, 2003)

   Response Deadline: June 18, 2003; extended to June 20, 2003 at 4:00 p.m. for the Committee only.

   Status: This matter has been continued to the August 19, 2003 omnibus hearing.

7. Motion for Entry of a Supplemental Order Authorizing the Debtors to Honor Prepetition Obligations to Customers and to Otherwise Continue Customer Programs and Practices in the Ordinary Course of Business (Docket No. 1404, Filed June 10, 2003)

   Response Deadline: June 18, 2003; extended to June 20, 2003 at 5:00 for Committee and Agents.

   Status: This matter is being continued to the September 4, 2003 omnibus hearing.

8. Motion of Gorton's, Inc. for Relief from Stay Under Section 362 of the Bankruptcy Code to Exercise Right to Setoff Pursuant to 11 U.S.C. § 553 (Docket No. 1482, Filed June 13, 2003)

   Response Deadline: July 10, 2003 at 4:00 p.m.; extended to July 24, 2003 for the Debtors only; extended to August 12, 2003 for the Debtors only..

   Status: This matter has been continued to the August 19, 2003 omnibus hearing.

9. Motion of Ventura Foods, LLC for an Order Granting Relief from the Automatic Stay (Docket No. 1501, Filed June 16, 2003)

   Response Deadline: July 21, 2003 at 4:00 p.m.

   Status: This matter is continued to the September 4, 2003 omnibus hearing.

10. Motion of Rich Products Corporation for Relief from the Automatic Stay in Order to Effect Setoff Pursuant to 11 U.S.C. § 553 (Docket No. 1503, Filed June 16, 2003)

    Response Deadline: July 10, 2003 at 4:00 p.m.; extended to August 12, 2003

    Status: This matter is being continued to the August 19, 2003 omnibus hearing.

11. Motion of Rich Products Corporation for Relief from the Automatic Stay in Order to Effect Setoff Pursuant to 11 U.S.C. § 553 (Docket No. 1504, Filed June 16, 2003)

    Response Deadline: July 10, 2003 at 4:00 p.m.; extended to July 28, 2003; extended to August 12, 2003

    Status: This matter is being continued to the August 19, 2003 omnibus hearing.

12. Motion of Fox's Foods, Inc. to Compel Rejection of a Certain Executory Contract and to Compel Rejection of an Unexpired Sublease for Non-Residential Real Property (Docket No. 1816, Filed July 2, 2003)

    Response Deadline: July 10, 2003 at 4:00 p.m.; extended to July 14, 2003 at 4:00 for the Debtors only; extended to August 11, 2003 for Debtors only..

    Status: This matter is continued to the August 19, 2003 omnibus hearing..

13. Motion of Barry Road Foods, Inc., for an Order Authorizing Discovery Pursuant to Bankruptcy Rule 2004 (Docket No. 1824, Filed July 3, 2003)

    Response Deadline: July 28, 2003 by 4:00 p.m.; extended to August 11, 2003

    Status: This matter is continued to the August 19, 2003 omnibus hearing.

14. Motion of Barry Road Foods, Inc., for (i.) Allowance and Payment of Administrative Claim; (ii.) Compelling the Debtor to Provide Adequate Protection; and, (iii.) Compelling the Debtor to Assume or Reject the Lease (Docket No. 1850, Filed July 7, 2003)

Response Deadline: July 28, 2003 by 4:00 p.m.; extended to August 11, 2003

Status: This matter is being continued to the August 19, 2003 omnibus hearing.

15. Motion of EFS National Bank for Relief from the Automatic Stay in Order to Effect Recoupment (Docket No. 1923, Filed July 14, 2003)

Response Deadline: July 28, 2003; extended to August 12, 2003

Status: This matter is being continued to the August 19, 2003 omnibus hearing.

UNCONTESTED/RESOLVED MATTERS

16. Motion of CitiCapital Commercial Leasing Corporation for Order Compelling Debtor to Assume or Reject Vehicle Fleet Leases and Ancillary Agreements and Compelling Performance Thereunder (Docket No. 1480, Filed June 13, 2003)

Related Documents:

a. Notice of CitiCapital Commercial Leasing Corporation's Motion for Order Compelling Debtor to Assume or Reject Vehicle Fleet Leases and Ancillary Agreements and Compelling Performance Thereunder (Docket No. 1480, Filed June 13, 2003)

b. Affidavit of CitiCapital Commercial Leasing Corporation in Support of Motion for Order Compelling Debtor to Assume or Reject Vehicle Fleet Leases and Ancillary Agreements and Compelling Performance Thereunder (Docket No. 1480, Filed June 13, 2003)

c. [Proposed] Order Compelling Debtor to Assume or Reject Vehicle Leases and Ancillary Agreements and Compelling Performance Thereunder (Docket No. 1480, Filed June 13, 2003)

Response Deadline: July 10, 2003 at 4:00 p.m.

Responses Received: None received to date.

Status: This matter is going forward.

17. First and Final Application of the Food Partners, LLC for Compensation for Services Rendered and Reimbursement of Expenses as Retail Grocery Financial Advisor to the Debtors for the Sale of Debtor's Nine California Retail Grocery

Stores to Save Mart Supermarkets and Ralphs Grocery Company (Docket No. 1647, Filed June 25, 2003)

Related Documents:

a. Notice of Filing of Fee Application (Docket No. 1647, Filed June 25, 2003)

b. [Proposed] Order Granting First and Final Application of the Food Partners, LLC for Compensation for Services Rendered and Reimbursement of Expenses as Retail Grocery Financial Advisor to the Debtors for the Sale of Debtor's Nine California Retail Grocery Stores to Save Mart Supermarkets and Ralphs Grocery Company (Docket No. 1647, Filed June 25, 2003)

Response Deadline: July 15, 2003 at 4:00 p.m.

Responses Received: None received to date.

Status: The Food Partners and Debtors have filed with the Court a Certification of Counsel and proposed order. If the Court has questions regarding this matter, a representative from the Food Partners will be available.

18. Motion of Merchants and Planters Bank and Bank of Bolivar for Relief from the Automatic Stay Pursuant to U.S.C. § 362 in Order to Determine the Interests in Escrow Proceeds from Creekmore Food Stores, Inc. (Docket No. 1733, Filed June 30, 2003)

Related Documents:

a. Notice of Motion of Merchants and Planters Bank and Bank of Bolivar for Relief from the Automatic Stay Pursuant to U.S.C. § 362 in Order to Determine the Interests in Escrow Proceeds from Creekmore Food Stores, Inc. (Docket No. 1733, Filed June 30, 2003)

b. [Proposed] Order Granting [CM/ECF #___] Motion of Merchants and Planters Bank and Bank of Bolivar for Relief from the Automatic Stay Pursuant to U.S.C. § 362 in Order to Determine the Interests in Escrow Proceeds from Creekmore Food Stores, Inc. (Docket No. 1733, Filed June 30, 2003)

c. Certification of No Objection [CM/ECF #1733] (Docket No. 2497, Filed July 29, 2003)

Response Deadline: July 28, 2003

Responses Received: None received to date.

Status: The Debtors do not contest this matter. The movant has filed a Certification of No Objection.

19. Motion of the Dial Corporation for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) to Terminate Military Contract (Docket No. 1851, Filed July 7, 2003)

Related Documents:

a. Notice of Motion of the Dial Corporation for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) to Terminate Military Contract (Docket No. 1851, Filed July 7, 2003)

b. [Proposed] Order Granting Motion of the Dial Corporation for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) to Terminate Military Contract (Docket No. 1851, Filed July 7, 2003)

Response Deadline: July 25, 2003 at 4:00 p.m.; extended to July 30, 2003 at 4:00 p.m. for the Debtors and Committee.

Responses Received: None received to date.

Status: The parties will submit to the Court a stipulation and order resolving this matter.

20. Motion of Northeast Frozen Foods Company, LLC for Relief from Stay Under Section 362 of the Bankruptcy Code and to Compel Arbitration (Docket No. 1862, Filed July 8, 2003)

Related Documents:

a. Notice of Hearing (Docket No. 1862, Filed July 8, 2003)

b. [Proposed] Order Granting Northeast Frozen Foods Company, LLC Relief from Stay Under Section 362 of the Bankruptcy Code and Compelling Arbitration (Docket No. 1862, Filed July 8, 2003)

Response Deadline: July 28, 2003 at 4:00 p.m.; extended to July 30, 2003 for Debtors only.

Responses Received: None received to date.

Status: This matter is going forward.

21. Motion of Wells Fargo Financial Leasing, Inc. for Order (A) to Compel Debtor to Assume or Reject Lease Agreements, (B) to Compel Debtor to Timely Perform its Obligations Under Lease Agreements, and (C) Allowance of Administrative Claim (Docket No. 1957, Filed July 15, 2003)

Related Documents:

a. Notice of Motion (Docket No. 1957, Filed July 15, 2003)

b. [Proposed] Order Granting Wells Fargo Financial Leasing, Inc.'s Motion for Order (A) to Compel Debtor to Assume or Reject Lease Agreements, (B) to Compel Debtor to Timely Perform its Obligations Under Lease Agreements, and (C) Allowing Payment of Administrative Claims (Docket No. 1957, Filed July 15, 2003)

Response Deadline: July 28, 2003 at 4:00 p.m.; extended to August 1, 2003 at 4:00 p.m. for the Debtors

Responses Received: None received to date.

Status: This matter is going forward.

22. Motion of Weingarten Realty Investors for Allowance and Payment of Administrative Rent (Docket No. 1982, Filed July 16, 2003)

Related Documents:

a. Notice of Motion of Weingarten Realty Investors for Allowance and Payment of Administrative Rent (Docket No. 1982, Filed July 16, 2003)

b. [Proposed] Order Granting Motion of Weingarten Realty Investors for Allowance and Payment of Administrative Rent (Docket No. 1982, Filed July 16, 2003)

Response Deadline: July 28, 2003 at 4:00 p.m.

Responses Received: None received to date.

Status: The Debtors have been informed by Movant that this matter will be withdrawn. This matter will not be going forward.

23. Debtors' Motion for an Order Pursuant to Section 105(a) of the Bankruptcy Code Clarifying the Application of the Debtors' Bar Date Order as to Certain of the Debtors' Non U.S. Creditors (Docket No. 2005, Filed July 17, 2003)

Related Documents:

a. Notice of Debtors' Motion for an Order Pursuant to Section 105(a) of the Bankruptcy Code Clarifying the Application of the Debtors' Bar Date Order as to Certain of the Debtors' Non U.S. Creditors (Docket No. 2005, Filed July 17, 2003)

b. [Proposed] Order Pursuant to Section 105(a) of the Bankruptcy Code Clarifying the Application of the Debtors' Bar Date Order as to Certain of the Debtors' Non U.S. Creditors (Docket No. 2005, Filed July 17, 2003)

c. Certification of No Objection (Docket No. 2553, Filed July 31, 2003)

Response Deadline: July 28, 2003

Responses Received: None received to date.

Status: The Debtors have received no objections to this matter. A Certification of No Objection has been filed with the Court.

24. Joint Motion of the Debtors and Tucker Abstract Company to Lift Stay (Docket No. 2019, Filed July 18, 2003)

Related Documents:

a. Notice of Joint Motion to Lift Stay (Docket No. 2019, Filed July 18, 2003)

b. Certification of No Objection (Docket No. 2554, Filed July 31, 2003)

Response Deadline: July 28, 2003

Responses Received: None received to date.

Status: The Debtors have received no objections to this matter. A Certification of No Objection has been filed with the Court.

CONTESTED MATTERS

25. Application of Debtors and Debtors in Possession for an Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Retention and Employment of Gleacher Partners LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession Nunc Pro Tunc to the Petition Date (Docket No. 87, Filed April 5, 2003)

Related Documents:

a. Notice of Application of Debtors and Debtors in Possession for an Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Retention and Employment of Gleacher Partners LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession Nunc Pro Tunc to the Petition Date (Docket No. 87, Filed April 5, 2003)

b. Affidavit of William D. Forrest in Support of the Application of the Debtors Pursuant to Bankruptcy Code Sections 327(a) and 328 and Bankruptcy Rule 2014(a) for an Order Authorizing the Employment and Retention of Gleacher Partners LLC as Financial Advisors for the Debtors and Debtors in Possession (Docket No. 87, Filed April 5, 2003)

c. [Proposed] Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Retention and Employment of Gleacher Partners LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession Nunc Pro Tunc to the Petition Date (Docket No. 87, Filed April 5, 2003)

d. Debtors' Motion for Entry of an Order Approving Termination Agreement with Gleacher Partners LLC, as Financial Advisor and Investment Banker, to the Debtors (Docket No. 1386, Filed June 9, 2003)

Response Deadline: April 14, 2003 at 4:00 p.m., prevailing Eastern time; extended to an open date for the U.S. Trustee only.

Responses Received:

a. Objection of the United States Trustee to Application of Debtors and Debtors-in-Possession for an Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Retention and Employment of Gleacher Partners LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession Nunc Pro Tunc to the Petition Date (Docket No. 446, Filed April 18, 2003)

Status: This matter is going forward.

26. Application for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 926, Filed May 16, 2003)

Related Documents:

a. Notice of Application for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 926, Filed May 16, 2003)

b. Affidavit of Paul P. Huffard in Support of the Debtor's Application for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a) and 328 and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtor and Debtor in Possession (Docket No. 926, Filed May 16, 2003)

c. [Proposed] Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 926, Filed May 16, 2003)

d. Certification of Counsel Regarding Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 1638, Filed June 24, 2003)

e. [Signed] Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 1692, Filed June 25, 2003)

Response Deadline: May 28, 2003; extended to June 2, 2003 at 12:00 p.m. for the Committee only.

Responses Received:

a. Objection of the Acting United States Trustee to: (A) Application for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession; and (B) Application for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of the Food Partners as Retail Grocery Financial Advisor to the Debtors and Debtors in Possession (Docket No. 1138, Filed May 29, 2003)

b. Objection of the Official Committee of Unsecured Creditors to Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 1222, Filed June 2, 2003)

c. Supplemental Objection of the Official Committee of Unsecured Creditors to Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§327(a), 328(a) and Fed. R. Bankr. P. 2014(a) Authorizing the Employment and Retention of Blackstone Group L.P. as Financial Advisor to the Debtors and Debtors in Possession (Docket No. 1256, Filed June 3, 2003)

Status: This matter has been resolved except Blackstone and the Committee still have outstanding issues regarding Blackstone's success fee/incentive fee. This matter will go forward as to that issue.

27. Debtors' Motion Pursuant to Section 365(d)(4) of the Bankruptcy Code for Entry of an Order Extending Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (Docket No. 1115, Filed May 28, 2003)

Related Documents:

a. Notice of Debtors' Motion Pursuant to Section 365(d)(4) of the Bankruptcy Code for Entry of an Order Extending Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (Docket No. 1115, Filed May 28, 2003)

b. [Proposed] Order Granting an Extension of Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (Docket No. 1115, Filed May 28, 2003)

c. Schedule of Unexpired Leases Subject to Debtors' Motion to Extend Time to Extend Time to Assume or Reject Unexpired Leases, Filed May 28, 2003 (Docket No. 1116, Filed May 28, 1003)

d. [Signed] Order Granting an Extension of Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (Docket No. 1699, Filed June 25, 2003)

Response Deadline: June 18, 2003 at 4:00 p.m.

Responses Received:

a. Objection of Regency Centers, L.P. to the Debtors' Motion Pursuant to Section 365(d)(4) of the Bankruptcy Code for Entry of an Order Extending Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (D.I. 1115) and Cross-Motion to Compel Assumption or Rejection Pursuant to Section 365(d)(2) of the Bankruptcy Code (Docket No. 1546, Filed June 18, 1003)

Status: The Court has entered a general Order granting the Motion. However, the Motion as it relates to Regency Centers will go forward.

28. Debtors' Motion for Entry of an Order Approving Termination Agreement with Gleacher Partners LLC, as Financial Advisor and Investment Banker, to the Debtors (Docket No. 1386, Filed June 9, 2003)

Related Documents:

a. Notice of Debtors' Motion for Entry of an Order Approving Termination Agreement with Gleacher Partners LLC, as Financial Advisor and Investment Banker, to the Debtors (Docket No. 1386, Filed June 9, 2003)

b. [Proposed] Order Approving Termination Agreement with Gleacher Partners LLC, as Financial Advisor and Investment Banker, to the Debtors (Docket No. 1386, Filed June 9, 2003)

c. Application of Debtors and Debtors in Possession for an Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Retention and Employment of Gleacher Partners LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession Nunc Pro Tunc to the Petition Date (Docket No. 87, Filed April 5, 2003)

Response Deadline: June 18, 2003; extended to June 20, 2003 at 5:00 p.m. for the Committee only; extended to July 31, 2003 at 12:00 p.m. for the Lenders and the Committee.

Responses Received:

a. Objection of the Acting United States Trustee to the Debtors' Motion for Entry of an Order Approving Termination Agreement with Gleacher Partners,LLC, as Financial Advisor and Investment Banker, to the Debtors (Docket No. 1528, Filed June 18, 2003)

Status: This matter is going forward.

29. Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (July 2, 2003 Motion) (Docket No. 1817, Filed July 2, 2003)

Related Documents:

a. Notice of Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (July 2, 2003 Motion) (Docket No. 1817, Filed July 2, 2003)

b. [Proposed] Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (July 2, 2003 Motion) (Docket No. 1817, Filed July 2, 2003)

c. Certification of Counsel Regarding Order Pursuant to Section 365(A) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (July 2, 2003 Motion) (Docket No. 2094, filed July 23, 2003)

Response Deadline: July 10, 2003 at 4:00 p.m.

Responses Received:

a. Catellus Commercial 1, L.L.C.'s Notice of No Objection to Rejection of Lease and Reservation of Rights to Assert Claims (Docket No. 1871, Filed July 10, 2003)

b. Objection by Landlord (Assignee of Prior Owner) to Rejection of Lease Requested by Fleming, Inc. Guarantor, and (2) Motion for Rescission of Fraudulent Sale to Landlord (Docket No. 1884 and 1983, Filed July 8, 2003)

   1. Letter from Bernard M. Wolfe, Trust for Eflow Investment Trusts I & II (Docket No. 1924, Filed July 14, 2003)

c. Response of Creditor Bent Tree Shopping Center, Ltd. To Motion Authorizing the Debtors to Reject Certain Unexpired Leases of Non-Residential Real Property (July 2, 2003 Motion) (Docket No. 1885, Filed July 10, 2003)

d. Objection of Kenosha Associates to the Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (Docket No. 1887, Filed July 10, 2003)

e. Objection by DEC Investments, LLC and Shield Investments to Debtors' Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (Docket No. 1891, Filed July 10, 2003)

f. DDB Limited Partnership's Objection to Debtors' Motion for Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property (July 2, 2003 Motion) (Docket No. 1903, Filed July 11, 2003)

Status: The Debtors have submitted a form of order for the uncontested portions of this Motion. As to the objections listed above, this matter will go forward with the exception of the objection of DEC Investments, LLC and Shield Investments which has been continued until August 26, 2003 at 9:30 a.m.

30. First and Final Application of Gleacher Partners LLC for Allowance of Compensation for Services Rendered and Reimbursement of Expenses for the Period of April 1, 2003 through June 26, 2003 (Docket No. 1866, Filed July 8, 2003)

Related Documents:

a. Notice of Filing First and Final Application of Gleacher Partners LLC for Allowance of Compensation for Services Rendered and Reimbursement of Expenses for the Period of April 1, 2003 through June 26, 2003 (Docket No. 1866, Filed July 8, 2003)

Response Deadline: July 28, 2003 at 4:00 p.m.; extended to 7/31/03 at 12:00 p.m. for the Lenders and the Committee.

Responses Received:

a. Objection of the Acting United States Trustee to the First and Final Application of Gleacher Partners LLC for Allowance of Compensation and Reimbursement of Expenses for the Period of April 1, 2003 through June 26, 2003 (Docket No. 2356)

Status: This matter is going forward.

31. Motion for Order (A) Approving Asset Purchase Agreement with C& S Wholesale Grocers, Inc. and C&S Acquisition LLC, (B) Authorizing (I) Sale of Substantially All of Selling Debtors' Assets Relating to the Wholesale Distribution Business to purchaser or its Designee(s) or Other Successful Bidder(s) at Auction, Free and Clear of all Liens, Claims, Encumbrances and Interests and (II) Assumption and Assignment of Certain Executory Contracts, License Agreements and Unexpired Leases, and (C) Granting Related Relief (Docket No. 1906, Filed July 11, 2003)

Related Documents:

a. Notice of Motion for Order (A) Approving Asset Purchase Agreement with C& S Wholesale Grocers, Inc. and C&S Acquisition LLC, (B) Authorizing (I) Sale of Substantially All of Selling Debtors' Assets Relating to the Wholesale Distribution Business to purchaser or its Designee(s) or Other Successful Bidder(s) at Auction, Free and Clear of all Liens, Claims, Encumbrances and Interests and (II) Assumption and Assignment of Certain Executory Contracts, License Agreements and Unexpired Leases, and (C) Granting Related Relief (Docket No. 1906, Filed July 11, 2003)

b. Notice of Sale Hearing and Sale of Assets (Docket No. 1907, Filed July 11, 2003)

c. Notice of Filing of Transition Services Agreement and Reformatted Sale Order re Motion for Order (A) Approving Asset Purchase Agreement with C&S Wholesale Grocers, Inc. and C&S Acquisition LLC, (B) Authorizing (I) Sale of Substantially All of Selling Debtors' Assets Relating to the Wholesale Distribution Business to Purchaser or Its Designee(s) or Other

Successful Bidder(s) at Auction, Free and Clear of All Liens, Claims, Encumbrances and Interests and (II) Assumption and Assignment of Certain Executory Contracts, License Agreements and Unexpired Leases and (C) Granting Related Relief (Docket No. 1964, Filed July 15, 2003)

d. Notice Re Potential Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection with Sale Motion (Docket No. 1984, Filed July 16, 2003 and Docket No. 2002, Filed July 17, 2003)

e. Notice of Filing of Schedules in Connection with the Asset Purchase Agreement in Support of Motion for Order (A) Approving Asset Purchase Agreement with C&S Wholesale Grocers, Inc. and C&S Acquisition LLC, (B) Authorizing (I) Sale of Substantially All of Selling Debtors' Assets Relating to the Wholesale Distribution Business to Purchaser or Its Designee(s) or Other Successful Bidder(s) at Auction, Free and Clear of All Liens, Claims, Encumbrances and Interests and (II) Assumption and Assignment of Certain Executory Contracts, License Agreements and Unexpired Leases and (C) Granting Related Relief (Docket No. 2085, Filed July 23, 2003)

f. Omnibus Reply Brief in Support of Motion for Order (A) Approving Asset Purchase Agreement with C&S Wholesale Grocers, Inc. and C&S Acquisition LLC, (B) Authorizing (i) Sale of Substantially All of Selling Debtors' Assets Relating to the Wholesale Distribution Business to Purchaser or its Designee(s) or Other Successful Bidder(s) at Auction, Free and Clear of all Liens, Claims, Encumbrances and Interests and (II) Assumption and Assignment of Certain Executory Contracts, License Agreements and Unexpired Leases, and (C) Granting Related Relief (Docket No. TBF)

Response Deadline: July 28, 2003 at 4:00 p.m.; extended to August 1, 2003 at 12:00 p.m. for the Committee only.

Responses Received:

The responses are listed in Schedules A, B and C attached hereto.

Status:

Schedule A:

Schedule A contains all objections to the Sale Motion other than the objections that relate solely to the assumption and assignment of executory contracts and unexpired leases. To the extent not resolved, each objection listed on Schedule A will go forward (except to the extent it relates to issues of assumption and assignment of executory contracts and unexpired leases, which will be handled as stated below).

Schedule B:

Schedule B contains objections that were filed by parties to facility standby agreements ("FSA") and that contain objections related to the assumption and assignment of those FSA's. To the extent not resolved, the Debtors request that any objection listed on Schedule B as it relates to issues of assumption and assignment of the FSA go forward only as to the legal issue of whether or not consequential damages should be barred as a matter of law because of waiver provision in the FSA's. Some of the objections on Schedule B may also appear on Schedule A because they contain objections to the sale that are not related to issues of the assumption and assignment of the FSA's. The Debtors will go forward on those portions of these objections.

Schedule C:

Schedule C contains objections to the assumption and assignment of unexpired leases and executory contracts (other than the FSA's) that include disputes over cure amounts and other cure issues as well as issues of adequate assurance of future performance. Objections listed only on Schedule C and not on Schedule A or B are not going forward at this hearing but, if not resolved by the parties, will be adjudicated at such future hearing date and time as is set by the Court. Accordingly, any party whose objection is listed on Schedule C, and not on Schedules A or B, need not appear at this hearing and the Debtors have not included those objections in the binders delivered to the Court. Those parties will receive a separate notice of any such future hearing date. If an objection is listed on Schedule A and/or B as well as Schedule C, the Debtors intend to proceed on those objection to the extent described above.

Due to the many late filed objections and the volume of objections received, it will be necessary for the Debtors to submit supplemental schedules prior to the hearing.

32. Motion of Reliant Energy Solutions, LLC for an Order Pursuant to Sections 503 and 556 of the Bankruptcy Code (I) Determining That Forward Electric Energy Sales Agreement Has Automatically Terminated, (II) Requiring Payment of Administrative Priority Claim for Delivery of Post-Petition Electricity, and (III) Authorizing the Transfer of Electric Service at Debtor's Facilities from Reliant to Default Service Provider(s) (Docket No. 1975, Filed July 16, 2003)

Related Documents:

a. Notice of Motion (Docket No. 1975, Filed July 16, 2003)

b. [Proposed] Order (Docket No. 1975, Filed July 16, 2003)

Response Deadline: July 28, 2003 at 4:00 p.m.; extended to August 1, 2003

Responses Received:

a. Debtors' Objection to Motion of Reliant Energy Solutions, LLC for an Order Pursuant to Sections 503 and 556 of the Bankruptcy Code (I) Determining That Forward Electric Energy Sales Agreement Has Automatically Terminated, (II) Requiring Payment of Administrative Priority Claim for Delivery of Post-Petition Electricity, and (III) Authorizing the Transfer of Electric Service at Debtor's Facilities from Reliant to Default Service Provider(s) (Docket No. TBF)

Status: This matter is going forward.

33. Motion of CHEP USA for Relief from the Automatic Stay, or in the Alternative, to Compel Rejection of Executory Contract (Docket No. 1990, Filed July 16, 2003)

Related Documents:

a. Notice of Motion of CHEP USA for Relief from the Automatic Stay, or in the Alternative, to Compel Rejection of Executory Contract (Docket No. 1990, Filed July 16, 2003)

b. Declaration OF Pam Wozniak in Support of Motion of CHEP USA for Relief from the Automatic Stay, or in the Alternative, to Compel Rejection of Executory Contract (Docket No. 1990, Filed July 16, 2003)

c. [Proposed] Order (Docket No. 1990, Filed July 16, 2003)

d. Supplemental Exhibit A to Motion of CHEP USA for Relief from the Automatic Stay, or in the Alternative, to Compel Rejection of Executory Contract (Docket No. 1997, Filed July 17, 2003)

Response Deadline: July 28, 2003 at 4:00 p.m.; extended to July 30, 2003 at 4:00 p.m. for Debtors only.

Responses Received:

a. Debtors' Opposition to Motion of CHEP USA for Relief from the Automatic Stay, or, in the Alternative, to Compel Rejection of Executory Contract (Docket No. 2541, Filed July 30, 2003)

b. Joinder of Official Committee of Unsecured Creditors of Fleming Companies, Inc., et al. in Debtors' Opposition to Motion of CHEP USA for Relief from Automatic Stay, or, in the Alternative, to Compel Rejection of Executory Contract (Docket No. 2545, Filed July 30, 2003)

Status: This matter will go forward for scheduling purposes only.

34. Motion of Pictsweet Company for Relief from the Automatic Stay or Alternatively to Compel the Assumption or Rejection of Executory Contract and Demand for Adequate Assurances (Docket No. 2027, Filed July 18, 2003)

Related Documents:

a. Notice of Motion of Pictsweet Company for Relief from the Automatic Stay or Alternatively to Compel the Assumption or Rejection of Executory Contract and Demand for Adequate Assurances (Docket No. 2027, Filed July 18, 2003)

b. [Proposed] Order Granting Motion of the Pictsweet Company for Relief from the Automatic Stay (Docket No. 2027, Filed July 18, 2003)

Response Deadline: July 28, 2003; extended to July 30, 2003 at 4:00 p.m. for the Debtors only.

Responses Received:

a. Fleming's Opposition to Motion of the Pictsweet Company for Relief from the Automatic Stay or Alternatively to Compel the Assumption and Rejection of Executory Contract and Demand for Adequate Assurances (Docket No. 2542, Filed July 30, 2003)

b. Joinder of the Official Committee of Unsecured Creditors of Fleming Companies, Inc., et al., in Objection of Fleming's Opposition to Motion of the Pictsweet Company for Relief from the Automatic Stay or Alternatively to Compel the Assumption and Rejection of Executory Contract and Demand for Adequate Assurances (Docket No. 2544, Filed July 30, 2003)

Status: This matter is going forward.

35. Motion of Kraft Foods North America, Inc. for Relief From the Automatic Stay (Docket No. 2048, Filed July 21, 2003)

Related Documents:

a. [Proposed] Order Granting Kraft's Motion for Relief from Automatic Stay (Docket No. 2048, Filed July 21, 2003)

b. Motion to Shorten Time for Filing Responses to Motion of Kraft Foods North America, Inc. for Relief from the Automatic Stay (Docket No. 2049, Filed July 21, 2003)

c. [Proposed] Order Granting Motion to Shorten Time for Filing Responses to Motion of Kraft Foods North America, Inc. for Relief from the Automatic Stay (Docket No. 2049, Filed July 21, 2003)

[Proposed] Response Deadline: July 28, 2003; extended to July 30, 2003

Responses Received:

a. Debtors' Opposition to Motion of Kraft Foods North America, Inc. for Relief from the Automatic Stay (Docket No. 2546, Filed July 30, 2003)

b. Joinder of Official Committee of Unsecured Creditors of Fleming Companies, Inc., et al., in Debtors' Opposition to Motion of Kraft Foods North America, Inc. for Relief from Automatic Stay (Docket No. 2548, Filed July 30, 2003)

Status: If the Court enters the Motion to Shorten Time, this matter will go forward.

36. Motion of XL Specialty Insurance Company for Relief from the Automatic Stay to Terminate Bonds (Docket No. 2073, Filed July 22, 2003)

Related Documents:

a. Notice of Motion (Docket No. 2073, Filed July 22, 2003)

b. [Proposed] Order on Motion of XL Specialty Insurance Company for Relief from the Automatic Stay to Terminate Bonds (Docket No. 2073, Filed July 22, 2003)

c. Motion to Shorten Notice and Approve Form, Manner and Sufficiency of Notice with Respect to the Motion of XL Specialty Insurance Company for Relief from the Automatic Stay to Terminate Bonds (Docket No. 2074, Filed July 22, 2003)

d. [Signed] Motion to Shorten Notice and Approve Form, Manner and Sufficiency of Notice With Respect to the Motion of XL Specialty Insurance Company for Relief from the Automatic Stay to Terminate Bonds (Docket No. 2139, Filed July 23, 2003)

Response Deadline: July 30, 2003 at 4:00 p.m.

Responses Received:

a. Debtors' Opposition to Motion to Shorten Notice and Approving Form, Manner and Sufficiency of Notice with Respect to the Motion of XL Specialty Insurance Company for Relief From the Automatic Stay to Terminate Bonds (Docket No. 2174, Filed July 25, 2003)

b. Debtors' Opposition to Motion of XL Specialty Insurance Company for Relief from the Automatic Stay to Terminate Bonds (Docket No. 2557, Filed July 31, 2003)

c. Affidavit of Rebecca A. Roof in Support of Debtors' Opposition to Motion of XL Specialty Insurance Company for Relief from the Automatic Stay to Terminate Bonds (Docket No. 2557, Filed July 31, 2003)

Status: This matter will go forward.

OTHER MATTERS

37. Debtors' Emergency Request for a Temporary Restraining Order to Prevent Criminal Prosecution (Adv. Pro. No. 03-54756, Docket No. 2, Filed July 28, 2003)

Related Documents:

a. [Proposed] Order Granting Temporary Restraining Order (Docket No. 2, Filed July 28, 2003)

b. Certification of Counsel Regarding Debtors' Emergency Request for a Temporary Restraining Order to Prevent Criminal Prosecution (Docket No.3, Filed July 28, 2003)

c. [Signed] Order (setting hearing date and time for TRO request) (Docket No. 4, Filed July 30, 2003)

Response Deadline: None Established

Responses Received: None received to date.

Status: This matter is going forward.

Dated: July 31, 2003

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