

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

IN RE:)	
)	CHAPTER 11
FLEMING COMPANIES, INC.)	
et al.,)	Case No. 03-10945 (MFW)
)	(Jointly Administered)
Debtors.)	

**ORDER GRANTING MOTION FOR RELIEF FROM
AUTOMATIC STAY OF GIVORNS FOODS, INC. ET AL.
TO PURSUE CERTAIN LITIGATION CLAIMS**

This matter came before the Court upon the motion (the “Motion”) dated October 3, 2003, by Givorns Foods, Inc., Givorns, Inc. and Givorns Family Limited Partnership for relief from the automatic stay to permit the continuation of certain litigation presently pending in Alabama State Court as described in the Motion (the “State Court Action”); and the Court having considered the Motion, the responses thereto, and the arguments of counsel, and it appearing that good and adequate cause has been demonstrated for the relief sought in the Motion; and capitalized terms used herein having the meanings given to them in the Motion, it is hereby

ORDERED, that the Motion is granted; and it is further

ORDERED, that the automatic stay provided by 11 U.S.C. § 362 is hereby lifted (a) to permit the State Court Action to proceed, (b) to permit the claims and cross-claims asserted in the State Court Action to be liquidated and reduced to judgment, and (c) to permit the parties to the State Court Action to pursue any appeals therefrom that they may be entitled to pursue; and it is further

ORDERED, that no steps may be taken to enforce or collect upon any judgment rendered against Fleming Companies, Inc. in the State Court Action except through proceedings in this Court or to the extent authorized by this Court after further application to this Court; and it is further

ORDERED, that this Court shall retain jurisdiction with respect to the subject matter of this Order.

Dated: Wilmington, Delaware
October __, 2003

The Honorable Mary F. Walrath
Chief United States Bankruptcy Judge