

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

In re:	)	Chapter 11
	)	
FLEMING COMPANIES, INC., <u>et al.</u> ,	)	Case No. 03-10945 (MFW)
	)	
Debtors.	)	(Jointly Administered)

**Hearing Date: January 14, 2004 @ 2:00 p.m.**  
**Objections Due: January 7, 2004 @ 4:00 p.m.**  
**[Re: Docket Nos. 4538 and 4693]**

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that on December 22, 2003, DiGiorgio Corp. filed its Motion of DiGiorgio Corp. Under 11 U.S.C. § 107(b) and Fed. R. Bankr. P. 9018 for Authority to File Affidavit Under Seal (the “Motion”) with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, Wilmington, Delaware 19801 (the “Bankruptcy Court”).

**PLEASE TAKE FURTHER NOTICE** that objections to the Motion, if any, must be made in writing, state with particularity the reasons therefor, and be filed with the Bankruptcy Court and served upon the undersigned so as to actually be received on or before **January 7, 2004 @ 4:00 p.m. (EST)**.

A HEARING ON THE MOTION WILL BE HELD ON **JANUARY 14, 2004 AT 2:00 P.M. (EST)** BEFORE THE HONORABLE MARY F. WALRATH, UNITED STATES BANKRUPTCY JUDGE, 824 MARKET STREET, WILMINGTON, DELAWARE 19801.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE  
COURT MAY GRANT THE RELIEF REQUESTED BY THE MOTION WITHOUT  
FURTHER NOTICE OR HEARING.

Dated: December 22, 2003  
Wilmington, Delaware

**JASPAN SCHLESINGER HOFFMAN, LLP**

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-- and --

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