

**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)
	)	

**ORDER GRANTING MOTION OF DIGIORGIO CORP. UNDER  
11 U.S.C. § 107(b) AND FED. R. BANKR. P. 9018 FOR  
AUTHORITY TO FILE AFFIDAVIT UNDER SEAL**

Upon the motion (the “Motion”) of DiGiorgio Corp. (“DiGiorgio”), pursuant to § 107(b) of the Bankruptcy Code, Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Rule 5003-1(b) of the Local Rules for the United States Bankruptcy Court for the District of Delaware, for authority to file under seal the affidavit of Larry Grossman (the “Grossman Affidavit”); after due deliberation; and sufficient cause appearing therefor; it is hereby

ORDERED, that the Motion is granted; and it is further ORDERED, that DiGiorgio is authorized to file the Grossman Agreement under seal for in camera review; and it is further

ORDERED, pursuant to § 107(b) of the Bankruptcy Code, the Clerk of the Court is directed to file the Grossman Affidavit under seal in an envelope, clearly indicating that the Grossman Affidavit has been filed under seal by order of the Court and may not be unsealed unless and until permitted by further Order of this Court.

Dated: January \_\_\_\_\_, 2004

\_\_\_\_\_  
The Honorable Mary F. Walrath  
United States Bankruptcy Judge