

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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

**Hearing Date: February 2, 2004 at 2:00 p.m.**  
**Objections Due: January 26, 2004 at 4:00 p.m.**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on January 16, 2004, Weingarten Nostat, Inc. ("Weingarten"), filed their MOTION FOR ORDER CONFIRMING REJECTION OF NON-RESIDENTIAL REAL PROPERTY LEASE EFFECTIVE AS OF 11/30/2003, OR, ALTERNATIVELY, FOR ORDER COMPELLING DEBTORS IMMEDIATELY TO REJECT SUCH LEASE (the "Motion") with the United States Bankruptcy Court for the District of Delaware.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held on February 2, 2004 at 2:00 p.m. before the Honorable Mary F. Walrath.

PLEASE TAKE FURTHER NOTICE that Objections, if any, to the Motion, must be filed and served on counsel for Weingarten listed below no later than 4:00 p.m. on January 26, 2004.

**PLEASE TAKE NOTICE FURTHER, THAT IF YOU FAIL TO FILE AN  
OBJECTION TO THE MOTION OR APPEAR AT THE HEARING IN ACCORDANCE  
WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF DEMANDED BY  
THE MOTION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: January 16, 2004

Respectfully submitted,

STEVENS & LEE, P.C.

/s/ John D. Demmy

JOHN D. DEMMY (ID No. 2802)

300 Delaware Avenue

8<sup>th</sup> Floor, Suite 800

Wilmington, DE 19801

Telephone: (302) 425-3308

Telecopier: (610) 371-8515

Email: [jdd@stevenslee.com](mailto:jdd@stevenslee.com)

*Attorneys for Weingarten Nostat, Inc.*