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Attorneys for Tyson Foods, Inc. and Cobb-Vantress, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:)	Chapter 11
)	
PILGRIM'S PRIDE CORPORATION, et al.,)	Case No. 08-45664-dml11
)	
Debtors.)	Jointly Administered
)	

**APPLICATION OF TYSON FOODS, INC. AND COBB-VANTRESS, INC. FOR
ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIMS**

Tyson Foods, Inc. ("**Tyson**") and Cobb-Vantress, Inc. ("**Cobb**") hereby file this
Application for Allowance and Payment of Administrative Expense Claims (the "**Application**").

In support hereof, Tyson and Cobb respectfully state as follows:

1. On or about December 1, 2008 (the "**Petition Date**"), Pilgrim's Pride Corporation and certain of its affiliates (collectively, the "**Debtors**") filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code (the "**Bankruptcy Code**").

2. On the **Petition Date**, the Debtors filed a motion requesting authority to establish and implement procedures for submitting and resolving claims filed pursuant to Section 503(b)(9) of the Bankruptcy Code relating to goods received within twenty (20) days prior to the **Petition Date** (the "**Section 503(b)(9) Motion**"). On December 31, 2008, the Court entered an order approving the **Section 503(b)(9) Motion**.

3. On the Petition Date, the Debtors also filed a motion requesting authority to establish and implement procedures for the treatment of reclamation claims (the “**Reclamation Procedures Motion**”). On December 18, 2008, the Court entered an order approving the Reclamation Procedures Motion.

Section 503(b)(9) Administrative Expense Claim of Tyson

4. Within twenty (20) days prior to the Petition Date, Tyson delivered to one or more of the Debtors, in the ordinary course of business, certain goods with a value of \$263,413.88 (collectively, the “**Tyson Goods**”). True and correct copies of the Tyson invoices for the Tyson Goods are attached hereto as Exhibit “A” and incorporated herein by reference. These invoices, which provide the information required pursuant to the Section 503(b)(9) Motion and related order, do not relate to services provided to the Debtors by Tyson.

5. Tyson has also asserted a reclamation demand covering the Tyson Goods as set forth in its demand for reclamation previously provided to the Debtors pursuant to the Reclamation Procedures Motion and related order. The Debtors have paid, or otherwise assert in their omnibus objection to reclamation demands filed in this case that they intend to pay, pursuant to a separate order of the Court, Tyson certain amounts with regard to goods provided by Tyson to the Debtors within forty-five (45) days prior to the Petition Date. Although Tyson does not believe it should occur, and in fact asserts that no legal basis exists for it to occur, in the unlikely event that Tyson is later ordered to return any funds paid to it for any reason, Tyson files this Application and asserts that its right to receive an administrative expense claim regarding any such returned amounts and that all other rights related thereto are hereby asserted, reserved, and preserved.

6. Pursuant to 11 U.S.C. § 503(b)(9), Tyson is entitled to allowance and payment of an administrative expense claim in an amount equal to the Tyson Goods provided to one or more of the Debtors. Section 503(b)(9) does not require valuation nor does it include any standard requiring benefit to the bankruptcy estate. As such, no defense nor reason for non-allowance and/or non-payment of the amounts set forth herein exists.

Section 503(b)(9) Administrative Expense Claim of Cobb

7. Within twenty (20) days prior to the Petition Date, Cobb delivered to one or more of the Debtors, in the ordinary course of business, certain goods with a value of \$1,481,751.40 (collectively, the “Cobb Goods,” and together with the Tyson Goods, the “Goods”). True and correct copies of the Cobb invoices for the Cobb Goods are attached hereto as Exhibit “B” and incorporated herein by reference. These invoices, which provide the information required pursuant to the Section 503(b)(9) Motion and related order, do not relate to services provided to the Debtors by Cobb.

8. Cobb has also asserted a reclamation demand covering the Cobb Goods as set forth in its demand for reclamation previously provided to the Debtors pursuant to the Reclamation Procedures Motion and related order. The Debtors have paid, or otherwise assert in their omnibus objection to reclamation demands filed in this case that they intend to pay, pursuant to a separate order of the Court, Cobb certain amounts with regard to goods provided by Cobb to the Debtors within forty-five (45) days prior to the Petition Date. Although Cobb does not believe it should occur, and in fact asserts that no legal basis exists for it to occur, in the unlikely event that Cobb is later ordered to return any funds paid to it for any reason, Cobb files this Application and further asserts that its right to receive an administrative expense claim

regarding any such returned amounts and that all other rights related thereto are hereby asserted, reserved, and preserved.

9. Pursuant to 11 U.S.C. § 503(b)(9), Cobb is entitled to allowance and payment of an administrative expense claim in an amount equal to the Cobb Goods provided to one or more of the Debtors. Section 503(b)(9) does not require valuation nor does it include any standard requiring benefit to the bankruptcy estate. As such, no defense nor reason for non-allowance and/or non-payment of the amounts set forth herein exists.

WHEREFORE, PREMISES CONSIDERED, Tyson and Cobb each hereby request, to the extent their claims are or become unpaid, that the Court enter an order (a) allowing Tyson's administrative expense claim in the amount of \$263,413.88, (b) allowing Cobb's administrative expense claim in the amount of \$1,481,751.40, (c) ordering payment with regard to the Goods with ten days of such order becoming a final, non-appealable order, and (d) granting Tyson and Cobb such other and further relief, whether at law or at equity, as the Court deems proper.

Dated: March 3, 2009

Respectfully submitted,

/s/ Clifton R. Jessup, Jr.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Application was served on March 3, 2009, on (1) the parties receiving electronic notification of filings in this case via the Court's electronic case filing (ECF) system, and (2) the following via overnight courier:

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