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 (DML)**
	§	
Debtors.	§	**JOINTLY ADMINISTERED**
	§	

UNOPPOSED MOTION OF CHARLES AND BRENDA POOL
TO PERMIT RE-FILING OF PROOFS OF CLAIM

Charles and Brenda Pool, Movants move for leave to re-file their proofs of claim in this case. In support of the requested relief, Movants state:

MOTION

1. Movants timely filed proofs of claim, numbers 3731 (Brenda) and 5047 (Charles) on May 27, 2009 (the "Claims").

2. The Claims are classified as "Class 7" claims under § 4.7 of debtor PPC's reorganization plan.

3. At the time of the order for relief, Movants' Claims were being litigated in a suit styled "Charles Pool and Brenda Pool, Plaintiffs vs. Pilgrim's Pride Corporation and Rex Raines, Defendants," case no. CV-04-8687 in the District Court of San Augustine County, Texas (the "State Court Case").

4. On December 7, 2009 PPC removed the State Court Case to the U.S. District Court for the Eastern District of Texas, Lufkin Division, where it remains pending under case no. 9:09-cv-204 (the "District Court Case").

5. On February 9, 2010 debtor moved to withdraw the reference of the Claims to this Court. The motion was transmitted by this Court to the District Court for the Northern District, Ft. Worth Division on the same date.

6. On March 12, 2010, the District court *sua sponte* denied debtor's motion to withdraw the reference as moot. The Court's order also exercised the Court's power to abstain from hearing the case since there was another case then pending in the Eastern District (see ¶ 4 above), and accordingly dismissed the claims without prejudice.

7. Because of the possible effect of Judge Means's March 12, 2010 order on the viability of the Claims, Movants request leave to re-file their claims retroactive to the original filing date of May 27, 2009.

8. Debtor does not oppose the requested relief.

RELIEF REQUESTED

Movants request an order allowing them to re-file their proofs of claim and that the re-filed proofs of claim be deemed to have been filed on May 27, 2009.

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE ST., ROOM 1452, DALLAS, TEXAS 75242 BEFORE CLOSE OF BUSINESS ON JUNE 15, 2010, WHICH IS TWENTY (20) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

Respectfully submitted,

GLAST PHILLIPS & MURRAY, P.C.

/s/Lawrence Fischman

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ATTORNEYS FOR CHARLES AND BRENDA POOL

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of May, 2010, a true and correct copy of the foregoing document was served via Notice of Electronic Filing via the Court's CM/ECF electronic filing system, upon all parties entitled to notice under B.R. 9007.1(a).

/s/Lawrence Fischman

Lawrence Fischman