



00604843

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
AMERISERVE FOOD DISTRIBUTION, ) Case No. 00-0358 (PJW)  
INC., et al.,<sup>1</sup> )  
) (Jointly Administered)  
Debtors. )

F0742118-6

**NOTICE OF CHANGED PRE-TRIAL/STATUS  
CONFERENCE DATE IN CERTAIN ADVERSARY PROCEEDINGS**

TO:

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Counsel for parties to adversary proceedings for which the pre-trial/status conference date set by summons or order for November 26, 2001, at 9:00 a.m.; and all parties requesting notice pursuant to Bankruptcy Rule 2002.

**PLEASE TAKE NOTICE** that the pre-trial/status conference date set by summons and/or order of the Court in all of the various adversary proceedings in the above-captioned case

<sup>1</sup> The Debtors are the following entities: AmeriServe Food Distribution, Inc., NEBCO EVANS Holding Company, Holberg Warehouse Properties, Inc., AmeriServe Transportation, Inc., PSD Transportation Services, Inc., Chicago Consolidated Corporation, ASNSC, Inc., Delta Transportation, Ltd., PSC Services of Florida, Inc., Northland Transportation Services, Inc., ProSource Mexico Holdings, Inc., NAVC Corp., North American Vantix Corp., and Vantix Logistics Ltd.  
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ARIZONA CORP. COMMISSION  
CORPORATIONS DIVISION

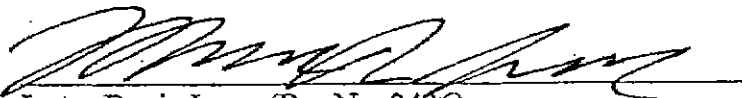
has been continued at the request of the Court. All pre-trial/status conferences in adversary proceedings previously scheduled for November 26, 2001, at 9:00 a.m. have been continued to November 27, 2001, at 2:00 p.m., before the Honorable Judith K. Fitzgerald at the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 6<sup>th</sup> Floor, Wilmington, Delaware.

Dated: November 16, 2001

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Co-Counsel for the Debtors

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

|                                          |   |                        |
|------------------------------------------|---|------------------------|
| In re                                    | ) | Case No. 00-358 (PJW)  |
|                                          | ) |                        |
| AMERISERVE FOOD DISTRIBUTION,            | ) | Chapter 11             |
| INC., <u>et al.</u> <sup>1</sup>         | ) |                        |
|                                          | ) | Jointly Administered   |
| Debtors.                                 | ) |                        |
| <hr/>                                    |   |                        |
| AFD FUND, on behalf of the substantively | ) |                        |
| consolidated post-confirmation estate of | ) |                        |
| Debtors AMERISERVE FOOD                  | ) |                        |
| DISTRIBUTION, INC., <u>et al.</u>        | ) |                        |
|                                          | ) | Adv. No. Various (JKF) |
| Plaintiff,                               | ) |                        |
| v.                                       | ) |                        |
| VARIOUS DEFENDANTS,                      | ) |                        |
|                                          | ) |                        |
| Defendant.                               | ) |                        |
| <hr/>                                    |   |                        |

**STATUS REPORT WITH RESPECT TO CERTAIN ADVERSARY PROCEEDINGS  
SCHEDULED FOR STATUS CONFERENCE ON NOVEMBER 27, 2001, AT 2:00 P.M.**

In accordance with this Court's November 8, 2001, Administrative Order Governing the Adversary Proceedings Assigned to Judge Judith K. Fitzgerald (the "Administrative Order"), Plaintiff AFD Fund, on behalf of the substantively consolidated post-confirmation estate of Debtors AmeriServe Food Distribution, Inc., et al., hereby submits this Status Report with respect to the adversary proceedings (the "Adversary Proceedings") assigned to Judge Judith K.

<sup>1</sup> The Debtors are the following entities: AmeriServe Food Distribution, Inc., NEBCO EVANS Holding Company, Holberg Warehouse Properties, Inc., AmeriServe Transportation, Inc., PSD Transportation Services, Inc., Chicago Consolidated Corporation, ASNSC, Inc., Delta Transportation, Ltd., PSC Services of Florida, Inc., Northland Transportation Services, Inc., ProSource Mexico Holdings, Inc., NAVC Corp., North American Vantix Corp., and Vantix Logistics Ltd.

Fitzgerald. The Adversary Proceedings are presently scheduled for status conference before this Court on November 27, 2001, at 2:00 p.m.

### General Status

1. The Adversary Proceedings fall into three general categories: (1) the complaints for avoidance and recovery of preferential transfers under 11 U.S.C. §§ 547 and 550 (the "Preference Actions"); (2) the complaints for breach of contract related to non-payment of certain accounts receivable (the "AR Actions"); and (3) certain other complaints, which do not fit in the foregoing categories (the "Other Actions").

2. The Plaintiff has circulated the proposed scheduling order (the "Scheduling Order") attached hereto as Exhibit A to each of the defendants and/or to the defendant's counsel, if known. The Plaintiff proposes that the Scheduling Order be entered with respect to principally all the Preference Actions and the AR Actions. With respect to the Other Actions, as more fully detailed below, the Plaintiff seeks entry of that order with respect to only one of those defendants. The caption of the Scheduling Order will be modified prior to the November 27, 2001, hearing to incorporate the names of all the defendants to which the Scheduling Order is proposed to apply along with the related adversary proceeding number; the same order is proposed to be entered in each of those cases.

3. The salient terms of the Scheduling Order are as following: (1) initial disclosures shall be made within 10 days of the date the Scheduling Order is entered; (2) motions to join other parties or to amend or supplement the pleadings shall be made within 60 days of the date the Scheduling Order is entered; (3) all discovery shall be initiated so as to be completed within 90 days of the date the Scheduling Order is entered; (4) all case-dispositive motions shall be filed within 120 days of the date the Scheduling Order is entered; and (5) to the extent the parties need

to alter or vary these dates with respect to individual actions, they may seek a future status conference or modification of the Scheduling Order on a case-by-case basis. Pursuant to the Administrative Order, discovery was authorized to commence as of November 8, 2001.

#### **The Preference Actions**

4. The Preference Actions are listed on Exhibit B, attached hereto. With respect to each of the Preference Actions, Exhibit B lists the defendant, in alphabetical order, the adversary proceeding number, the current response date (which incorporates any extension stipulated to pending settlement discussions), the date a response was received (if any) as of the filing of this Status Report, and status with respect to that matter. With respect to the vast majority of the Preference Actions, settlement discussions are underway; no contested issues are expected to be presented at this time. Many of the Preference Actions have already been settled and, as indicated in the comment column, will be dismissed shortly. Generally, where no comment appears in the status column, the parties are engaged in settlement discussions. Where a comment appears in the status column, it is either because (i) the matter has been settled and dismissal is pending, (ii) the defendant is in default and the Plaintiff expects to file, or has already filed, a motion for default judgment, (iii) service appears to have been ineffective and the Plaintiff is expecting to reserve; or (iv) a motion (or motions) is presently pending which may require the Court's attention.

#### **The AR Actions**

5. The AR Actions are listed on Exhibit C, attached hereto. With respect to each of the AR Actions, Exhibit C lists the defendant, in alphabetical order, the adversary proceeding number, the current response date (which incorporates any extension stipulated to pending settlement discussions), the date a response was received (if any) as of the filing of this Status

Report, and status with respect to that matter. With respect to the vast majority of the AR Actions, settlement discussions are underway; no contested issues are expected to be presented at this time. Some of the AR Actions have already been settled and, as indicated in the comment column, will be dismissed shortly or are awaiting finalization of settlement in order for the dismissal to be filed. Generally, where no comment appears in the status column, the parties are engaged in settlement discussions. Where a comment appears in the status column, it is either because (i) the matter has been settled and dismissal is pending, (ii) the defendant is in default and the Plaintiff expects to file, or has already filed, a motion for default judgment, (iii) service appears to have been ineffective and the Plaintiff is expecting to reserve; or (iv) a motion (or motions) is presently pending which may require the Court's attention.

#### The Other Actions

6. The Other Actions are listed on Exhibit D, attached hereto. With respect to each of the Other Actions, Exhibit D lists the parties to the action, the adversary proceeding number, the current response date if applicable (which incorporates any extension stipulated to pending settlement discussions), the date a response was received (if any and if applicable), and status with respect to that matter. Given the posture of these matters, the status column provides greater detail with respect to the Other Actions, which do not fit neatly into the categories applied to the Preference Actions or the AR Actions.

#### Conclusion

7. The Plaintiff expects to dismiss the matters shown on the Exhibits as scheduled for dismissal prior to the November 27, 2001, hearing; in addition, other matters may be settled and dismissed prior to the hearing. Such matters, if dismissed, will not be listed on the Notice of Agenda for that hearing.

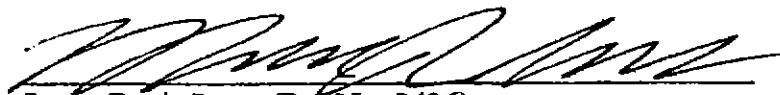
8. The Plaintiff further expects that counsel for some defendants may wish to appear telephonically; the Plaintiff will make arrangements for those parties to join a conference call in order to be connected to the Court, and the Plaintiff will advise the Court promptly of the parties who will so be in attendance.

Dated: November 16, 2001

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Co-Counsel for AFD Fund

## **EXHIBIT A**

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

In re

AMERISERVE FOOD DISTRIBUTION,  
INC., et al.,<sup>1</sup>

Debtors.

)  
) Case No. 00-358 (PJW)

)  
) Chapter 11

)  
) Jointly Administered

\_\_\_\_\_  
AFD FUND, on behalf of the substantively  
consolidated post-confirmation estate of  
Debtors AMERISERVE FOOD  
DISTRIBUTION, INC., et al.

v.

[DEFENDANT],  
[DEFENDANT],

Defendant.

)  
) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

) Adv. No. A-\_\_\_\_ (JKF)

**SCHEDULING ORDER**

The Court, having held a pre-trial scheduling conference in the above-captioned adversary actions (the "Adversary Actions") on November 27, 2001; and the Court having considered the suggestions of counsel for the Plaintiff and counsel, if any appearing, for the defendants in the Adversary Actions; and good cause appearing therefor,

IT IS ORDERED that:

1. Initial Disclosures. Initial disclosures required by Rule 7026(a)(1) of the Federal Rules of Bankruptcy Procedure shall be made within ten days of the date of this Order

<sup>1</sup> The Debtors are the following entities: AmeriServe Food Distribution, Inc., NEBCO EVANS Holding Company, Holberg Warehouse Properties, Inc., AmeriServe Transportation, Inc., PSD Transportation Services, Inc., Chicago Consolidated Corporation, ASNCS, Inc., Delta Transportation, Ltd., PSC Services of Florida, Inc., Northland Transportation Services, Inc., ProSource Mexico Holdings, Inc., NAVC Corp., North American Vantix Corp., and Vantix Logistics Ltd.

2. Joinder of other Parties and Amendment of Pleadings. All motions to join other parties and to amend or supplement the pleadings shall be filed on or before sixty days of the date of this Order.

3. Discovery Cut Off. All discovery in these cases, including percipient and expert witness discovery, shall be initiated so that it will be completed on or before 90 days from the date of this Order.

4. Status Conference. In the absence of settlement, dismissal, or the entry of judgment, a further status conference to address issues, deadlines and trial dates concerning a particular Adversary Action will be held, if necessary, on a date to be determined.

5. Case Dispositive Motions. All case dispositive motions and an opening brief and affidavits, if any, in support of the motion shall be served and filed on or before the date 120 days from the date of this Order.

6. This Order. Counsel for the Plaintiff shall cause a copy of this Order to be filed in each of the Adversary Actions.

---

Honorable Judith Fitzgerald  
UNITED STATES BANKRUPTCY JUDGE

## **EXHIBIT B**

| Adv. No.   | Defendant                                                                    | Response Date | Answer Filed | Comments                                                                                                                                    |
|------------|------------------------------------------------------------------------------|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-04633 | A&N Transportation, Inc.                                                     | 07/20/01      |              | Moved for default 8/30; certificate of no objection with respect to motion for default filed 10/31.                                         |
| A-01-07511 | A. Zerega's Sons, Inc.                                                       | 11/16/01      |              | Settled; to be dismissed.                                                                                                                   |
| A-01-06876 | A.J. Antunes & Co.                                                           | 11/06/01      |              | Defendant in default; motion for default to be filed.                                                                                       |
| A-01-07459 | Abie Network                                                                 | 11/16/01      | 11/16/01     |                                                                                                                                             |
| A-01-07631 | Accu Personnel Inc.                                                          | 11/19/01      |              |                                                                                                                                             |
| A-01-06881 | Accurate Delivery Systems, Inc.                                              | 11/19/01      |              |                                                                                                                                             |
| A-01-06894 | Accuserve Equipment & Supply Co.                                             | 11/20/01      |              |                                                                                                                                             |
| A-01-07728 | Ace World Wide Holdings, Inc.                                                | 11/19/01      | 10/31/01     |                                                                                                                                             |
| A-01-07504 | Act 1 Temporaries                                                            | 12/14/01      |              |                                                                                                                                             |
| A-01-07727 | Addco Employment Services                                                    | 12/19/01      |              |                                                                                                                                             |
| A-01-06882 | ADEA Group, Inc.                                                             | 11/06/01      | 11/08/01     |                                                                                                                                             |
| A-01-07534 | Adrollt                                                                      | 11/19/01      |              |                                                                                                                                             |
| A-01-06879 | ADS Acquisitions, Inc.                                                       | 11/06/01      |              | Defendant in default; motion for default to be filed                                                                                        |
| A-01-07614 | ADT Security                                                                 | 11/30/01      |              |                                                                                                                                             |
| A-01-07491 | Advance Processing Systems, Inc.                                             | 11/16/01      | 11/16/01     |                                                                                                                                             |
| A-01-07773 | Advocate Consulting LLC                                                      | 11/26/01      |              |                                                                                                                                             |
| A-01-07626 | Aero Manufacturing Co Inc.                                                   | 11/19/01      |              |                                                                                                                                             |
| A-01-07405 | Air Systems, Inc.                                                            | 11/16/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-03876 | Airgas Dry Ice                                                               | 08/31/01      | 10/19/01     |                                                                                                                                             |
| A-01-07763 | Alcan, Inc.                                                                  | 12/05/01      |              |                                                                                                                                             |
| A-01-04632 | Alliant Foodservice, Inc.                                                    | 12/10/01      |              |                                                                                                                                             |
| A-01-03878 | American Candy Co                                                            | 06/29/01      | 06/27/01     |                                                                                                                                             |
| A-01-0313  | American FoodService Corporation aka Texas American FoodService Inc.         |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07423 | American Freightways, Inc.                                                   | 11/15/01      | 11/13/01     |                                                                                                                                             |
| A-01-06883 | American Sign Company, The, d/b/a American Sign and Marketing Services, Inc. | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-03879 | American Tissue Corp.                                                        | 06/01/01      | 07/20/01     |                                                                                                                                             |
| A-01-03880 | American Systems                                                             | 07/31/01      | 07/30/01     |                                                                                                                                             |
| A-01-07403 | Ameritran International Logistics, Inc.                                      | 11/16/01      |              |                                                                                                                                             |
| A-01-07076 | AM-PRO, Inc.                                                                 | 11/15/01      |              |                                                                                                                                             |
| A-01-07697 | Anhe Box and Paper Company of Indiana, Inc., the                             | 11/19/01      |              |                                                                                                                                             |
| A-01-07696 | API Enterprises, Inc.                                                        | 11/19/01      |              |                                                                                                                                             |
| A-01-07695 | Arbon Equipment Corporation                                                  | 11/19/01      |              |                                                                                                                                             |
| A-01-07523 | Archer-Daniels-Midland Company                                               | 11/16/01      |              |                                                                                                                                             |
| A-01-06878 | ARCO Construction Company, Inc.                                              | 11/28/01      |              |                                                                                                                                             |

| Adv. No.   | Defendant                                                             | Response Date | Answer Filed                              | Comments                                                                                                                                    |
|------------|-----------------------------------------------------------------------|---------------|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-07694 | Arden International Kitchens, Inc.                                    | 11/19/01      |                                           |                                                                                                                                             |
| A-01-07749 | Area Temps                                                            | 11/19/01      |                                           |                                                                                                                                             |
| A-01-08093 | Arthur Schuman, Inc.                                                  | 11/06/01      |                                           | Settled; settlement being documented.                                                                                                       |
| A-01-07458 | Asbury Travel Co                                                      | 11/16/01      | 11/14/01                                  |                                                                                                                                             |
| A-01-07866 | Associated American Industries, Inc. d/b/a American Wyatt Foodservice |               |                                           | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07418 | Associated Milk Producers Inc.                                        | 11/15/01      |                                           | Settled; to be dismissed                                                                                                                    |
| A-01-07748 | Associated Staffing Inc.                                              | 11/19/01      |                                           | To be dismissed and refilled against Associated Temporary Staffing                                                                          |
| A-01-07670 | Atlanta Corporation                                                   | 11/19/01      |                                           |                                                                                                                                             |
| A-01-07704 | Atlantic Seasoning, Inc.                                              | 11/30/01      |                                           |                                                                                                                                             |
| A-01-07416 | Authentic Specialty Foods                                             | 12/12/01      |                                           |                                                                                                                                             |
| A-01-01217 | Bacon Co. Liquidation                                                 | 08/15/01      |                                           | Motion for default filed 8/31; certificate of no objection with respect to motion for default filed 10/31                                   |
| A-01-07417 | Badger Billed Ham Co Inc.                                             | 11/27/01      |                                           |                                                                                                                                             |
| A-01-08877 | Baker & Baker Inc.                                                    | 11/19/01      | 11/14/01                                  |                                                                                                                                             |
| A-01-07521 | Bama Frozen Dough, LLC                                                | 11/16/01      | 11/16/01                                  |                                                                                                                                             |
| A-01-07455 | Barkley House, Inc.                                                   | 12/12/01      |                                           |                                                                                                                                             |
| A-01-07703 | Bascom Corporation Meadowlands Division                               | 11/19/01      |                                           |                                                                                                                                             |
| A-01-07500 | Benco Foods Inc.                                                      | 11/16/01      |                                           | To be dismissed and refilled against Benco Supply                                                                                           |
| A-01-07077 | Bengene Corporation                                                   | 12/07/01      |                                           |                                                                                                                                             |
| A-01-06886 | Bevies Company, Incorporated                                          | 11/20/01      |                                           |                                                                                                                                             |
| A-01-06883 | Birchwood Foods                                                       | 11/06/01      |                                           |                                                                                                                                             |
| A-01-07078 | Blodgett Oven Co., Inc.                                               | 11/15/01      | 11/12/01                                  |                                                                                                                                             |
| A-01-07669 | Bloomfield Industries                                                 | 11/19/01      |                                           |                                                                                                                                             |
| A-01-07384 | Blue Ocean Import, Inc.                                               | 11/15/01      |                                           | Settled; to be dismissed                                                                                                                    |
| A-01-07668 | Bober Packaging Supplies                                              | 11/19/01      |                                           |                                                                                                                                             |
| A-01-07363 | Border Foods, Inc.                                                    | 11/19/01      |                                           |                                                                                                                                             |
| A-01-07747 | Border Foods, Inc.                                                    | 11/19/01      | 11/15/01                                  |                                                                                                                                             |
| A-01-03882 | Botini Fuel                                                           | 08/29/01      | 08/29/01                                  |                                                                                                                                             |
|            |                                                                       |               | 07/19/01--<br>amend.<br>Ans. Filed<br>8/7 |                                                                                                                                             |
| A-01-04627 | Brach's Confections                                                   | 07/20/01      |                                           |                                                                                                                                             |
| A-01-07624 | Browning-Ferris Industries of Arizona, Inc.                           | 11/19/01      |                                           |                                                                                                                                             |
| A-01-06884 | Bruce Foods Corporation                                               | 12/09/01      |                                           |                                                                                                                                             |
| A-01-04637 | BSA Advertising                                                       | 08/31/01      | 09/19/01                                  |                                                                                                                                             |

| Adv. No.   | Defendant                                        | Response Date | Answer Filed | Comments                                                                                                                                    |
|------------|--------------------------------------------------|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-06880 | Bunge Foods Corporation                          | 11/06/01      | 11/06/01     |                                                                                                                                             |
| A-01-07731 | Butler Manufacturing Company--Vistawall Div.     | 11/19/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07017 | C & C Express                                    | 11/16/01      | 11/16/01     |                                                                                                                                             |
| A-01-00391 | C&T Refinery, LLC                                | 04/16/01      | 04/16/01     |                                                                                                                                             |
| A-01-07525 | Cajun Chef Products, Inc.                        | 11/16/01      | 11/15/01     |                                                                                                                                             |
| A-01-07627 | Cal Baker's Minuteman Press                      | 11/19/01      |              |                                                                                                                                             |
| A-01-07404 | Callaway Murphy Produce Co., Ltd.                | 11/16/01      |              | To be dismissed and refilled against Callaway Produce                                                                                       |
| A-01-07020 | Cambro Manufacturing Company                     | 11/28/01      |              |                                                                                                                                             |
| A-01-00390 | Campbell Soup Company                            | 04/16/01      | 04/12/01     | Settled; settlement being documented                                                                                                        |
| A-01-00828 | Cargill, Inc.                                    | 05/11/01      | 05/10/01     |                                                                                                                                             |
| A-01-07516 | Carlisle Foodservice Products, Incorporated      | 11/26/01      |              |                                                                                                                                             |
| A-01-07374 | Carlson Products, Inc.                           | 12/12/01      |              |                                                                                                                                             |
| A-01-07771 | Carlson Strategic Staffing, Inc.                 | 11/19/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07667 | Cascades Dominion Inc.                           | 11/19/01      |              |                                                                                                                                             |
| A-01-07772 | Case Farms Inc.                                  | 11/19/01      |              |                                                                                                                                             |
| A-01-06037 | Castleberry's Foods Company                      | 09/14/01      | 09/12/01     |                                                                                                                                             |
| A-01-01192 | Cavendish Farms                                  | 08/15/01      | 08/14/01     | Consented to stay pending resolution of PACA action                                                                                         |
| A-01-07399 | CF Consolidated Freightways                      | 11/16/01      | 11/16/01     |                                                                                                                                             |
| A-01-07454 | CF Motorfreight                                  | 11/16/01      |              |                                                                                                                                             |
| A-01-07623 | Chagrin Safety Supply, Inc.                      | 11/19/01      |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07867 | Chef John Folse & Co., Inc.                      |               |              |                                                                                                                                             |
| A-01-07722 | China Mist Tea Company                           | 11/19/01      |              |                                                                                                                                             |
| A-01-04652 | Cintas Corporation                               | 08/31/01      |              | Discussions with counsel ongoing re: proper identity of defendant                                                                           |
| A-01-07364 | Cleveland Range, Inc.                            | 11/16/01      |              |                                                                                                                                             |
| A-01-07497 | Clipper Corporation                              | 11/16/01      |              |                                                                                                                                             |
| A-01-07509 | Colliers International Property Consultants Inc. | 11/16/01      |              |                                                                                                                                             |
| A-01-07710 | Color Group Incorporated                         | 11/19/01      |              |                                                                                                                                             |
| A-01-07371 | Columbia Business Systems, Inc.                  | 11/15/01      |              |                                                                                                                                             |
| A-01-07726 | Computata Products, Inc.                         | 12/19/01      |              |                                                                                                                                             |
| A-01-07517 | Con-Way Transportation Services                  | 12/14/01      |              |                                                                                                                                             |
| A-01-07535 | Corastaff Services, Inc.                         | 11/19/01      | 11/07/01     |                                                                                                                                             |
| A-01-07398 | Cornestone Oakbrook LLC                          | 11/16/01      |              |                                                                                                                                             |
| A-01-08079 | Corporate Staffing Resources LLC                 | 09/28/01      | 09/21/01     | Company filed for bankruptcy, 01-35328 ND Ind.                                                                                              |
| A-01-01228 | CR England & Sons                                | 08/15/01      | 08/15/01     |                                                                                                                                             |

| Adv. No.   | Defendant                          | Response Date | Answer Filed | Comments                                                                                                                                    |
|------------|------------------------------------|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-07397 | Creative Corporate Staffing        | 11/16/01      |              |                                                                                                                                             |
| A-01-07640 | Creative Sign Company              | 11/19/01      |              |                                                                                                                                             |
| A-01-07590 | Crown Equipment Corporation        | 11/19/01      |              |                                                                                                                                             |
| A-01-07693 | CSL Research Consultants, Inc.     | 11/19/01      |              | Motion for change of venue filed; response date to that motion continued indefinitely by agreement of the parties.                          |
| A-01-01093 | CSSI The Support Group             | 06/12/01      | 06/12/01     |                                                                                                                                             |
| A-01-04654 | Curtice-Burns Express, Inc.        | 08/31/01      | 08/17/01     |                                                                                                                                             |
| A-01-01197 | Custom Packaging Co.               | 06/20/01      | 07/20/01     |                                                                                                                                             |
| A-01-07365 | Custom Sealing Incorporated        | 11/15/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07718 | D. Watkins & Co., Inc.             | 11/19/01      |              |                                                                                                                                             |
| A-01-07781 | D.R. McClain & Son                 | 11/20/01      |              |                                                                                                                                             |
| A-01-07526 | Daily Foods, Inc.                  | 11/16/01      |              |                                                                                                                                             |
| A-01-07746 | Dakota King, Inc.                  | 11/19/01      |              |                                                                                                                                             |
| A-01-06688 | Dallas Group of America, Inc.      | 11/06/01      | 11/06/01     |                                                                                                                                             |
| A-01-07370 | Darigold, Inc.                     | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-07396 | Daymark Foods, Inc.                | 11/16/01      |              |                                                                                                                                             |
| A-01-07714 | De La Rue Cash Systems, Inc.       | 12/05/01      |              |                                                                                                                                             |
| A-01-07868 | Dal Monte Foods                    |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07421 | Delco Tableware Int'l              | 11/15/01      |              |                                                                                                                                             |
| A-01-07528 | Dobbs Services, Inc.               | 11/16/01      |              |                                                                                                                                             |
| A-01-07709 | Donato Marangl, Inc.               | 11/19/01      |              |                                                                                                                                             |
| A-01-06094 | Dot Foods, Inc.                    | 09/28/01      | 09/28/01     |                                                                                                                                             |
| A-01-07382 | Douwe Egberts Coffee Service, Inc. | 11/15/01      | 11/02/01     |                                                                                                                                             |
| A-01-07537 | DPP                                | 11/19/01      |              |                                                                                                                                             |
| A-01-07702 | Dry Ice Corp.                      | 11/19/01      |              |                                                                                                                                             |
| A-01-01198 | Dutch Quality                      | 06/15/01      |              | Moved for default 8/31; order signed 11/7                                                                                                   |
| A-01-03883 | Edlund Company                     | 06/29/01      | 06/22/01     |                                                                                                                                             |
| A-01-07708 | Edwards Consulting Services, Inc.  | 11/19/01      |              |                                                                                                                                             |
| A-01-07873 | Electric Computer Services, Inc.   |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07743 | Ellis Cheesecake Company, The      | 11/19/01      |              |                                                                                                                                             |
| A-01-07387 | EMJAC Industries, Inc.             | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-07780 | En Pointe Technologies             | 11/20/01      |              |                                                                                                                                             |
| A-01-07388 | Envelope Manufacturers, L.L.C.     | 11/15/01      |              |                                                                                                                                             |
| A-01-03884 | EPI Marketing & Prom. Specialist   | 06/29/01      |              | Initial services all returned; Plaintiff is seeking to effectuate service.                                                                  |

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| A-01-07531 | ETI, Inc. f/k/a Exceptional Temporaries, Inc.                         | 11/19/01      |              |                                                                                                                                             |
| A-01-00392 | Excel Corporation                                                     | 04/16/01      | 04/16/01     |                                                                                                                                             |
| A-01-01199 | Express Services                                                      | 07/15/01      | 06/21/01     | Settled; to be dismissed                                                                                                                    |
| A-01-07369 | Falcon Products, Inc.                                                 | 12/05/01      |              |                                                                                                                                             |
| A-01-07368 | FCG Commercial                                                        | 11/15/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07402 | FDS Express, Inc.                                                     | 11/19/01      |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07670 | Federal Express Corporation                                           |               |              |                                                                                                                                             |
| A-01-07662 | Federal Sign Division                                                 | 11/19/01      |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07874 | Fedex Ground Package System, Inc. d/b/a RPS, a Callber System Company | 07/15/01      | 07/18/01     |                                                                                                                                             |
| A-01-01200 | Flavorita Laboratories                                                | 12/17/01      |              |                                                                                                                                             |
| A-01-07768 | Florida Crystal Corporate Center, Inc.                                | 09/14/01      | 09/12/01     |                                                                                                                                             |
| A-01-06075 | Fontina Foods, Inc.                                                   | 11/15/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07390 | Food Service Supplies, Inc.                                           |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07794 | Fort James Operating Company                                          | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-07385 | Frito-Lay, Inc.                                                       | 06/29/01      | 07/24/01     |                                                                                                                                             |
| A-01-03885 | Frymaster Corp.                                                       | 11/19/01      |              |                                                                                                                                             |
| A-01-07706 | Galleon Seafoods, Inc.                                                | 12/15/01      |              |                                                                                                                                             |
| A-01-07750 | Garden Fresh Foods, Inc.                                              | 11/19/01      |              |                                                                                                                                             |
| A-01-07751 | Gateway Freight, Inc.                                                 | 07/15/01      |              |                                                                                                                                             |
| A-01-01201 | Gehl Guernsey Farms                                                   | 08/31/01      | 08/22/01     |                                                                                                                                             |
| A-01-04644 | General Office Products                                               |               |              |                                                                                                                                             |
| A-01-07753 | General Personnel Consultants of Tampa, Inc.                          | 11/19/01      |              |                                                                                                                                             |
| A-01-07385 | General Products, Inc.                                                | 11/16/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-03886 | Genpak Corp.                                                          | 06/29/01      | 06/22/01     | Settled; to be dismissed                                                                                                                    |
| A-01-07754 | Geosuccess, Inc.                                                      | 11/19/01      |              |                                                                                                                                             |
| A-01-07685 | GGG Foods Inc.                                                        | 12/18/01      |              |                                                                                                                                             |
| A-01-01094 | Goglanian Bakeries, Inc.                                              | 07/30/01      | 07/31/01     |                                                                                                                                             |
| A-01-06973 | Gojo Industries, Inc.                                                 | 11/08/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-00774 | Gold Signature Foods, Inc.                                            | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-07774 | Gold Signature Foods, LLC                                             | 11/19/01      |              |                                                                                                                                             |
| A-01-06033 | Golden Corp./f/k/a Bagcraft Corporation of America                    | 09/14/01      |              | Filed motion for default 117; response due 11/20                                                                                            |

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| A-01-07779 | Golden County Foods, Inc.                                     | 11/20/01      |              |                                                                                                                                             |
| A-01-01095 | Golden Weal Foods, Inc.                                       | 07/29/01      | 05/30/01     | Settled; settlement being documented.                                                                                                       |
| A-01-01207 | Gruna Corp. dba Mission Foods                                 | 06/15/01      | 06/15/01     |                                                                                                                                             |
| A-01-07520 | GSB Liquidating, Inc.                                         | 11/16/01      |              |                                                                                                                                             |
| A-01-07461 | H.C. Brill Company, Inc.                                      | 11/19/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07465 | H.C. Brill Company, Inc.                                      | 11/16/01      |              | Duplicate; to be dismissed                                                                                                                  |
| A-01-07755 | H.I. Of JAX-1-285, Inc.                                       | 11/19/01      |              |                                                                                                                                             |
| A-01-07782 | H.M. Electronics                                              | 11/20/01      |              |                                                                                                                                             |
| A-01-07386 | Hanover Foods Corporation                                     | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-01204 | Halco Corporation                                             | 08/15/01      | 06/11/01     | Settled; to be dismissed                                                                                                                    |
| A-01-07630 | Helkes Produce Company                                        | 11/19/01      |              |                                                                                                                                             |
| A-01-07792 | Helinz USA, Portion Pac, Inc. and International Diverse Foods | 11/21/01      |              |                                                                                                                                             |
| A-01-07424 | Henny Penny Corp.                                             | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-06035 | Hobart Corporation                                            | 08/14/01      |              | Defendant in default; Plaintiff seeking to confirm service was effective.                                                                   |
| A-01-07442 | Hoshizaki America, Inc.                                       | 11/15/01      | 11/13/01     |                                                                                                                                             |
| A-01-07512 | Howard Company Inc., the                                      | 11/16/01      |              |                                                                                                                                             |
| A-01-07729 | Hub City Truck Lines                                          | 11/18/01      |              |                                                                                                                                             |
| A-01-07515 | Huber Décor, Inc.                                             | 11/18/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-06084 | Iceland Seafood Corporation                                   | 08/24/01      | 09/24/01     |                                                                                                                                             |
| A-01-07659 | Imisel Special Delivery                                       | 11/19/01      |              |                                                                                                                                             |
| A-01-07007 | Indiana Sugars, Inc.                                          | 11/15/01      | 11/09/01     |                                                                                                                                             |
| A-01-06034 | Inland Transit Systems, Inc.                                  | 08/14/01      | 09/14/01     |                                                                                                                                             |
| A-01-07788 | Integrated Packaging Corporation                              | 11/20/01      |              |                                                                                                                                             |
| A-01-06081 | Intercool, Inc.                                               | 08/21/01      | 09/24/01     |                                                                                                                                             |
| A-01-07366 | International Cold Storage Company                            | 11/15/01      |              |                                                                                                                                             |
| A-01-06042 | International Converter, Inc.                                 | 08/14/01      |              | Settled; settlement being documented.                                                                                                       |
| A-01-07380 | International Multifoods Corporation                          | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-07871 | International Storage Systems Corp.                           |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07872 | ISI Commercial Refrigeration                                  |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07707 | J H Industries Inc. f/k/a Erbrich Products Co.                | 11/19/01      |              |                                                                                                                                             |
| A-01-07869 | J.B. Hunt Logistics, Inc.                                     |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07777 | J.L. Degraffenreid & Sons, Inc.                               | 11/20/01      |              |                                                                                                                                             |

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| A-01-07719 | Jazz City Trade Exchange, Inc.                         | 11/19/01      |              | To be dismissed and refiled against Jazz City Distributors                                                                                  |
| A-01-07538 | Jea & Associates                                       | 11/19/01      |              |                                                                                                                                             |
| A-01-07420 | John B. Santilippo & Sons                              | 11/15/01      |              |                                                                                                                                             |
| A-01-07861 | John Hogan Interests, Inc. d/b/a First Foods Co., Inc. |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07419 | Johnsonville Foods Inc.                                | 11/15/01      | 11/14/01     |                                                                                                                                             |
| A-01-07770 | Kan Pak, LLC                                           | 11/19/01      |              |                                                                                                                                             |
| A-01-07376 | Keebler Company                                        | 12/05/01      |              |                                                                                                                                             |
| A-01-07715 | Kentner Kourier Service, Inc.                          | 11/19/01      |              |                                                                                                                                             |
| A-01-00396 | Keystone Foods LLC                                     | 05/25/01      | 11/06/01     |                                                                                                                                             |
| A-01-07389 | Klement Sausage Co., Inc.                              | 11/15/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07460 | Kolpak                                                 | 11/16/01      | 11/09/01     |                                                                                                                                             |
| A-01-07391 | L&W Transportation, Inc.                               | 11/15/01      |              |                                                                                                                                             |
| A-01-07756 | La Romagnola, Inc.                                     | 11/19/01      |              |                                                                                                                                             |
| A-01-07628 | Leading Edge, Inc.                                     | 11/19/01      |              |                                                                                                                                             |
| A-01-07540 | Lee Distributing Services                              | 11/19/01      |              |                                                                                                                                             |
| A-01-00830 | Lobby Glass                                            | 05/11/01      | 05/09/01     |                                                                                                                                             |
| A-01-07858 | Lightwave Systems Implementation, Inc.                 |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07625 | Linco Casters                                          | 11/19/01      |              |                                                                                                                                             |
| A-01-07407 | Lincoln Foodservice Products, Inc.                     | 11/16/01      |              |                                                                                                                                             |
| A-01-07506 | Lilehouse, Inc.                                        | 11/16/01      | 11/16/01     | Counterclaim made; response due 12/6/01                                                                                                     |
| A-01-07859 | Louisville Tile Distributors, Inc.                     |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-01208 | Love & Quiches Limited                                 | 06/15/01      | 06/14/01     |                                                                                                                                             |
| A-01-07375 | Magellan Software, Inc.                                | 11/15/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07519 | Marianth Corporation                                   | 11/16/01      |              |                                                                                                                                             |
| A-01-07629 | Marketing Displays, Inc.                               | 11/19/01      |              |                                                                                                                                             |
| A-01-01210 | Marten Transport                                       | 06/15/01      | 06/15/01     |                                                                                                                                             |
| A-01-06686 | Martin Gillet & Co., Inc.                              | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-07507 | Material Handling Exchange Inc.                        | 11/16/01      | 11/16/01     |                                                                                                                                             |
| A-01-03888 | Matson Navigation Co                                   | 06/29/01      | 06/25/01     | Suggestion of bankruptcy filed 11/9                                                                                                         |
| A-01-07514 | Max Value, Inc.                                        | 11/19/01      |              | Duplicate filing; to be dismissed                                                                                                           |
| A-01-07643 | Max Value, Inc.                                        | 11/19/01      |              |                                                                                                                                             |
| A-01-06689 | McCall's/The Shannon Group                             | 11/06/01      | 11/09/01     |                                                                                                                                             |
| A-01-07394 | McClancy Seasoning Co.                                 | 12/14/01      |              |                                                                                                                                             |
| A-01-07721 | McNaim Packaging, Inc.                                 | 11/18/01      |              |                                                                                                                                             |

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| A-01-07559 | MCSI, Inc.                                 | 11/19/01      |              |                                                                                                                                                       |
| A-01-07788 | Mello Smello                               | 11/20/01      |              |                                                                                                                                                       |
| A-01-07415 | Mercury Delivery Service                   | 11/15/01      |              |                                                                                                                                                       |
| A-01-07372 | Metel Masters Foodservices Inc.            | 11/15/01      | 11/15/01     |                                                                                                                                                       |
| A-01-07533 | Michigan Dessert Corporation               | 11/19/01      |              |                                                                                                                                                       |
| A-01-07412 | Midstate Mills, Inc.                       | 12/14/01      |              |                                                                                                                                                       |
| A-01-06885 | Minnesota Mining and Manufacturing Company | 11/09/01      |              | Defendant in default; motion for default judgment to be filed                                                                                         |
| A-01-07436 | Mitro Development Inc.                     | 11/15/01      |              |                                                                                                                                                       |
| A-01-03889 | Miss King's Kitchen                        | 08/29/01      | 08/29/01     |                                                                                                                                                       |
| A-01-07857 | MLG Commercial 2000, LLC                   |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future.           |
| A-01-07656 | Moore Business Forms                       | 11/19/01      |              |                                                                                                                                                       |
| A-01-07392 | Motts USA                                  | 11/15/01      |              |                                                                                                                                                       |
| A-01-04641 | Namkung Promotions, Inc.                   | 08/31/01      | 08/30/01     |                                                                                                                                                       |
| A-01-07430 | Nanicoke Seafood Corporation               | 11/15/01      | 11/15/01     |                                                                                                                                                       |
| A-01-07373 | National Air Systems, Inc.                 | 11/15/01      |              |                                                                                                                                                       |
| A-01-07757 | National Paper & Packaging Co.             | 11/19/01      |              |                                                                                                                                                       |
|            | National Steak Processors, Inc. d/b/a      |               |              |                                                                                                                                                       |
| A-01-8790  | National Steak & Poultry                   | 12/13/01      |              |                                                                                                                                                       |
| A-01-07633 | National Union/Algrm Spec                  | 11/19/01      |              |                                                                                                                                                       |
| A-01-07494 | Nemco, Inc.                                | 11/27/01      |              |                                                                                                                                                       |
| A-01-07764 | Nestle USA, Inc.                           | 11/19/01      |              |                                                                                                                                                       |
| A-01-07508 | Network Intergration Services              | 11/16/01      |              |                                                                                                                                                       |
| A-01-07546 | New Age Industrial                         | 11/19/01      |              |                                                                                                                                                       |
| A-01-07758 | New England Capital Corporation            | 11/19/01      |              |                                                                                                                                                       |
| A-01-07632 | NKL Safe                                   | 11/19/01      |              |                                                                                                                                                       |
| A-01-07717 | Norflex, Inc.                              | 11/19/01      |              |                                                                                                                                                       |
| A-01-01096 | Norstan Network Svcs.                      | 05/30/01      | 05/30/01     | Settled; to be dismissed                                                                                                                              |
| A-01-07649 | Northeast Great Dane                       | 11/19/01      |              |                                                                                                                                                       |
| A-01-07408 | Odom's Tennessee Pride Sausage, Inc.       | 12/14/01      |              |                                                                                                                                                       |
| A-01-07789 | Officeteam                                 | 11/21/01      |              |                                                                                                                                                       |
| A-01-00393 | OK Foods, Inc.                             | 04/16/01      | 04/16/01     | Settled; to be dismissed                                                                                                                              |
| A-01-07558 | O-K Paper Specialties                      | 11/19/01      |              |                                                                                                                                                       |
| A-01-01212 | O'Leary Brothers Signs                     | 07/23/01      | 07/23/01     |                                                                                                                                                       |
| A-01-01213 | Olistan Staffing Services                  | 06/15/01      |              | Motion for default judgment filed 8/31; Defendant responded by phone and requested copy of complaint; Plaintiff agreed not to default pending answer. |
| A-01-06029 | Omega Plastics Corp. of KY                 | 09/28/01      | 09/28/01     |                                                                                                                                                       |

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| A-01-08691 | Onelia Silversmiths                     | 11/20/01      |              |                                                                                                                                             |
| A-01-07378 | Onelia Commercial Staffing, Inc.        | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-01214 | On-Time Deliveries                      | 07/29/01      |              | Do not move for default per AWC                                                                                                             |
| A-01-03890 | Onyx Petroleum                          | 08/29/01      | 08/29/01     | Settled; to be dismissed                                                                                                                    |
| A-01-07733 | Orkin                                   | 11/19/01      |              |                                                                                                                                             |
| A-01-07732 | Orth Products                           | 11/19/01      | 11/14/01     |                                                                                                                                             |
| A-01-07439 | OTR Express, Inc.                       | 12/12/01      |              |                                                                                                                                             |
| A-01-07720 | Overhill Farms, Inc.                    | 11/19/01      |              |                                                                                                                                             |
| A-01-07778 | Paper and Ribbon Supply Co., Inc.       | 11/20/01      |              |                                                                                                                                             |
|            | Par Microsystems Domestic International |               |              |                                                                                                                                             |
| A-01-07410 | Sales                                   | 11/16/01      |              |                                                                                                                                             |
| A-01-07824 | Paradise Tomato Kitchens, Inc.          | 11/27/01      |              |                                                                                                                                             |
| A-01-07393 | Parmalat Atlanta Dairies                | 11/15/01      | 11/15/01     |                                                                                                                                             |
| A-01-07490 | Patrick Cudahy Incorporated             | 12/14/01      |              |                                                                                                                                             |
| A-01-07860 | PDJ, Inc. d/b/a La Francalse Bakery     |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07862 | Pembocot Frozen Foods, Inc.             |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07734 | Pfandky Graphic Design                  | 11/19/01      |              |                                                                                                                                             |
| A-01-07502 | Phillips Paving Company, Inc.           | 11/16/01      | 11/13/01     | 11/1 letter to AFD offers \$5K in settlement                                                                                                |
| A-01-04828 | Pilgrim's Pride Corp.                   | 07/20/01      | 07/27/01     |                                                                                                                                             |
| A-01-06085 | Pilot Air Freight Corp.                 | 09/28/01      | 09/28/01     |                                                                                                                                             |
| A-01-07713 | Pioneer Packaging, Inc.                 | 11/19/01      |              |                                                                                                                                             |
| A-01-01215 | Pilco Friator, Inc.                     | 07/16/01      | 07/16/01     |                                                                                                                                             |
| A-01-06090 | Pizza Blends, Inc.                      | 09/21/01      | 09/19/01     |                                                                                                                                             |
| A-01-07737 | PMI Food Equipment Group                | 11/19/01      |              |                                                                                                                                             |
| A-01-07760 | Polar Plastics (NC) Inc.                | 11/19/01      |              |                                                                                                                                             |
| A-01-07759 | Postarfold Corporation                  | 11/19/01      |              |                                                                                                                                             |
| A-01-07401 | Premium Custom Packaging, Inc.          | 11/27/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07781 | Presto Foods Products, Inc.             | 11/19/01      |              |                                                                                                                                             |
| A-01-07875 | Pride Container Corporation             |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07431 | Quality Croustons, Inc.                 | 11/21/01      |              |                                                                                                                                             |
| A-01-07762 | Quality Distributing Company            | 11/19/01      |              |                                                                                                                                             |
| A-01-01188 | Quest Consulting Services               | 08/15/01      | 05/29/01     |                                                                                                                                             |
| A-01-07518 | Radio Transfer, Inc.                    | 11/16/01      |              | Settlement pending                                                                                                                          |
| A-01-01218 | Randell Manufacturing                   | 08/20/01      | 08/02/01     |                                                                                                                                             |

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|------------|--------------------------------------|---------------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| A-01-07432 | Rapid Delivery Service               | 11/20/01      |              |                                                                                                                                         |
| A-01-01219 | Reckitt & Coleman                    | 06/15/01      | 06/15/01     |                                                                                                                                         |
| A-01-01220 | Red Chamber Co.                      | 09/07/01      | 09/07/01     |                                                                                                                                         |
| A-01-07443 | Reilly Dairy & Food Co.              | 12/05/01      |              |                                                                                                                                         |
| A-01-07730 | RHI Management Resources             | 11/19/01      |              |                                                                                                                                         |
| A-01-07529 | Rich Products Corporation            | 11/16/01      |              |                                                                                                                                         |
| A-01-07452 | Rich-Seapak Corporation              | 11/16/01      | 11/15/01     |                                                                                                                                         |
| A-01-06089 | Riviana Foods, Inc.                  | 09/14/01      | 09/14/01     | Settled; to be dismissed                                                                                                                |
| A-01-06690 | Robinson Pallet                      | 11/08/01      | 11/05/01     |                                                                                                                                         |
| A-01-07433 | Royal Paper Products                 | 11/20/01      |              |                                                                                                                                         |
| A-01-07532 | Rubbermaid Commercial Products Inc.  | 12/19/01      |              |                                                                                                                                         |
| A-01-01221 | Rupari Food Services                 | 08/15/01      | 08/12/01     |                                                                                                                                         |
| A-01-07411 | Rush Transportation / Logistics Inc. | 11/16/01      | 11/16/01     |                                                                                                                                         |
| A-01-07453 | Ryder Truck Rental, Inc.             | 11/16/01      |              | Settled; to be dismissed                                                                                                                |
| A-01-07711 | S&P Midwest Carriers, Inc.           | 11/19/01      |              |                                                                                                                                         |
| A-01-00752 | Sabritas, S.A. de C.V.               | 04/30/01      |              | Settled; settlement being documented.                                                                                                   |
| A-01-00827 | Salet's Inc.                         | 05/11/01      | 05/07/01     |                                                                                                                                         |
| A-01-06077 | Salmans & Associates, Inc.           | 09/14/01      | 09/13/01     |                                                                                                                                         |
| A-01-06675 | Salva Incorporated                   | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                           |
| A-01-07226 | Sauer Foods, Inc.                    | 08/25/01      |              | Settlement discussions underway                                                                                                         |
| A-01-07554 | Sergio J. Saumell                    | 11/19/01      |              |                                                                                                                                         |
| A-01-06032 | SFI Anco Fine Cheese                 | 09/14/01      | 09/13/01     |                                                                                                                                         |
| A-01-06076 | Shawnee Milling Company              | 09/14/01      | 09/14/01     |                                                                                                                                         |
| A-01-07377 | Shelby Williams Industries, Inc.     | 12/05/01      |              |                                                                                                                                         |
| A-01-07723 | Showcase Corporation                 | 11/19/01      |              | Summons filed with Court not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-04640 | Simeus Foods International, Inc.     |               |              |                                                                                                                                         |
| A-01-00394 | Simmons Foods, Inc.                  | 04/16/01      | 04/12/01     |                                                                                                                                         |
| A-01-06038 | Simplex Time Recorder Co.            | 11/19/01      |              |                                                                                                                                         |
| A-01-07222 | Skytel Communications, Inc.          | 09/14/01      | 09/14/01     |                                                                                                                                         |
| A-01-07744 | Solo Cup Company                     | 08/15/01      | 08/15/01     |                                                                                                                                         |
| A-01-07744 | Source, Inc.                         | 11/19/01      |              | Settled; to be dismissed                                                                                                                |
| A-01-07383 | Southern Technologies, Inc.          | 11/15/01      |              |                                                                                                                                         |
| A-01-04629 | Southwest Paper Company              | 07/20/01      |              | Settlement discussions underway                                                                                                         |
| A-01-07785 | Springprint / Medallion              | 11/20/01      |              |                                                                                                                                         |
| A-01-0791  | Staffing Solutions, Inc.             | 12/13/01      |              |                                                                                                                                         |
| A-01-07406 | Staffmark, Inc.                      | 12/17/01      |              |                                                                                                                                         |
| A-01-07434 | Stanley Knight Corp.                 | 11/15/01      | 11/13/01     |                                                                                                                                         |
| A-01-07510 | Sterling Bank & Trust                | 11/16/01      |              |                                                                                                                                         |
| A-01-07435 | Stewart Sutherland, Inc.             | 12/15/01      |              |                                                                                                                                         |

| Adv. No.   | Defendant                                         | Response Date | Answer Filed | Comments                                                                                                                                    |
|------------|---------------------------------------------------|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-07863 | Suddath Transportation Services                   |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07740 | Summit Industries, Inc.                           | 11/19/01      |              |                                                                                                                                             |
| A-01-07555 | Sun Orchard                                       | 11/19/01      | 11/16/01     |                                                                                                                                             |
| A-01-07864 | Sunnyland Refining Co Inc.                        | 11/19/01      |              |                                                                                                                                             |
| A-01-04538 | Superior Asphalt, Inc.                            | 08/31/01      | 08/07/01     |                                                                                                                                             |
| A-01-07865 | Syscom, Inc.                                      |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-04630 | T. Marzetti Company                               | 07/20/01      | 07/23/01     |                                                                                                                                             |
| A-01-07638 | T.A.C.I. Corp. Inc.                               | 11/19/01      |              |                                                                                                                                             |
| A-01-07841 | T.J. Blackburn Syrup Works, Inc.                  | 11/19/01      |              |                                                                                                                                             |
| A-01-03881 | Tandem Computers                                  | 08/29/01      |              | All services ineffective; Plaintiff attempting to reserve.                                                                                  |
| A-01-01224 | Taste It Presents Inc                             | 08/15/01      |              | Motion for default filed 8/31; certificate of no objection with respect to motion filed 10/31                                               |
| A-01-07712 | Taylor Made Express, Inc.                         | 12/12/01      |              |                                                                                                                                             |
| A-01-07549 | Team Air Express, Inc.                            | 11/19/01      |              |                                                                                                                                             |
| A-01-07738 | Teksystems Internet Business Services, LLC        | 11/19/01      |              |                                                                                                                                             |
| A-01-03892 | Telpro, Inc.                                      | 08/29/01      | 08/13/01     |                                                                                                                                             |
| A-01-07791 | Texaco/Taco Bell                                  | 11/21/01      |              |                                                                                                                                             |
| A-01-07639 | Today's Staffing, Inc.                            | 11/19/01      |              |                                                                                                                                             |
| A-01-07790 | Tom Martin Construction Co                        | 11/21/01      |              |                                                                                                                                             |
| A-01-07736 | Total Handling Solutions                          | 11/19/01      |              |                                                                                                                                             |
| A-01-08080 | Toufayan Bakery of Florida, Inc.                  | 09/14/01      | 08/14/01     |                                                                                                                                             |
| A-01-07701 | Traex Corporation                                 | 11/19/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07381 | Trans Ceramica LTD f/k/a Eurowest                 | 11/29/01      |              |                                                                                                                                             |
| A-01-07551 | Decorative Surfaces, Inc.                         | 11/19/01      |              |                                                                                                                                             |
| A-01-07551 | Transforce                                        | 11/19/01      |              |                                                                                                                                             |
| A-01-01225 | Transmed Foods                                    | 07/20/01      | 08/06/01     |                                                                                                                                             |
| A-01-03893 | Transport Logistics                               | 06/29/01      | 08/10/01     |                                                                                                                                             |
| A-01-07556 | Transport Specialists, Inc.                       | 11/19/01      |              |                                                                                                                                             |
| A-01-07557 | Traulsen & Co., Inc.                              | 11/19/01      |              |                                                                                                                                             |
| A-01-07741 | Tri County Air Conditioning & Refrigeration, Inc. | 11/19/01      |              |                                                                                                                                             |
| A-01-07553 | Trien & Associates, Inc.                          | 11/19/01      |              |                                                                                                                                             |
| A-01-01230 | Trinity Employment Service                        | 12/10/01      |              |                                                                                                                                             |
| A-01-07457 | Tropicana Products, Inc.                          | 11/16/01      | 11/15/01     |                                                                                                                                             |
| A-01-07775 | Trust Temporary Services Inc                      | 11/20/01      |              |                                                                                                                                             |

| Adv. No.   | Defendant                                          | Response Date | Answer Filed | Comments                                                                                                                                    |
|------------|----------------------------------------------------|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-07440 | Turri's Italian Foods                              | 11/15/01      | 11/13/01     |                                                                                                                                             |
| A-01-07784 | U.B. Klem Furniture Co., Inc.                      | 11/20/01      |              |                                                                                                                                             |
| A-01-08885 | U.S. Delivery, Inc.                                | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-03894 | U.S. Fleet Services                                | 07/15/01      |              | Settlement discussions underway                                                                                                             |
| A-01-00754 | United Food Group LLC d/ba Service Packing Company | 05/31/01      | 07/19/01     | Settled; to be dismissed                                                                                                                    |
| A-01-07724 | United Packaging Supply, Inc.                      | 11/19/01      |              |                                                                                                                                             |
| A-01-08082 | Utility Trailer Sales Company                      | 10/05/01      | 10/04/01     |                                                                                                                                             |
| A-01-07700 | Valley Courier and Delivery Services, Inc.         | 12/19/01      |              |                                                                                                                                             |
| A-01-07742 | Van De Venter Enterprises, Inc.                    | 11/19/01      |              |                                                                                                                                             |
| A-01-07409 | Varipak, Inc. d/ba Glenmark                        | 11/27/01      |              |                                                                                                                                             |
| A-01-07527 | Ventura Foods LLC                                  | 11/30/01      |              |                                                                                                                                             |
| A-01-07783 | Victoria Packaging Corp.                           | 11/20/01      |              |                                                                                                                                             |
| A-01-07400 | Visual Edge, Inc.                                  | 11/18/01      |              |                                                                                                                                             |
| A-01-07765 | Wampler Foods, Inc.                                | 11/19/01      |              |                                                                                                                                             |
| A-01-01231 | Wampler's Farm Sausage                             | 08/15/01      | 07/18/01     | Motion for default filed 11/7; response to motion for default due 11/20                                                                     |
| A-01-06078 | Watts Brothers Frozen Foods, L.L.C.                | 09/14/01      |              |                                                                                                                                             |
| A-01-07414 | Wenco Inc.                                         | 12/17/01      |              |                                                                                                                                             |
| A-01-07689 | Werner Enterprises, Inc.                           | 11/19/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07379 | Westamerica Graphics Corporation                   | 11/15/01      | 11/12/01     |                                                                                                                                             |
| A-01-07705 | Western Graphics                                   | 11/19/01      |              |                                                                                                                                             |
| A-01-06039 | Whiteford Foods Venture, L.P.                      | 09/28/01      | 09/27/01     |                                                                                                                                             |
| A-01-06092 | Whitman-Hart, Ltd                                  | 09/14/01      |              | Service appears to have been ineffective; Plaintiff seeking to reserve                                                                      |
| A-01-07425 | Wilkinson Manufacturing Co.                        | 11/15/01      |              |                                                                                                                                             |
| A-01-07735 | Williamette Industries, Inc.                       | 11/19/01      |              |                                                                                                                                             |
| A-01-07505 | Williams Scotsman, Inc.                            | 11/18/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07522 | Wincup Holdings, Inc.                              | 11/18/01      | 11/15/01     |                                                                                                                                             |
| A-01-07884 | Wiscomp Systems, Inc.                              |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-07441 | Wisconsin Cheese Group, Inc.                       | 11/15/01      |              | Settled; to be dismissed                                                                                                                    |
| A-01-07752 | World Kitchen (GHC), Inc., /l/a General Housewares | 11/19/01      |              |                                                                                                                                             |
| A-01-07745 | Worthington Foods, Inc.                            | 12/05/01      |              |                                                                                                                                             |
| A-01-07427 | Xtra Lease, Inc                                    | 12/14/01      |              |                                                                                                                                             |
| A-01-01233 | Yellow Freight System                              | 08/15/01      | 08/11/01     |                                                                                                                                             |
| A-01-07513 | Yogurt Ventures U.S.A., Inc.                       | 11/18/01      |              |                                                                                                                                             |

## **EXHIBIT C**

| Adv. No.  | Defendant                            | Response Date | Answer Filed | Comments                                                                                                                                                                           |
|-----------|--------------------------------------|---------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-1107 | 637 DQ, Patricia Page, Owner         | 05/30/01      |              | Letter filed 5/29 seeking extension of time to answer                                                                                                                              |
| A-01-8877 | 576 Dairy Queen (Brazier)            | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                                                                      |
| A-01-8881 | 622 Dairy Queen                      | 11/06/01      |              | Settlement offer received                                                                                                                                                          |
| A-01-8879 | 640 Dairy Queen                      | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                                                                      |
| A-01-8131 | Alternative Retail Concepts          |               |              | No summons returned by Court; Plaintiff will seek new summons                                                                                                                      |
| A-01-0850 | Anchor Ventures of Florida, Inc.     | 06/04/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                                                                              |
| A-01-8120 | Arby's Call                          | 09/14/01      |              | Moved for default 10/19; answer 11/8; certificate of no objection filed 11/18                                                                                                      |
| A-01-8874 | Arby's of Park City                  | 11/06/01      | 11/06/01     |                                                                                                                                                                                    |
| A-01-0842 | AZARB, L.L.C.                        | 07/24/01      | 07/24/01     |                                                                                                                                                                                    |
| A-01-0836 | B&B Consultants, Inc.                | 05/17/01      | 06/12/01     |                                                                                                                                                                                    |
| A-01-8678 | B&M, LLC d/b/a Dairy Queen           | 11/06/01      |              | Defendant in default; motion for default to be filed                                                                                                                               |
| A-01-8121 | B&R Associates, Inc.                 |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future.                                        |
| A-01-1100 | BABS, Inc.                           | 05/30/01      |              | Letter response received 5/21/01                                                                                                                                                   |
| A-01-0840 | Beatrice Pizza Co.                   | 05/17/01      |              | Moved for default 8/8; defendant filed request for 2 week extension to respond to motion for default; no response or answer filed. Renewed default motion 11/2; response due 11/20 |
| A-01-0839 | Bernie Dioguardi, dba DQMilan/Grants | 05/17/01      | 05/16/01     |                                                                                                                                                                                    |
| A-01-6673 | Blimpies                             | 11/06/01      |              | Default being held pending determination of service on proper party                                                                                                                |
| A-01-1118 | BMPAT, Inc. 6252                     | 05/30/01      |              | Settled; dismissal held pending satisfaction of settlement terms                                                                                                                   |
| A-01-1117 | Bradsher Enterprises                 | 05/30/01      | 05/25/01     |                                                                                                                                                                                    |

| Adv. No.  | Defendant                                  | Response Date | Answer Filed | Comments                                                                                                                       |
|-----------|--------------------------------------------|---------------|--------------|--------------------------------------------------------------------------------------------------------------------------------|
| A-01-0849 | Brandywine Valley Yogurt, Inc.             | 05/18/01      | 05/29/01     |                                                                                                                                |
| A-01-0832 | Cambridge Investments                      | 05/17/01      | 05/17/01     |                                                                                                                                |
| A-01-8112 | Cam Yogurt, Inc.                           | 09/14/01      |              | All service returned; need to reserve<br>Moved for default 8/8; certificate of no objection with respect to motion filed 10/31 |
| A-01-0843 | Chapman Dairy Queens                       | 05/17/01      |              |                                                                                                                                |
| A-01-0852 | Consumer Services Corp.<br>dba Dairy Queen | 06/01/01      | 06/01/01     |                                                                                                                                |
| A-01-7565 | Countryside Travel, Inc.                   | 12/14/01      |              |                                                                                                                                |
| A-01-1109 | CQL, Inc. dba Dairy Queen                  | 05/30/01      |              | Informal response received 5/30/01                                                                                             |
| A-01-6105 | Dairy Queen #10                            | 09/14/01      |              | Moved for default 10/19; answer 11/8; certificate of no objection filed 11/16                                                  |
| A-01-1110 | Dairy Queen Ft. Myers                      | 05/30/01      |              | Service failed; attempting to reserve                                                                                          |
| A-01-0856 | Dairy Queen Santa Teresa                   | 05/17/01      |              | Settled; dismissal held pending satisfaction of settlement terms                                                               |
| A-01-8880 | Dairy Queen Vail                           | 11/06/01      |              | Letter response received 11/6/01                                                                                               |
| A-01-8110 | D.L.L. Inc.                                | 09/14/01      |              | Moved for default 10/19; answer 11/8; certificate of no objection filed 11/16                                                  |
| A-01-1097 | DMGM Properties                            | 05/30/01      | 10/03/01     |                                                                                                                                |
| A-01-1185 | DODDSO, Inc. dba Arby's<br>of Panglitch    | 06/15/01      |              | Settled; dismissal held pending satisfaction of settlement terms                                                               |
| A-01-8113 | D.Q. Cool, Inc.                            | 09/14/01      |              | All services returned; need to reserve                                                                                         |
| A-01-1106 | DQ Minneapolis 716                         | 05/30/01      | 06/01/01     | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                          |
| A-01-1190 | Ehrenberg Corp. dba Lincoln<br>DQ          | 06/15/01      |              |                                                                                                                                |
| A-01-0845 | Endter, Enterprises                        | 05/17/01      |              | Moved for default 10/19; answer 11/8; certificate of no objection filed 11/16                                                  |
| A-01-1189 | Fry Four dba DQ Chaska<br>#11831           | 06/15/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                          |
| A-01-7568 | Godfather's Pizza of<br>Hutchinson, Inc.   | 11/19/01      |              |                                                                                                                                |
| A-01-7562 | Goldcoast Beef, II, LLC                    | 11/19/01      |              |                                                                                                                                |
| A-01-0855 | G.T.R. Rest Concepts dba<br>Mrs. Winners   | 05/18/01      |              | Defendant in default; motion for default judgment to be filed                                                                  |

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|-----------|--------------------------------------------------------|---------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A-01-7482 | HMS B&L, Inc. d/b/a Host Marriott Services—Chillis     | 12/14/01      |              |                                                                                                                                                                              |
| A-01-7575 | HMS B&L, Inc. d/b/a Host Marriott Services—Burger King | 12/14/01      |              |                                                                                                                                                                              |
| A-01-7576 | HMS B&L, Inc. d/b/a Host Marriott Services—TCBY        | 12/14/01      |              |                                                                                                                                                                              |
| A-01-7571 | Hofstead Enterprises, Inc.                             | 11/19/01      |              |                                                                                                                                                                              |
| A-01-0844 | Iceland Café                                           | 05/17/01      |              | Moved for default 8/8; order signed 11/7                                                                                                                                     |
| A-01-0848 | Jam Yogurt, Ltd                                        | 06/04/01      |              | Service failed; attempting to reserve                                                                                                                                        |
| A-01-6872 | JDB, Inc. of Easley                                    | 11/06/01      | 11/06/01     |                                                                                                                                                                              |
| A-01-3898 | Jeff Broshek dba DQ(Mukwonago, WI)                     | 06/29/01      |              | Informal response received                                                                                                                                                   |
| A-01-0833 | Jenny Craig, Inc.                                      | 06/07/01      | 06/07/01     |                                                                                                                                                                              |
| A-01-1101 | Jerry O. Denson                                        | 05/30/01      |              | Moved for default 8/8; however, all services of motion were returned. Plaintiff is seeking new service information                                                           |
| A-01-3900 | Johnathan Besett dba DQ #150209                        | 06/29/01      |              | Moved for default 10/19; answer 11/8; certificate of no objection filed 11/16                                                                                                |
| A-01-7570 | KAC Dairy Queen Brazier, Inc.                          | 11/19/01      |              |                                                                                                                                                                              |
| A-01-6873 | K&D of Golden, Inc.                                    | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                                                                |
| A-01-0847 | Levinson Keystone, Inc.                                | 05/17/01      | 07/11/01     |                                                                                                                                                                              |
| A-01-8218 | Long John Silvers Corporation                          |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future.                                  |
| A-01-0831 | Lunan Corporation                                      | 05/17/01      | 05/17/01     | The parties have filed a joint motion for change of venue, as to which responses due 11/20. The parties will request the Court to rule upon the motion at the 11/27 hearing. |
| A-01-6111 | Mark King Enterprises, Inc.                            | 09/14/01      |              | Moved for default 10/19; answer 11/8; certificate of no objection filed 11/16                                                                                                |

| Adv. No.  | Defendant                                           | Response Date | Answer Filed | Comments                                                                                                                                    |
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| A-01-8876 | Marriott Distribution Services, Inc.                | 11/20/01      | 11/15/01     |                                                                                                                                             |
| A-01-7569 | MBM Receivables Company                             | 11/19/01      |              |                                                                                                                                             |
| A-01-8118 | MDS Corporation                                     | 08/14/01      |              | All services returned; need to reserve                                                                                                      |
| A-01-0846 | Meechan Enterprises                                 | 05/17/01      |              | Moved for default 8/8; order signed 11/7                                                                                                    |
| A-01-3901 | Mehr & Sons Enterprises, Inc. d/b/a DQ Douglasville | 08/13/01      |              | Settled; dismissal held pending satisfaction of settlement terms                                                                            |
| A-01-0834 | Metz & Associates                                   | 05/31/01      | 05/29/01     | Settled; to be dismissed                                                                                                                    |
| A-01-8872 | MJ, Incorporated                                    | 11/06/01      |              | Defendant has forwarded to Plaintiff a copy of a bankruptcy petition                                                                        |
| A-01-3897 | Menona Treats dba DQ Brazil                         | 07/30/01      |              | All services returned; need to reserve                                                                                                      |
| A-01-1188 | Nelson Companies dba DQ Baldwin                     | 07/23/01      |              | Service appears to have been ineffective; Plaintiff will seek new service information                                                       |
| A-01-8127 | Nellis Management                                   |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-0841 | Northeast Concepts                                  | 05/31/01      | 05/31/01     | Settled; to be dismissed                                                                                                                    |
| A-01-1115 | PA Pubs, Inc.                                       | 05/30/01      | 05/26/01     |                                                                                                                                             |
| A-01-1104 | Paul & Yolanda Monroe                               | 05/30/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                                       |
| A-01-1105 | Paul Davis                                          | 05/30/01      | 05/31/01     |                                                                                                                                             |
| A-01-1187 | Phillips Financial Group dba Arby's #6650           | 06/15/01      | 06/18/01     |                                                                                                                                             |
| A-01-1108 | Phoenix New Center dba A&W Rest.                    | 05/30/01      |              | All services returned; need to reserve                                                                                                      |
| A-01-1098 | PMA Food Services, Inc.                             | 05/30/01      |              | Informal response alleges wrong party                                                                                                       |
| A-01-7687 | Red Top, LLC                                        | 11/19/01      |              |                                                                                                                                             |
| A-01-8876 | R.E. Doalts, Inc. d/b/a Arby's                      | 11/20/01      |              |                                                                                                                                             |
| A-01-6104 | Reinhart Foods                                      | 09/14/01      |              | Never served; need to effectuate service                                                                                                    |
| A-01-3898 | Rick Calne dba Subway #10664                        | 06/29/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                                       |

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| A-01-7583 | Robard Enterprises, Inc.                   | 11/19/01      |              |                                                                                                                                             |
| A-01-1181 | Ron Hendrickson dba DQ                     | 06/15/01      |              | Letter response received 5/30/01                                                                                                            |
| A-01-0835 | Ropasho Enterprises                        | 05/17/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-6675 | Salva Incorporated                         | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-6671 | Scoops Frozen Custard                      | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-1098 | Shaner Hotel Group                         | 05/30/01      | 05/17/01     |                                                                                                                                             |
| A-01-1119 | Sinne's Foods, dba Arby's of Ennis         | 05/30/01      |              | Moved for default 8/8; informal objection thereto received                                                                                  |
| A-01-7574 | Sodexho Services, Inc.                     | 12/14/01      |              |                                                                                                                                             |
| A-01-7568 | Sonic Corporation                          | 11/27/01      |              |                                                                                                                                             |
| A-01-7573 | Sonic Drive-In of Carnegie, Oklahoma, Inc. | 11/19/01      |              |                                                                                                                                             |
| A-01-8128 | Southwest Seafood Shoppes, LLC             |               |              | Summons filed with complaint not executed; summons using Court's new format to be issued and served with complaint in the immediate future. |
| A-01-8109 | Specialty Food Systems, Incorporated       | 09/14/01      | 09/24/01     |                                                                                                                                             |
| A-01-853  | Sripal Corp dba Casselberry Dairy Queen    | 05/17/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                                       |
| A-01-6670 | SRS Enterprises, LLC                       | 11/06/01      |              | Settlement discussions underway                                                                                                             |
| A-01-854  | Subway Mobridge, Inc                       | 07/20/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31                                                       |
| A-01-6667 | TCBY                                       | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-6568 | TCBY Yogurt                                | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |
| A-01-1116 | The Pantry, Inc.                           | 05/30/01      | 05/30/01     |                                                                                                                                             |
| A-01-8107 | The Sygma Network, Inc.                    | 09/14/01      | 09/13/01     |                                                                                                                                             |
| A-01-6674 | Tosa Theatre                               | 11/06/01      |              | Defendant in default; motion for default judgment to be filed                                                                               |

| Adv. No.  | Defendant                               | Response Date | Answer Filed | Comments                                                                              |
|-----------|-----------------------------------------|---------------|--------------|---------------------------------------------------------------------------------------|
| A-01-1112 | Under Par. Ltd., dba DQ #29             | 05/30/01      |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31 |
| A-01-7572 | Wessel's, Inc. d/b/a Jordan Dairy Queen | 11/28/01      |              |                                                                                       |
|           | Westco Restaurant Group                 |               |              |                                                                                       |
|           | Hawaii d/b/a TGIF Fridays               |               |              |                                                                                       |
| A-01-0857 | Inc.                                    | 05/18/01      |              | Settled; dismissal held pending satisfaction of settlement terms                      |
| A-01-0838 | Will-Ame-High, Inc.                     | 08/24/01      | 09/12/01     |                                                                                       |
|           | YAS Enterprises dba DQ                  |               |              | Moved for default 8/8; certificate of no objection with respect to motion filed 10/31 |
| A-01-1158 | #40403                                  | 06/15/01      |              |                                                                                       |

## **EXHIBIT D**

## EXHIBIT D

| <u>Action</u>                                                               | <u>Adv. No.</u> | <u>Answer Date</u> | <u>Answer Filed</u> | <u>Status</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------|-----------------|--------------------|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Vicki L. Romano v. Nebco<br>Evans                                           | 00-0385         |                    |                     | This employment discrimination matter was transferred to the Bankruptcy Court on February 15, 2000. At the time it was transferred, it was ready to be tried. However, no action has been had on the matter since that time. On November 16, 2001, counsel for the Defendant contacted the Plaintiff's counsel to discuss the status of this matter. The parties have agreed to exchange documents in order to discuss the possibility of settlement. Given the posture of the matter, the parties do not seek entry of the Scheduling Order with respect to this matter. |
| J-M Farms, Inc., et al. v.<br>AmeriServe Food<br>Distribution, Inc., et al. | 00-0417         |                    |                     | This matter has been settled, and the parties expect to submit a stipulation of dismissal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Jan-Co., Inc. et al. v.<br>AmeriServe Food<br>Distribution, Inc.            | 00-1730         |                    | 01/04/01            | Plaintiff has filed a motion for summary judgment, and a response thereto has been filed by Defendant and by Burger King Corporation. Plaintiff has requested that oral argument be set on the motion; Defendant is prepared to have the pleadings ruled upon without argument.                                                                                                                                                                                                                                                                                           |
| AmeriServe v. Lamb-<br>Weston                                               | 01-0680         |                    |                     | This matter has been settled and will be dismissed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

[continued on following page]

|                                                                                        |         |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------|---------|----------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tricon Global Restaurants, Inc. & AFD Fund v. Burger King Corporation                  | 01-6150 | 11/13/01 | 11/13/01 | <p>On November 13, 2001, defendant Burger King Corporation ("Burger King") submitted its answer to the complaint and in that connection asserted three counterclaims against plaintiff AFD Fund. The answer to the counterclaims is currently due on Monday, December 3, 2001. While plaintiffs have not had a full opportunity to assess the counterclaims, it appears likely that fact discovery will take six months to complete with an additional month needed to complete expert discovery. Plaintiffs intend to consult with defendant Burger King over the next few days for the purpose of developing a joint proposed schedule. Plaintiffs will provide the Court with an update regarding those discussions prior to the November 27, 2001, status conference.</p> <p>The answer in this matter is due December 13, 2001. With respect to this matter, the Plaintiffs will seek to have entered the Scheduling Order sought with respect to the Preference Actions and the AR Actions.</p> |
| AFD Fund v. Dynamic Restaurant Operations of Florida, Inc. & Dynamic Enterprises, Inc. | 01-8789 | 12/13/01 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In Re:  
AMERISERVE FOOD DISTRIBUTION,  
INC., et al.,

Debtors.

Chapter 11

Case 00-00358-PJW  
Jointly Administered

**ADMINISTRATIVE ORDER GOVERNING THE ADVERSARY PROCEEDINGS**  
**ASSIGNED TO JUDGE JUDITH K. FITZGERALD**

AND NOW, to wit this, 8th, day of November, 2001, IT IS HEREBY ORDERED that all answers and responsive pleadings must be filed and served by the date indicated in the summons. Pleadings filed after the due date will not be considered by the court.

IT IS FURTHER ORDERED that not less than 10 days prior to each court date, Counsel for the Plaintiff shall file a status report stating the current status of each of the adversary proceedings. If the parties are in active settlement negotiations prior to the answer due date, they may stipulate to one extension of not more than 30 days to answer or otherwise respond to the complaint and continue the pretrial conference or status conference to the court date following the responsive pleading's extended due date without the need to file a motion or stipulation for an extension. In the event that such an extension has been agreed upon, the status report shall include such information. All pleadings, even those subject to an extension of time by agreement of counsel, must be filed and served not later than seven business days prior to the hearing.

IT IS FURTHER ORDERED that all counsel and parties shall provide a copy in .pdf format to the following email addresses, DE\_Pleadings\_JKF@pawb.uscourts.gov & Rachel\_Bello@deb.uscourts.gov, of the filed status report and each of the following pleadings AND NO OTHERS: complaint, counterclaim, cross claim, answer or responsive pleading; dispositive motions and all responses and replies thereto, and briefs in support; motions involving discovery disputes (with only the portion of the request for interrogatories or production of documents in dispute attached), responses, replies and briefs in support. (As a general rule, the court WILL NOT hold a hearing on discovery disputes and will rule from the papers.) All requests for relief shall have a proposed order attached. If any pleading or brief contains exhibits of more than 10 pages, counsel shall contact the courtroom deputy for special instructions prior to submitting the copies to the email addresses above listed.

**IT IS FURTHER ORDERED** that Plaintiff's counsel shall file a proposed order of default as to each and every defaulting party, at least 10 days prior to each court date set.

**IT IS FURTHER ORDERED** that Discovery may commence as of the date of this order.

**IT IS FURTHER ORDERED** that Plaintiff's counsel, in each Adversary shall serve a copy of this order together with the complaint and summons upon all parties in interest, including the U.S. Trustee and file a certificate of service with the Clerk of the U.S. Bankruptcy Court, District of Delaware.

*Judith K. Fitzgerald*

Judith K. Fitzgerald

United States Bankruptcy Judge

PACHULSKI  
STANG  
ZIEHL  
& YOUNG  
JONES

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RECEIVED

NOV 23 2001

ARIZONA CORP COMMISSION  
CORPORATIONS DIVISION

MICHAEL R. SEIDL

November 16, 2001

MSEIDL@PSZYJ.COM

VIA U.S. MAIL

Re: **AFD Fund v. Various Defendants, Adversary  
Proceedings Pending in United States  
Bankruptcy Court for the District of Delaware**

Dear Counsel and/or Defendants:

As counsel for AFD Fund, I am writing to you because our records show that you are a defendant, counsel for a defendant, or otherwise have an interest in an adversary proceeding brought by AFD Fund or another party and presently pending before the United States Bankruptcy Court for the District of Delaware. If you are a defendant and have obtained counsel, please forward this correspondence to your counsel. This letter addresses several issues of importance to your case; please review it closely.

First, please be advised that, at the request of the Court, the status conference previously scheduled for November 26, 2001, at 9:00 a.m. has been rescheduled to November 27, 2001, at 2:00 p.m. The notice of that changed hearing date is enclosed herewith.

Second, the Court has entered the enclosed Administrative Order Governing the Adversary Proceedings Assigned to Judge Judith K. Fitzgerald (the "Administrative Order"). You should review the Administrative Order closely for its terms; however, in brief, (i) it allows the parties to consent to one thirty-day extension of time to answer, without filing such stipulation with the Court, provided that they are in settlement negotiations; (ii) it allows discovery to commence immediately; and (iii) it sets certain procedural requirements for the plaintiff and the defendants with respect to submissions to the Court.

In accordance with the Administrative Order, AFD Fund has prepared the enclosed Status Report and filed the same with the Court on the date hereof. The Status Report lists all of the adversary

LOS ANGELES  
10100 SANTA MONICA BLVD  
11th FLOOR  
LOS ANGELES  
CALIFORNIA 90067-4100  
TELEPHONE: 310/277-6910  
FACSIMILE: 310/201-0760  
SAN FRANCISCO  
THREE EMBARCADERO CENTER  
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CALIFORNIA 94111-5994  
TELEPHONE: 415/263-7000  
FACSIMILE: 415/263-7010

WEB: WWW.PSZYJ.COM

November 16, 2001  
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proceedings as yet unresolved, the currently scheduled answer date, the date an answer was received (if any), and a brief comment with respect to status. Insofar as there are approximately 400 adversary proceedings presently pending, and status is changing on a daily basis, there may be some inaccuracies. Please advise me of any inaccuracies with respect to your case so that we can advise the Court of the corrections in the Notice of Agenda for the November 27, 2001, hearing, which—under local rules—must be filed 48 hours prior to the hearing.

In addition, this letter constitutes AFD Fund's effort to confer pursuant to Del.Bankr.LR 7016-1. At the November 27, 2001, hearing, the Court will hear a report on the status of the pending adversary proceedings and consider entry of the scheduling order attached as Exhibit A to the Status Report (the "Scheduling Order"). The Scheduling Order places all of the pending adversary proceedings (with a few exceptions noted on Exhibit D to the Status Report) on the same track, proposing, among other items, the deadlines for the close of discovery and for the filing of dispositive motions. The proposed order also leaves open the possibility of a future status hearing at which we could, with respect to individual defendants, amend or alter the Scheduling Order to place special cases on an individualized track. Given the number of adversary proceedings pending before the Court, we urge you to consent to the entry of the enclosed scheduling order at this time and retain unique issues for another day. Nevertheless, if you have specific issues or concerns with respect to the proposed order, please contact me as soon as possible so that we can address those issues and move ahead on a consensual basis at the hearing with respect to scheduling. Additionally, if you have filed a motion that you expect to be heard at the November 27 hearing, please contact me to discuss issues related thereto.

With respect to attendance at the status conference, the Court has advised us that it does not require that defendants or defendants' counsel be present (assuming, of course, that there are no contested issues that you wish to present). Counsel may appear telephonically, if they wish. Please contact me at the above e-mail address or at 302-652-4100 not later than 12:00 noon, prevailing

PACHULSKI  
STANG  
ZIEHL  
E YOUNG  
JONES

LAW OFFICES

November 16, 2001

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eastern time on Monday, November 26, 2001, to advise me that you wish to be included in such a teleconference. I will so inform the Court, arrange a conference call, and forward you dial-in information.

Finally, some administrative issues. If you are or represent a defendant in a preference action, please address inquiries with respect to settlement to Adam Sanderson at 972-361-3522. If you are or represent a defendant in a breach of contract action, please address inquiries with respect to settlement to Jeffrey Nolan at 310-277-6910.

Very truly yours,



Michael R. Seidl

Enclosures

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