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FLEMING COMPANIES INC /OK/
Form 8-K
July 12, 2001

1

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT
PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

Date of Report (Date of earliest event reported): July 9, 2001

FLEMING COMPANIES, INC.

(Exact Name of Registrant as Specified in Charter)

Oklahoma

1-8140

48-

(State or Other Jurisdiction of
Incorporation)

(Commission File Number)

(I.R.S. Employer

1945 Lakepointe Drive, Lewisville, Texas 75057

(Address of Principal Executive Offices) (Zip Code)

(972) 906-8000

(Registrant's telephone number, including area code)

N/A

(Former Name or Former Address, if Changed Since Last Report)

2

ITEM 5. OTHER EVENTS.

On July 9, 2001, the registrant and the plaintiffs in the Storehouse Markets, Inc. et. al. v. Fleming Companies, Inc., et. al. case executed a definitive agreement to settle all claims for \$16 million which will be paid by Fleming and its insurers. The United States District Court for the Western

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District of Missouri preliminarily approved the settlement agreement on July 9, 2001, subject to final court approval at a hearing scheduled for September 10, 2001. If the settlement is not finally approved by the district court, or if the Storehouse Markets case otherwise goes forward, we intend to vigorously defend against these claims, but we cannot predict the outcome of the case. An unfavorable outcome could have a material adverse effect on our financial condition and prospects.

2

3

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

FLEMING COMPANIES , INC.

By: /s/ CARLOS M. HERNANDEZ

Carlos M. Hernandez
Senior Vice President, General Counsel
and Secretary

Date: July 11, 2001

3