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5 ATTORNEYS FOR THE DEBTOR

6 **UNITED STATES BANKRUPTCY COURT**  
7 **DISTRICT OF ARIZONA**

8 In re:  
9 NUTRACEA, a California corporation,  
10  
11 Debtor.

Chapter 11

2:09-bk-28817-CGC

**DEBTOR'S RESERVATION OF  
RIGHTS REGARDING  
COMMITTEE'S REPLY TO  
DEBTOR'S QUALIFIED  
OBJECTION TO APPLICATION  
TO EMPLOY FTI CONSULTING,  
INC.**

15 On March 30, 2010, the Official Committee of Unsecured Creditors (the  
16 "**Committee**") filed its Reply to Debtor's Objection and Notice of Lodging Amended  
17 Order Employing FTI Consulting, Inc. (the "**Reply**"). In the Reply, the Committee states  
18 that FTI has agreed to delete the indemnification provision that Debtor objected to, thus  
19 eliminating the basis of Debtor's objection. Debtor appreciates this concession on the  
20 part of FTI. The Committee goes on to assert, however, that any suggestion that it  
21 agreed to a cap on FTI's fees is erroneous. Debtor is filing this reservation of rights to  
22 make clear that it stands by its original position: It tried to dissuade the Committee from  
23 retaining a financial advisor because of the potentially huge costs involved and the  
24 Committee advised it that the scope of FTI's engagement would be limited and its total  
25 fees would be between \$42,000 and \$96,000. While Debtor appreciates that changed

1 circumstances might lead to a revision of this generous range of potential fees, it reserves  
2 the right to object to the payment of any fees to FTI in excess of \$96,000 and will insist  
3 that good cause be shown for any such excess.

4 DATED this 2nd day of April, 2010.

5 FORRESTER & WORTH, PLLC

6 /s/ SCF (006342)  
7 S. Cary Forrester  
8 Attorneys for the Debtor  
9

10 Copy e-mailed April 2, 2010 or mailed  
11 April 5, 2010 to all those on Official  
12 Notice Service List #3 on file with this  
13 court.

14 /s/ Carrie Lawrence  
15 Carrie Lawrence  
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**File an Answer/Response/Objection:**[2:09-bk-28817-CGC Nutracea, a California corporation](#)

Type: bk

Chapter: 11 v

Office: 2 (Phoenix)

Assets: y

Judge: CGC

**U.S. Bankruptcy Court****District of Arizona**

## Notice of Electronic Filing

The following transaction was received from S. CARY FORRESTER entered on 4/2/2010 at 3:31 PM AZ and filed on 4/2/2010

**Case Name:** Nutracea, a California corporation**Case Number:** [2:09-bk-28817-CGC](#)**Document Number:** [362](#)**Docket Text:**

Reservation of Objection *Debtor's Reservation of Rights Regarding Committee's Reply to Debtor's Qualified Objection to Application to Employ FTI Consulting, Inc.* filed by S. CARY FORRESTER of FORRESTER & WORTH, PLLC on behalf of Nutracea, a California corporation (related document(s) [353] Reply). (FORRESTER, S.)

The following document(s) are associated with this transaction:

**Document description:**Main Document**Original filename:**C:\fakepath\Reservation of Rights.pdf**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=875559564 [Date=4/2/2010] [FileNumber=17261175-0]  
[9d03f5e22b2648efd647bcd489583e82858f90d02cb2afc605e883cdbf9771d99353  
ab94f1b428a9a94dbe605a238cee79a09205446d07df045709379b42455d]]

**2:09-bk-28817-CGC Notice will be electronically mailed to:**

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