

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

RENEE BLASZKOWSKI, et al.	)	Case No. 1:07-cv-21221-CMA
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
MARS, INC., WINN-DIXIE STORES,	)	
INC., et al.	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF DISCHARGE OF DEBT AND PROSECUTION  
OF ACTION IN VIOLATION OF 11 U.S.C. § 524**

Defendant, Winn-Dixie Stores, Inc., gives notice that, for the reasons set forth in the attached correspondence served upon plaintiff's counsel by the Bankruptcy Counsel for Winn-Dixie Stores, Inc., this action is brought in violation of the permanent injunction provisions of 11 U.S.C. § 524 and the Confirmation Order entered by the United States Bankruptcy Court for the Middle District of Florida in Case No. 05-03817 on November 21, 2006. As a matter of law, all actions taken or orders entered in violation of 11 U.S.C. § 524 are void.

Dated: June 1, 2007.

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By: s/ Cynthia C. Jackson  
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May 29, 2007

Catherine J. MacIvor, Esq.  
Maltzman Foreman, P.A.  
One Biscayne Tower  
2 South Biscayne Boulevard, Suite 2300  
Miami, Florida 33131

Re: In re Winn-Dixie Stores, Inc., et al., Debtors; United States Bankruptcy Court, Middle District of Florida, Jacksonville Division; Case No. 05-03817-3F1, Chapter 11, Jointly Administered

Blaszkowski, et al. v. Winn-Dixie Stores, Inc., et al., in the District Court, Southern District of Florida, Miami Division, Case No. 07-21221

Dear Ms. MacIvor:

We represent Winn-Dixie Stores, Inc. and its affiliates in the referenced Chapter 11 cases.

On February 21, 2005, Winn-Dixie Stores, Inc. and its affiliates (collectively, "Winn-Dixie") filed voluntary petitions for reorganization under Chapter 11 of the United States Bankruptcy Code. On November 9, 2006, the Bankruptcy Court entered an order confirming Winn-Dixie's Joint Plan of Reorganization (the "Confirmation Order"). The Plan and Confirmation Order became effective on November 21, 2006 (the "Effective Date").

Pursuant to Section 1141(d) of the Code, the Confirmation Order discharged Winn-Dixie from all debts arising prior to the date of the Effective Date, including all prepetition and administrative expense claims, whether or not (i) a proof of claim for such debt was filed, (ii) such claim was allowed or disallowed or (iii) the holder of such claim accepted or rejected Winn-Dixie's Joint Plan of Reorganization. Each creditor whose claim has been discharged is now barred, pursuant to Section 524(a) of the Code, from instituting or continuing any action or employing any process against Winn-Dixie to collect or recover such debts. Any action taken or order entered with respect to any discharged debt without Bankruptcy Court authorization is void as a matter of law.

Catherine J. MacIvor, Esq.  
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On May 14, 2007, Winn-Dixie was served with a summons and complaint in the referenced class action. Because no timely proof of claim or administrative expense claim was filed with the Bankruptcy Court by or on behalf of any of the plaintiffs or class representatives, the claims asserted in the class action complaint are time-barred and discharged as set forth in the Confirmation Order. Accordingly, the class action complaint filed by your firm against Winn-Dixie is in violation of Section 524 of the Code and the Bankruptcy Court's Confirmation Order and is void as a matter of law.

By reason of the foregoing, we request that you dismiss Winn-Dixie as a defendant in the class action complaint on or before June 4, 2007, and fax (or e-mail) and mail to us a copy of a file stamped notice of such dismissal. If we do not receive such notice of dismissal by that date, we will file a complaint for appropriate relief, including sanctions, against the plaintiffs *and your firm* in the Bankruptcy Court in Jacksonville, Florida. The complaint will include a request for the stay of the class action complaint pending the resolution of the adversary proceeding before the Bankruptcy Court.

Please call me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Steve Bussey". The signature is written in a cursive, slightly slanted style.

SDB:gww  
By Electronic Mail and  
Federal Express  
00567247

**Certificate of Service**

I certify that on June 1, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day via transmission of Notice of Electronic Filing generated by CM/ECF on the following:

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s/ Cynthia C. Jackson