

- Notice of Filing of Revised Proposed Order with Respect to the Joint Plan of Reorganization for the Debtors under Chapter 11 of the Bankruptcy Code Amended December 14, 2009 (with Technical Modifications) [Docket No. 1138];
- Notice of and Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Expenses and Certain Indemnity Agreements [Docket No. 1139];
- Motion Pursuant to Del. Bankr. L.R. 9006-1(e) for an Order Shortening the Time for Notice of the Hearing to Consider Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Expenses and Certain Indemnity Agreements [Docket No. 1140]; and
- Amended and Restated Declaration of Bradley I. Dietz in Support of Confirmation of Joint Plan of Reorganization for the Debtors under Chapter 11 of the Bankruptcy Code Amended December 14, 2009 [Docket No. 1141].

3. On December 14, 2009, also at the direction of Gibson Dunn, I caused a true and correct copy of the following documents to be served by overnight delivery on the parties as set forth on the service list annexed hereto as Exhibit B:

- Notice of and Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Expenses and Certain Indemnity Agreements [Docket No. 1139]; and
- Motion Pursuant to Del. Bankr. L.R. 9006-1(e) for an Order Shortening the Time for Notice of the Hearing to Consider Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Expenses and Certain Indemnity Agreements [Docket No. 1140].

/s/ Gregory B. Guarton
Gregory B. Guarton

Sworn to before me this 16th day of
December, 2009

/s/ Nancy Formica
Nancy Formica
Notary Public, State of New York
No. 01FO4933172
Qualified in Queens County
Commission Expires: August 8, 2010

EXHIBIT A

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