

**UNITED STATES BANKRUPTCY  
IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	§	Case No. 09-37010
	§	
ERICKSON RETIREMENT	§	Chapter 11
COMMUNITIES, LLC, <i>et al.</i>	§	Jointly Administered
	§	
	§	
Debtors. <sup>1</sup>	§	

**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE AND NOTICE**

**PLEASE TAKE NOTICE** that HCP, Inc. (“HCP”), by and through its counsel of record, Peter M. Gilhuly, Kimberly A. Posin and Lucas R. Bailey of Latham & Watkins LLP, hereby file this Notice of Appearance and Request for Service and Notice pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure, and request, pursuant to Rules 2002, 3017(a) and 9007 of the Federal Rules of Bankruptcy Procedure, that all notices given or required to be given in this case be given to and served upon counsel for HCP at the following address, telephone, facsimile, and email:

LATHAM & WATKINS LLP  
Peter M. Gilhuly  
Kimberly A. Posin  
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**PLEASE TAKE FURTHER NOTICE** that, pursuant to Section 1109(b) of the Bankruptcy Code, this request also includes orders, notices, applications, motions, pleadings, disclosure statement, plan of reorganization or reply papers, made by the debtor or any third

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<sup>1</sup> The Debtors in these chapter 11 cases are Erickson Retirement Communities, LLC, Ashburn Campus, LLC, Columbus Campus, LLC, Concord Campus GP, LLC, Concord Campus, LP, Dallas Campus GP, LLC, Dallas Campus, LP, Erickson Construction, LLC, Erickson Group, LLC, Houston Campus, LP, Kansas Campus, LLC, Littleton Campus, LLC, Novi Campus, LLC, Senior Campus Services, LLC, Warminster Campus GP, LLC, Warminster Campus, LP.

party in the bankruptcy case or contested matters therein, including, without limitation, any of the following:

1. Any notice sent pursuant to Rule of Bankruptcy Procedure 2002(a), (b) or (f);
2. All notices sent to Committees pursuant to Rule 2002(i), including all notices under clauses (2), (3) and (6) of Rule 2002(a); and
3. Any disclosure statement or plan of reorganization sent to parties requesting copies under Rule 3017(a).

**PLEASE TAKE FURTHER NOTICE** that HCP does not consent to or waive any rights through this Notice of Appearance and Request for Special Notice with respect to jurisdiction under Title 11 of the United States Code, and strictly reserves such rights, including (1) the right to trial by jury in any proceeding triable in this case or any case, controversy or proceeding related to this case, (2) the right to have final orders in non-core matters entered only with de novo review by the District Court, and (3) the right to seek to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal.

Dated: October 26, 2009

Respectfully submitted,

LATHAM & WATKINS LLP  
Peter M. Gilhuly  
Kimberly A. Posin  
Lucas R. Bailey

By /s/ Kimberly A. Posin  
Kimberly A. Posin  
Counsel for HCP, Inc.

### **CERTIFICATE OF SERVICE**

I certify that on October 26, 2009, a true and correct copy of the foregoing was served via email through the Bankruptcy Court's Electronic Case Filing System on those parties that have consented to such service, including the Debtors.

By /s/ Kimberly A. Posin  
Kimberly A. Posin