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ATTORNEYS FOR THE BANK OF NEW YORK MELLON, N.A., as Indenture Trustee

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

IN RE:	§	**Chapter 11**
	§	
ERICKSON RETIREMENT COMMUNITIES, LLC, et al.,	§	**Case No. 09-37010-sgj11**
	§	
	§	**Jointly Administered**
	§	
DEBTORS.		

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that Thompson & Knight LLP ("T&K") appears on behalf of The Bank of New York Mellon, N.A., as Indenture Trustee for Erickson Retirement Communities, LLC Subordinated Taxable Adjustable Mezzanine Put Securities Series 2007 (in such capacity, the "Indenture Trustee"), in the above-referenced bankruptcy cases, pursuant to Section 1109(b) of Title 11 of the United States Code (the "Bankruptcy Code") and Rule 9010 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and hereby submits this notice of appearance and requests notice of all hearings and conferences herein and makes demand for service of all papers herein, including all papers and notices pursuant to Rules

2002, 3017, and 9007 of the Bankruptcy Rules. All notices given or required to be given in this case shall be served upon:

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PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules and Section 1109(b) of the Bankruptcy Code, but, without limitation, the schedules, statements of financial affairs, operating reports, pleadings, motions, applications, complaints, demands, hearings, requests or pleadings, and disclosure statement, any letter, objections, answering or reply papers, memoranda and briefs in

support of any of the foregoing and any other document brought before this Court with respect to these proceedings, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, electronic mail, telephone, telegraph, telex or otherwise filed or delivered to the Bankruptcy clerk, Clerk, Court or judge (as those terms are defined in Bankruptcy Rule 9001) in connection with and with regard to this bankruptcy case and any proceeding related thereto as well as the property of the Debtors.

PLEASE TAKE FURTHER NOTICE that neither this Notice nor any later appearance, pleading, proof of claim, claim or suit shall constitute a waiver of (i) the right to have final orders in non-core matters entered only after de novo review by a District Judge, (ii) the right to trial by jury in any proceeding related to this case or any case, controversy, or proceeding related to this case, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) any objection to the jurisdiction of this Bankruptcy Court for any purpose other than with respect to this notice, (v) an election of remedy, (vi) any other rights, claims, actions, defenses, setoffs, or recoupments as appropriate, in law or in equity, under any agreements, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

DATED: November 3, 2009.

Respectfully submitted,

/s/ Katharine B. Richter

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ATTORNEYS FOR THE BANK OF NEW YORK MELLON, N.A., as Indenture Trustee

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2009, a true and correct copy of the foregoing has been served on all parties entitled to service via this Court's ECF filing system and will be sent via U.S. mail to the following:

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/s/ Katharine B. Richter
Katharine B. Richter