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Pro Hac Vice Applications Pending

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS FOR WORTH DIVISION

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In Re:

FIBERTOWER NETWORK SERVICES CORP., et al.,

Debtor(s)

Chapter 11 Case No.:12-44027-DML-11

Jointly Administered (Pending)

## **NOTICE OF APPEARANCE AND REQUEST FOR NOTICE AND PAPERS**

**PLEASE TAKE NOTICE** that, pursuant Rules 2002 and 9010 of the Federal Rules of Bankruptcy Procedure, William S. Sugden, Sage M. Sigler, Courtney L. Sauer and the law firm of Alston & Bird LLP hereby enter their appearance as counsel for creditor T-Mobile USA, Inc., (T-Mobile) and request that all notices given or required to be given in this case, and all

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pleadings, papers, or other documents filed, served, or required to be served in this case, including, without limitation, all orders and notices of any application, motion, petition, pleading, request, complaint, demand, or document, whether written or oral, and whether transmitted or conveyed by mail, electronic mail, ECF notice, hand delivery, telephone, facsimile, or otherwise, be served upon the following:

Courtney L. Sauer (SBN 24066026) ALSTON & BIRD LLP 2828 N. Harwood Street, Suite 1800 Dallas, Texas 75201 Telephone: (214) 922-3454 Facsimile: (214) 922-3834 Email: courtney.gilbert@alston.com William S. Sugden (GA Bar No. 690790)
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**PLEASE TAKE FURTHER NOTICE** that this entry of appearance is not intended as nor is it a consent to the jurisdiction of the Bankruptcy Court over T-Mobile, and that nothing herein or otherwise, including, without limitation, any later appearance, pleading, claim, or action, is intended or shall be deemed to be a waiver, release, or modification by T-Mobile of its (a) right to have final orders in non-core matters entered after *de novo* review by a District Judge; (b) right to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case; (c) right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (d) other rights, claims, actions,

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defenses, or recoupments to which T-Mobile is or may be entitled, all of which are hereby expressly reserved.

DATED: July 30, 2012

Respectfully submitted,

/s/ Courtney L. Sauer Courtney L. Sauer (SBN 24066026) ALSTON & BIRD LLP 2828 N. Harwood Street, Suite 1800 Dallas, Texas 75201 Tel: (214) 922-3454 Fax: (214) 922-3834 Email: courtney.gilbert@alston.com

-And

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## CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing to be served on the persons identified below, at the addresses shown below, postage prepaid, U.S. first class mail, on July 30, 2012.

<u>Debtor</u> FiberTower Network Services Corp. 2613 Gravel Drive Fort Worth, TX 76118

Attorneys for Debtor Jason S. Brookner Andrews Kurth LLP 1717 Main Street Suite 3700 Dallas, TX 75201

<u>U.S. Trustee</u> U.S. Trustee 1100 Commerce Street Room 976 Dallas, TX 75242-1496

<u>Judge's copy</u> Honorable D. Michael Lynn 501 West 10th Street Room 128 Fort Wort, TX 76102

DATED: July 30, 2012

Respectfully submitted,

<u>/s/ Courtney L. Sauer</u> Courtney L. Sauer