

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

**In re:**

**GRACEWAY PHARMACEUTICALS, LLC,  
*et al.*,**

**Debtor.**

**Chapter 11**

**Case No. 11-13036**

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

**PLEASE TAKE NOTICE** that the undersigned appears as counsel in the above-referenced bankruptcy case for Ei Inc. and, pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure hereby gives notice of such appearance.

**TAKE FURTHER NOTICE** that the undersigned, pursuant to Rule 2002(g) of the Federal Rules of Bankruptcy Procedure, hereby requests that all notices given or required to be given, and all papers served or required to be served, in this case be given to and served upon each of the persons identified below at the address indicated below.

**TAKE FURTHER NOTICE** that, pursuant to 11 U.S.C. § 1109(b), the foregoing request includes not only notices and papers referred to in the rules specified above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint, or demand, made by the debtor or any party in interest in this case.

**TAKE FURTHER NOTICE** that neither this Notice of Appearance or Request for Service nor any subsequent appearance, pleading, claim or suit, is intended to waive and should not be construed as a waiver of Ei Inc.'s (i) right to have final orders in noncore matters entered only after *de novo* review or trial by a District Court, (ii) right to trial by jury in any proceeding or trial so triable herein or in any case, controversy, or proceeding relating hereto, (iii) right to have the reference withdrawn by the District Court in any matter subject to mandatory or

discretionary withdrawal, or (iv) rights, claims, actions, defenses, setoffs or recoupments to which Ei Inc. is or may be entitled to under agreements, in law, in equity, or otherwise, all of which rights, claims, actions, defenses, setoffs, or recoupments it fully and expressly reserves. Further, this Notice of Appearance constitutes a special appearance and is not to be deemed a consent to or waiver of the right to challenge jurisdiction of any court, including without limitation, the United States Bankruptcy Court for the District of Delaware, all of which rights are reserved without prejudice.

This 10<sup>th</sup> day of October, 2011.

/s/ Brett D. Fallon  
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*Attorneys for Ei Inc.*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 10, 2011, a true and correct copy of the Notice of Appearance and Request for Notices and Service of Papers was filed electronically with the Court. Notice of this filing will be sent today to all parties via the Court's electronic filing system.

This 10<sup>th</sup> day of October, 2011.

/s/ Brett D. Fallon

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