

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

FILED  
U.S. BANKRUPTCY COURT  
INDIANAPOLIS DIVISION  
2012 OCT -1 PM 3:17  
SOUTHERN DISTRICT  
OF INDIANA  
KEVIN P. DEMPSEY  
CLERK

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In re: : Chapter 11  
: :  
TWG CAPITAL, INC., : :  
: : Case No. 12-11019-BHL-1101EPK  
: :  
Debtor. : :  
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**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS**

**PLEASE TAKE NOTICE** that Peter S. Partee, Sr. and the firm of Hunton & Williams LLP hereby enter their appearance on behalf of Carmel Funding, LLC, in its capacity as proposed DIP lender and proposed stalking horse bidder ("Carmel"), pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Rule B-9010-1(a)(1) of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana, and section 1109(b) of Title 11 of the United States Code (the "Bankruptcy Code").

**PLEASE TAKE FURTHER NOTICE** that Carmel hereby requests, pursuant to Bankruptcy Rule 2002 and Bankruptcy Code section 1109(b), that copies of all notices and pleadings given, and all papers served or required to be served, be given and served upon the following person at the address, telephone number, facsimile number and e-mail address indicated:

Peter S. Partee, Sr.  
HUNTON & WILLIAMS LLP  
200 Park Avenue  
New York, New York 10166  
Telephone: (212) 309-1000  
Facsimile: (212) 309-1100  
Email: [ppartee@hunton.com](mailto:ppartee@hunton.com)

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Bankruptcy Code section 1109(b), the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, all orders and notices of

any applications, petitions, motions, complaints, requests or demands, hearings, answering or reply papers, memoranda, and briefs in support of any of the foregoing and any other document filed with, or otherwise brought before, this Court with respect to the above-referenced bankruptcy proceeding, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, courier service, hand delivery, telephone, facsimile transmission, telegraph, telex, e-mail or otherwise.

**PLEASE TAKE FURTHER NOTICE** that Carmel intends neither this Notice of Appearance and Request for Service of Papers nor any later appearance, pleading, claim or suit shall waive (i) Carmel's right to have final orders in non-core matters entered only after *de novo* review by a District Court Judge, (ii) Carmel's right to trial by jury in any proceeding so triable in any case, controversy, or proceeding related to this bankruptcy proceeding, (iii) Carmel's right to have the United States District Court for the Southern District of Indiana withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which Carmel is or may be entitled under agreements, in law or in equity, including the right to contest the jurisdiction of the United States Bankruptcy Court for the Southern District of Indiana over Carmel, all of which rights, claims, actions, defenses, setoffs, and recoupments Carmel expressly reserves.

Dated: October 1, 2012  
New York, New York

  
**HUNTON & WILLIAMS LLP**

Peter S. Parlee, Sr.  
200 Park Avenue, 53<sup>rd</sup> Floor  
New York, New York 10166-0136  
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*Counsel to Carmel Funding, LLC, in its capacity as proposed DIP lender and proposed stalking horse bidder*