Case 2:08-bk-62733 Doc 23-1 Filed 12/31/08 Entered 12/31/08 19:52:31 Desc Exhibit A Page 1 of 7

EXHIBIT A

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

x	Chapter 11
In re:	- -
TRIAD RESOURCES, INC.,	Case No. 08-62733
: Debtor.	Judge C. Kathryn Preston
x In re: :	Chapter 11
TRIAD ENERGY CORPORATION, :	Case No. 08-62744
	Judge C. Kathryn Preston
In re:	Chapter 11
TRITEX ENERGY, L.L.C.,	Case No. 08-62747
Debtor. :	Judge C. Kathryn Preston
In re:	Chapter 11
TRITEX RESOURCES, L.L.C.,	Case No. 08-62749
Debtor. :	Judge C. Kathryn Preston
In re:	Chapter 11
TRIAD OIL & GAS CO., LTD.,	Case No. 08-62757
	Judge C. Kathryn Preston
In re:	Chapter 11
ALPHA DRILLING, LTD.,	Case No. 08-62759
Debtor. :	Judge C. Kathryn Preston
X	

AFFIDAVIT OF T. STEVEN BLAKE IN SUPPORT OF THE APPLICATION OF DEBTORS AND DEBTORS-IN-POSSESSION PURSUANT TO SECTIONS 327(a) AND 328 OF THE BANKRUPTCY CODE FOR ORDER AUTHORIZING THE RETENTION AND EMPLOYMENT OF RSM MCGLADREY AS FINANCIAL ADVISORS NUNC PRO TUNC AS OF THE PETITION DATE

STATE OF OHIO)
)
COUNTY OF CUYAHOGA)

Now comes T. Steven Blake, after having been first duly sworn according to law, and deposes and states under oath as follows:

- 1. I am a director with the accounting, tax, and business consulting firm of RSM McGladrey Services, Inc. ("RSM"), 1001 Lakeside Avenue, Suite 1400, Cleveland, Ohio 44114-1152. This Affidavit is filed in support of the *Application of Debtors and Debtors in Possession for an Order, Pursuant to Sections 327(a) and 328 of the Bankruptcy Code and Bankruptcy Rules 2014(A) and 6003(A), for the Entry of an Order Authorizing the Debtors to Retain and Employ RSM McGladrey, Inc. as Financial Advisor, Nunc Pro Tunc as of the Petition Date (the "Application") filed by the debtors and debtors-in-possession listed individually in the above caption (collectively, the <u>Debtors</u>).*
- 2. Neither I, nor any member, associate, or professional employee of RSM are a relative, as that term is defined under section 101(45) of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code"), of any judge of the United States Bankruptcy Court for the Southern District of Ohio, or of the United States Trustee for Region 9.
- 3. Neither I, nor any member, associate, or professional employee of RSM are or have been so connected with any judge of the United States Bankruptcy Court for the Southern District of Ohio, the United States Trustee for Region 9, or any person employed by the United

Case 2:08-bk-62733 Doc 23-1 Filed 12/31/08 Entered 12/31/08 19:52:31 Desc Exhibit A Page 4 of 7

States Trustee for Region 9, so as to render the employment of RSM as financial advisor for the Debtors improper under Bankruptcy Rules 5002 or 2014.

- 4. Neither I, nor any member, associate, or professional employee of RSM have any connection with the Debtors, their creditors, their equity security holders, any other party in interest in this case, or their respective attorneys and accountants, except as set forth below:
- A. Connection with the Debtors: prior to the petition date, RSM provided consulting services to the Debtors as indicated in the Application. For these services RSM received \$43,900.29 (the "<u>Prior Services</u>"). RSM also received a further retainer in the amount of \$50,000. Other than the Prior Services, RSM has not performed any services for the Debtors. RSM is not a creditor of the Debtors.
- B. Connection with the Debtors' equity security holders: RSM does not presently have any known connection with the Debtors' equity security holders. As a national firm, RSM may in the past have had advisory or other commercial or professional relationships with such entities completely unrelated to the Debtors' bankruptcy cases. RSM may, in the future, have advisory or other commercial or professional relationships with such entities; however, will not undertake such relationships while the Debtors' bankruptcy cases are pending.
- C. Connection with the Debtors' creditors and other interested parties: the Debtors have hundreds of creditors and hundreds of interested parties with whom they maintain business relationships. As a national firm, RSM may have (or have had in the past) advisory or other commercial or professional relationships with such entities or persons completely unrelated to the Debtors or their business affairs. No such relationships are related to the Debtors' cases. More specifically, RSM may have in the past represented, may currently represent, and likely in the future will represent, parties-in-interest in these cases in connection with matters unrelated to

Case 2:08-bk-62733 Doc 23-1 Filed 12/31/08 Entered 12/31/08 19:52:31 Desc Exhibit A Page 5 of 7

the Debtors and their chapter 11 cases. For example, RSM previously provided advisory services to Capital One and CitiBank on matters unrelated to the Debtors or the Debtors' bankruptcy cases, neither of which entities currently are active clients of RSM.

- D. Connection with attorneys and accountants of Debtors, their creditors, their equity security holders, and other interested parties: RSM participates in numerous cases and matters involving many different attorneys and accountants, some of which may represent claimants and interested parties with respect to the Debtors and their estates. Furthermore, RSM has in the past, and may in the future, be represented and/or retained by attorneys and law firms, some of whom may be involved in the Debtors' cases. In addition, RSM has in the part and likely will in the future be working with or against other professionals involved in these cases in matters unrelated to the Debtors' cases. Based on my current knowledge, none of these business relations constitutes an interest materially adverse to the Debtors herein in matters upon which RSM is to be employed.
- 5. In determining its disinterestedness in this matter, RSM reviewed its list of current clients. RSM believes that these efforts were reasonable. RSM intends to update its review and disclose any other or further relationship when and if they become known, as necessary and proper.
- 6. To the best of my knowledge, information and belief, neither RSM nor I represent any interest adverse to the Debtors or to their estates.
- 7. All of the information contained the in Application is true and accurate to the best of my knowledge, information, and belief.

Case 2:08-bk-62733 Doc 23-1 Filed 12/31/08 Entered 12/31/08 19:52:31 Desc Exhibit A Page 6 of 7

FURTHER AFFIANT SAYETH NAUGHT.

/s/ T. Steven Blake
T. Steven Blake

SWORN TO and subscribed before me this 30th day of December 2008

Notary Public:/s/ Colleen M. Beitel

Printed:/s/ Colleen M. Beitel

My commission expires: 6/7/07

Case 2:08-bk-62733 Doc 23-1 Filed 12/31/08 Entered 12/31/08 19:52:31 Desc Exhibit A Page 7 of 7

FURTHER AFFIANT SAYETH NAUGHT.

T. Steven Blake

SWORN TO and subscribed before me this 30th day of December 2008

Notary Public: Printed: COLLEEN

My commission expires:_

AGULEEN M. BEITEL, Notary Public State of Chic My Commission Expires 6/7/0