



3. On that same day, also as directed by Davis Polk, I caused a copy of the following documents to be served on the parties listed on the service list attached hereto as Exhibit “B” by overnight delivery:

- Debtors Motion for Order Directing Joint Administration of Chapter 11 Cases [Docket No. 2],
- Debtors Motion for an Extension of Time to File Schedules Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases and Statements of Financial Affairs [Docket No. 3],
- Debtors Motion for (i) Waiver of Requirement for Filing List of Creditors and (ii) Authority to Establish Procedures for Notifying Creditors of the Commencement of the Debtors Chapter 11 Cases [Docket No. 4],
- Debtors Motion for authorization (i) To Pay Pre-Petition Claims of Critical Vendors and (ii) to Authorize Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 5]
- Debtors Motion for Authorization to (i) Honor Pre-Petition Obligations to Customers and to Otherwise Continue Customer Programs and Practices in the Ordinary Course of Business and (ii) Authorize Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 6]
- Debtors Motion for Authorization to Continue to Use Existing Cash Management System and Maintain Existing Bank Accounts and Existing Business Forms [Docket No. 7]
- Debtors Motion to Continue and Renew Their Liability, Property, Casualty and Other Insurance Programs and Honor All Obligations in Respect Thereof [Docket No. 8]
- Debtors Motion for Authorization to (i) Pay Pre-Petition Sales and Use Taxes, Employment Taxes and Other Similar Taxes and Fees and (ii) Direct Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 9]
- Debtors Motion Pursuant to Sections 105(a) and 362 of the Bankruptcy Code for an Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estates [Docket No. 10]
- Debtors Motion to Establish Certain Notice, Case Management and Administrative Procedures [Docket No. 11]
- Debtors Motion to (i) Grant Administrative Expense Status to Debtors Undisputed Obligations to Vendors Arising from the Post-Petition Delivery of Goods Ordered

Pre-Petition and (ii) Authorize the Debtors to Pay Those Obligations in the Ordinary Course of Business [Docket No. 12]

- Application to Employ Garden City Group, Inc. as Notice Agent and Claims Agent [Docket No. 13]
- Debtors Motion for Authorization to (i) Pay Pre-Petition Wages, Salaries, Employee Benefits and Other Compensation, (ii) Maintain Employee Benefits Programs and Pay Related Administrative Obligations, (iii) Allow Employees to Proceed with Outstanding Workers Compensation Claims and (iv) Authorize Applicable Banks and Other Financial Institutions to Receive, Process, Honor and Pay All Checks Presented for Payment and to Honor All Fund Transfers [Docket No. 15]
- Motion to (i) Authorize the Use of Cash Collateral, (ii) Grant Adequate Protection to Certain Pre-Petition Secured Parties, (iii) Grant Related Relief, (iv) Schedule and Interim Hearing Pursuant to Bankruptcy Rule 4001 and (v) Schedule a Final Hearing Pursuant to Bankruptcy Rule 4001 [Docket No. 17]
- Notice of Commencement and First Day Hearing [Docket No. 18]
- Order Directing Joint Administration of Chapter 11 Cases [Docket No. 19]
- Interim Order Authorizing the Debtors to (i) Pay Pre-Petition Wages, Salaries, Employee Benefits and Other Compensation, (ii) Maintain Employee Benefits Programs and Pay Related Administrative Obligations, (iii) Allow Employees to Proceed with Outstanding Workers Compensation Claims and (iv) Authorize Applicable Banks and Other Financial Institutions to Receive, Process, Honor and Pall All Checks Presented for Payment and to Honor All Fund Transfer Requests [Docket No. 20]
- Order Granting Extension of Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contract and Unexpired Leases and Statements of Financial Affairs [Docket No. 21]
- Order Granting (i) Waiver of Requirement for Filing List of Creditors and (ii) Authority to Establish Procedures for Notifying Creditors of the Commencement of the Debtors Chapter 11 Cases [Docket No. 22]
- Order Establishing Certain Notice, Case Management and Administrative Procedures [Docket No. 23]
- Interim Order (i) Authorizing the Use of Cash Collateral, (ii) Granting Adequate Protection to Certain Pre-Petition Secured Parties, (iii) Granting Related Relief and (iv) Scheduling a Final Hearing [Docket No. 24]

- Interim Order Authorizing Debtors (i) To Pay Pre-Petition Claims of Critical Vendors and (ii) To Authorize Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 25]
- Order Authorizing Debtors to (i) Pay Pre-Petition Sales and Use Taxes, Employment Taxes and Other Similar Taxes and Fees and (ii) Direct Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 26]
- Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estates [Docket No. 27]
- Order Authorizing Debtors to (i) Honor Pre-Petition Obligations to Customers and to Otherwise Continue customer Programs and Practices in the Ordinary Course of Business and (ii) Authorize Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 28]
- Interim Order Granting Administrative Expense Status to Debtors Undisputed Obligations to Vendors Arising from the Post-Petition Delivery of Goods Ordered Pre-Petition and Authorized Debtor to Pay those Obligations in the Ordinary Course of Business [Docket No. 29]
- Interim Order Authorizing Debtors to Continue to Use Existing Cash Management System and Maintain Existing Bank Accounts and Existing Business Forms [Docket No. 30]
- Interim Order Authorizing the Retention of Garden City Group, Inc. as Notice Agent and Claims Agent [Docket No. 31]
- Interim Order Authorizing Debtors to Continue and Renew Their Liability, Property, Casualty and Other Insurance Programs and Honor All Obligations in Respect Thereof [Docket No. 32]

4. I certify under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

/s/ Craig Johnson  
Craig Johnson

Sworn to before me this 21<sup>st</sup> day of  
January 2009

/s/ Debra Wolther  
Notary Public  
State of New York, No. 4853469  
Qualified in Nassau County  
Commission Expires January 27, 2010

## Exhibit A

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