

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)

In re:

MODERN CONTINENTAL
CONSTRUCTION CO., INC.,

Debtor.

Chapter 11

Case No. 08-14558-WCH

NOTICE OF APPEARANCE AND REQUEST FOR NOTICE

Pursuant to 11 U.S.C. § 1109(b), Fed. R. Civ. P. 2002 and 9010, and MLBR 9010-3, please enter the appearances of the following attorneys as counsel for Powers Fasteners, Inc. in the above-captioned bankruptcy case:

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The undersigned hereby request copies of all notices, papers and orders required to be given or served in accordance with Fed. R. Bankr. P. 2002 and MLBR 2002-1 and, in addition, copies of all pleadings, notices of applications, motions, petitions, requests, complaints or demands, whether formal or informal, whether written or oral, and whether transmitted or conveyed electronically or by mail, delivery, telephone, telegram, telefacsimile, telex or otherwise, which affect the above-captioned case or the property of the Debtor, filed by any party in the above-captioned case.

Neither this Notice Of Appearance And Request For Notice nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion or any other writing or conduct, shall constitute waiver of any right:

(a) to have any and all final orders in any and all non-core matters entered only after de novo review by a United States District Court Judge;

(b) to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding the designation vel non of such matters as “core proceedings” pursuant to 28 U.S.C. § 157(b)(s), and whether such jury trial right is pursuant to statute or the United States Constitution;

(c) to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and

(d) to claims, rights, actions, defenses, setoffs, recoupments or other matters to which this party is entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above rights are expressly reserved and preserved without exception and with no purpose of confessing or conceding jurisdiction in any way by this filing or by any other participation in these matters.

POWERS FASTENERS, INC.

By its attorneys,

/s/ John P. Connelly

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Dated: July 7, 2008

CERTIFICATE OF SERVICE

I, John P. Connelly, hereby certify that on the 7th day of July, 2008, a copy of the foregoing Notice Of Appearance and Request For Notice was served by the Court's electronic filing system or by first class mail, postage prepaid on the parties listed below.

/s/ John P. Connelly

John P. Connelly (BBO #546670)

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