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and MTA New York City Transit Authority*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

Metro Fuel Oil Corp., *et al.*

Debtors.

Case Nos. 12-46913 (ESS)
12-46914 (ESS)
12-46916 (ESS)
12-46917 (ESS)
12-46918 (ESS)
12-46919 (ESS)
12-46920 (ESS)
12-46921 (ESS)
12-46922 (ESS)
Jointly Administered

**NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF DOCUMENTS**

PLEASE TAKE NOTICE that, pursuant to Section 1109(b) of title 11 of the United States Code and Rule 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy

Rules”), Diane J. Morgenroth, Diane M. Nardi and Ioana Wenchell hereby appear as counsel for the MTA Metro-North Commuter Railroad and MTA New York City Transit Authority (collectively, the “MTA”), a creditor and party-in-interest in the chapter 11 bankruptcy cases of the above-captioned Debtor.¹ Request is hereby made that all notices and pleadings given or required to be given, and all papers served or required to be served, pursuant to Rules 2002, 2018, 4001, 9007 and 9010 of the Federal Bankruptcy Code, be given and served upon the following persons at the mailing addresses and e-mail addresses listed below:

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PLEASE TAKE FURTHER NOTICE that the foregoing demand includes, without limitation, any notice, application, complaint, demand, motion, petition, pleading or request, whether formal or informal, written or oral and whether transmitted or conveyed by mail, e-mail, facsimile, telephone, telegraph, telex, or otherwise filed or made with regard to the captioned case and proceedings therein.

¹ The Debtors are Metro Fuel Oil Corp., Apollo Petroleum Transport, Inc., Apollo Petroleum Transport, LLC, Apollo Pipeline, LLC, Kings Land Realty, Inc., Metro Biofuels, LLC, Metro Energy Group LLC, Metro Plumbing Services Corp., Metro Terminals Corp. and Metro Terminals of Long Island, LLC.

PLEASE TAKE FURTHER NOTICE that neither this notice of appearance nor any prior or later appearance, pleading, claim, or suit shall waive any right of the parties in interest (1) to have final orders in non-core matters entered only after *de novo* review by a United States District Court judge, (2) to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (3) to have the United States District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (4) to have documents served in accordance with Federal Rule of Bankruptcy Procedure 7004 and Federal Rule of Civil Procedure 4 or (5) to any other rights, claims, actions, or defenses, in law, in equity, or otherwise, all of which rights, claims, actions, and defenses, are expressly reserved.

Dated: October 16, 2012
Brooklyn, New York

MTA

By: /s/ Diane M. Nardi
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