

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

**IN RE:**

**MATTRESS FIRM, INC., *et al.*,  
  
DEBTORS.**

**CHAPTER 11  
CASE NO. 18-12241-CSS  
(Jointly Administered)**

**NOTICE OF APPEARANCE, REQUEST FOR ALL NOTICES  
AND RESERVATION OF RIGHTS**

Pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure, J. Nathan Duggins III, Esquire, and Jennifer P. Himes, Esquire, of the firm of Tuggle Duggins P.A., hereby give notice of entry of appearance on behalf of Brown Investment Properties, LLC, a creditor in the above-captioned matter, and request that all notices, pleadings, plans, motions, applications and other documents filed and/or served in the above-captioned case be sent to the following:

J. Nathan Duggins III, Esq.  
Jennifer P. Himes, Esq.  
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Neither this Notice of Appearance nor any subsequent appearance, pleading, claim or suit is intended to waive (i) this party's right to have final orders entered only after *de novo* review by a district judge in accordance with this party's constitutional rights, (ii) this party's right to trial by jury in any proceedings or trial so triable herein or in any case, controversy or proceeding relating thereto, (iii) this party's right to have the reference withdrawn by the District Court in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs or recoupments to which this party is or may be entitled to under

agreements, in law, in equity, or otherwise, all of which rights, claims, actions, defenses, setoffs and recoupments this party expressly reserves. Further, this Notice of Appearance constitutes a special appearance and is not to be deemed a consent to or waiver of the right to challenge the jurisdiction of the Bankruptcy Court, including without limitation the jurisdiction of the Court to adjudicate any matters, all of which rights are reserved without prejudice.

Respectfully submitted, this the 19<sup>th</sup> day of October, 2018.

/s/ Jennifer P. Himes

J. Nathan Duggins III

NC Bar No. 22029

Jennifer P. Himes

NC Bar No. 48943

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**CERTIFICATE OF SERVICE**  
**18-12241-CSS**

The undersigned hereby certifies that the foregoing **Notice of Appearance, Request for All Notices and Reservation of Rights** was served upon the following by placing a copy of same in the United States mail, First-Class postage pre-paid and addressed as follows, or by the Court's electronic case filing system in the manner prescribed by law to those parties registered with the system for service in this bankruptcy case:

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This the 19<sup>th</sup> day of October, 2018.

/s/ Jennifer P. Himes

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