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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	)	
	)	Chapter 11
FINLAY ENTERPRISES, INC., <u>et al.</u> ,	)	
	)	Case No. 09-14873 (JMP)
Debtors.	)	
	)	Jointly Administered
	)	

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Don Kick, being duly sworn according to law, deposes and says that he is employed by Moses & Singer LLP, and that on the 6th day of January, 2010, he caused a copy of the:

Notice of Withdrawal Without Prejudice of Motion of Official Committee of Unsecured Creditors for an Order (I) Directing Examinations of (A) The Debtors, (B) Harbinger Capital Partners Master Fund I, Ltd., (C) Harbinger Capital Partners Special Situations Fund, L.P., (D) Wilmington Trust FSB, (E) HSBC Bank USA, National Association, (F) U.S. Bank National Association, (G) Coliseum Capital Partners, L.P., (H) Blackwell Partners, LLC, (I) Del Mar Distressed Opportunities Fund Ltd., (J) Del Mar Master Fund Ltd., (K) Blackstone Advisory Services L.P., and (L) Mackenzie Partners, Inc., Pursuant to Bankruptcy Rule 2004, (II) Directing Production of Documents in Connection With the Bankruptcy Rule 2004 Examinations and (III) Granting Related Relief

to be served by first class mail on the parties listed below at the addresses designated by them for such service.

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/s/ Don Kick

Don Kick

Sworn to before me on January 6, 2010

/s/ Marie S. Leybag

Notary Public

Marie S. Leybag
Notary Public, State of New York
No. 01LE5060744
Qualified in Queens County
Commission Expires: May 20, 2010