

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re:

BRD Land & Investment,

Debtor.

Case No. 26-30215
Chapter 11

NOTICE OF APPEARANCE AND
REQUEST FOR NOTICES AND SERVICE OF PAPERS

PLEASE TAKE NOTICE that **Ashton Charleston Residential, LLC** (“Ashton”) hereby requests as provided in 11 U.S.C. §342 and Bankruptcy Rules 2002 and 9007, that all notices given or required to be given and all papers served or required to be served in this case be given to and sent to the following:

Phillip M. Fajgenbaum
Parker Poe Adams & Bernstein LLP
620 South Tryon Street, Suite 800
Charlotte, North Carolina 28202
Telephone: (704) 372-9000

PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, orders and notices of any petition, pleading, complaint, conference, hearing, application, motion, request, or demand, whether formal or informal, written or oral, or transmitted or conveyed by mail, electronic mail, delivery, telephone, telegraph, telex, telecopy, or otherwise in this case.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance or Request for Service nor any subsequent appearance, pleading, claim or suit, is intended to waive and should not be construed as a waiver of Ashton’s (i) right to have final orders in noncore matters entered only after *de novo* review or trial by a District Court, (ii) right to trial by jury in any proceeding or trial so triable herein or in any case, controversy, or proceeding relating hereto, (iii) right to have the reference withdrawn by the District Court in any matter subject to mandatory or discretionary withdrawal, or (iv) rights, claims, actions, defenses, setoffs or recoupments to which Ashton are or may be entitled to under agreements, in law, in equity, or otherwise, all of which rights, Ashton, actions, defenses, setoffs or recoupments Ashton 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 jurisdiction of any court including, without limitation, the United States Bankruptcy Court for the Western District of North Carolina, all of which rights are reserved without prejudice.

This the 2nd day of March, 2026.

/s/ Phillip M. Fajgenbaum
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