

**UNITED STATES BANKRUPTCY COURT FOR THE WESTERN
DISTRICT OF NORTH CAROLINA**

In RE:

BRD LAND & INVESTMENT, et al.,¹

Debtors.

Case No. 26-30215

Chapter 11

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE

PLEASE TAKE NOTICE that **KIMLEY HORN AND ASSOCIATES, INC.** (“Kimley Horn) 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:

Brett M. Neve
Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP (“Smith Anderson”)
P.O. Box 2611
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Telephone: (919) 821-1220

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

¹ Debtors are the following entities (the last four digits of their taxpayer identification numbers follows in parentheses): BRD Land & Investment (6940), BRDL Warden Station Holding Co LLC (0184), and BRDL Warden Station, LLC (4687). The Debtors’ address is 6433 Bannington Road, Charlotte, NC 28226.



not be construed as a waiver of Kimley Horn'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trial so triable herein or in any case, controversy, or proceeding relating hereto, (iii) right to have the reference withdrawn by the District Court in any matter subject to mandatory or discretionary withdrawal, or (iv) rights, claims, actions, defenses, setoffs or recoupments to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 Kimley Horn is or may be entitled to under agreements, in law, in equity, or otherwise, all of which are expressly reserved. 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 expressly reserved. This Notice of Appearance and Request for Service does not give express or implied consent by Smith Anderson to accept service of process of any action commenced under Bankruptcy Rule 7001.

Respectfully submitted this 13th day of March, 2026.

SMITH, ANDERSON, BLOUNT, DORSETT,
MITCHELL & JERNIGAN LLP

/s/ Brett M. Neve

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Attorney for Kimley Horn and Associates, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **NOTICE OF APPEARANCE AND REQUEST FOR NOTICE** with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the following:

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This the 13th day of March, 2026.

SMITH, ANDERSON, BLOUNT, DORSETT,
MITCHELL & JERNIGAN LLP

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