

Ombudsman to retain and employ Carella Byrne in the case *nunc pro tunc* to November 2, 2007, and  
(c) granting such other and further relief as this Court may deem just and proper.

CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN  
Proposed Attorneys for David Knowlton, Ombudsman

By: /s/ Jeffrey A. Cooper  
Jeffrey A. Cooper, Esq.

- and -

By: /s/ Marc D. Miceli  
Marc D. Miceli, Esq.

**DATED:** November 9, 2007  
#331372v2

Application.

20. No previous motion or application for the relief sought herein has been made to this or any other court.

**WHEREFORE**, based upon the foregoing, the Ombudsman respectfully requests that the Court enter an order substantially in the form annexed hereto (a) granting this Application, (b) authorizing the Ombudsman to retain and employ Doyle in the case as his Medical Operations Advisor *nunc pro tunc* to November 2, 2007, and (c) granting such other and further relief as this Court may deem just and proper.

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By: /s/ Jeffrey A. Cooper  
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**DATED:** November 9, 2007

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