

ENTERED

February 15, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:) Chapter 11
)
AVAYA INC., <i>et al.</i> , ¹) Case No. 23-90088 (DRJ)
)
Debtors.) (Jointly Administered)
)
) Re: Docket No. 14

**ORDER (I) WAIVING THE REQUIREMENT
TO FILE A LIST OF EQUITY SECURITY HOLDERS,
(II) AUTHORIZING THE DEBTORS TO REDACT CERTAIN PERSONALLY
IDENTIFIABLE INFORMATION, AND (III) GRANTING RELATED RELIEF**

Upon the emergency motion (the "Motion")² of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for entry of an order (this "Order"), (a) waiving the requirement to file a list of equity security holders; (b) authorizing the Debtors to redact certain personally identifiable information; and (c) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at <http://www.kcellc.net/avaya>. The location of Debtor Avaya Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 350 Mount Kemble Avenue, Morristown, New Jersey 07960.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.



Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The requirement that Debtor Avaya Holdings Corp. file a list of equity security holders pursuant to Bankruptcy Rule 1007(a)(3) is waived.

2. Any requirement that Debtor Avaya Holdings Corp. provide notice directly to equity security holders under Bankruptcy Rule 2002(d) is waived, and the Debtors are authorized to serve the notices required under Bankruptcy Rule 2002(d) on the registered holders of Debtor Avaya Holdings Corp.’s equity securities and, to the extent they are known, on beneficial holders through the appropriate broker, Depository Trust Company participant, or other intermediary. The Debtors are further authorized to issue a press release announcing the bankruptcy filing and will as soon as is practicable cause the notices required under Bankruptcy Rule 2002(d) to be served on registered holders of Debtor Avaya Holdings Corp.’s common stock to be published in full in the *New York Times* or similar publication in the Debtors’ business judgment.

3. The Debtors are authorized to redact on the Creditor Matrix, Schedules and SOFAs, or other document filed with the Court (a) the names, home and email addresses of individuals who are U.S. citizens residing in the United States, and (b) the names, home and email addresses, and other Personal Data of any natural person whose personally identifiable information has been provided to an organization with an establishment in the United Kingdom or a European Economic Area

member state. The Debtors shall provide an unredacted version of the Creditor Matrix, Schedules and SOFAs, and any other filings redacted pursuant to this Order to (x) the Court, the U.S. Trustee, and counsel to any official committee appointed in these chapter 11 cases, and (y) any party in interest upon a request to the Debtors (email being sufficient) or to the Court, that is reasonably related to these chapter 11 cases, subject to the restrictions of the UK GDPR and EU GDPR; *provided* that any receiving party shall not transfer or otherwise provide such unredacted document or the information contained therein to any person or entity not party to the request. The Debtors shall inform the U.S. Trustee and the Court promptly after denying any request for an unredacted document pursuant to this Order.

4. Nothing herein precludes a party in interest's right to seek emergency relief from the provisions herein or file a motion requesting that the Court allow access to the information redacted by this Order.

5. Notice of the Motion as set forth therein shall be deemed good and sufficient notice of such Motion, and the requirements of the Bankruptcy Rules and the Bankruptcy Local Rules are satisfied by such notice.

6. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: February 15, 2023.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE