Docket #137 Date Filed: 02/16/2023 Southern District of Lexas

#### **ENTERED**

February 14, 2023 Nathan Ochsner, Clerk

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

In re:	Chapter 11
AVAYA INC.,	Case No. 23-90088 (DRJ)
Debtor.	
Tax I.D. No. 22-3713430	
In re:	Chapter 11
AVAYA CALA INC.,	Case No. 23-90089
Debtor.	
Tax I.D. No. 52-2229365	
In re:	Chapter 11
AVAYA CLOUD INC.,	Case No. 23-90090
Debtor.	
Tax I.D. No. 61-1677229	
In re:	Chapter 11
AVAYA EMEA LTD.,	Case No. 23-90091
Debtor.	
Tax I.D. No. 52-2229361	
In re:	Chapter 11
AVAYA FEDERAL SOLUTIONS, INC.,	Case No. 23-90093
Debtor.	
Tax I.D. No. 20-8174392	

In re:	Chapter 11
AVAYA HOLDINGS CORP.,	Case No. 23-90094
Debtor.	
Tax I.D. No. 26-1119726	
In re:	Chapter 11
AVAYA HOLDINGS LLC,	Case No. 23-90095
Debtor.	
Tax I.D. No. 20-3766959	
In re:	Chapter 11
AVAYA INTEGRATED CABINET ) SOLUTIONS LLC, )	Case No. 23-90096
Debtor.	
Tax I.D. No. 77-0029449	
In re:	Chapter 11
AVAYA MANAGEMENT L.P.,	Case No. 23-90101
Debtor.	
Tax I.D. No. 83-2293944 )	
In re:	Chapter 11
AVAYA MANAGEMENT SERVICES INC., )	Case No. 23-90103
Debtor.	
Tax I.D. No. 52-2229358	

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In re:	Chapter 11
AVAYA WORLD SERVICES INC.,	Case No. 23-90104
Debtor.	)
Tax I.D. No. 52-2229364	) )
In re:	) Chapter 11
CAAS TECHNOLOGIES, LLC,	Case No. 23-90105
Debtor.	)
Tax I.D. No. N/A	) )
In re:	Chapter 11
CTINTEGRATIONS, LLC,	Case No. 23-90087
Debtor.	) )
Tax I.D. No. 26-1364015	) )
In re:	) Chapter 11
HYPERQUALITY, INC,	Case No. 23-90106
Debtor.	) )
Tax I.D. No. 47-0952924	) )
In re:	Chapter 11
HYPERQUALITY II, LLC,	Case No. 23-90107
Debtor.	)
Tax I.D. No. N/A	) )

In re:	Chapter 11
INTELLISIST, INC.,	Case No. 23-90092
Debtor.	
Tax I.D. No. 20-3550029	
In re:	Chapter 11
KNOAHSOFT, INC.,	Case No. 23-90097
Debtor.	
Tax I.D. No. 51-0618177	
In re:	Chapter 11
SIERRA ASIA PACIFIC INC.,	Case No. 23-90098
Debtor.	
Tax I.D. No. 52-2229362	
In re:	Chapter 11
SIERRA COMMUNICATION ) INTERNATIONAL LLC,	Case No. 23-90099
Debtor.	
Tax I.D. No. 52-2229828	
In re:	Chapter 11
UBIQUITY SOFTWARE CORPORATION, )	Case No. 23-90100
Debtor.	
Tax I.D. No. 94-3396232	

In re:	) Chapter 11
VPNET TECHNOLOGIES, INC.,	) Case No. 23-90102
Debtor.	)
Tax I.D. No. 77-0411193	) (Docket No. 2)

## ORDER (I) DIRECTING JOINT ADMINISTRATION OF THE CHAPTER 11 CASES AND (II) GRANTING RELATED RELIEF

Upon the emergency motion (the "Motion")<sup>1</sup> of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for entry of an order (this "Order"), (a) directing the joint administration of the Debtors' chapter 11 cases for procedural purposes only; and (b) 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 this Court having found that it 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 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, if any (the "Hearing"); and this Court having determined that the legal and factual bases set forth in

<sup>&</sup>lt;sup>1</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

support of the Motion 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 above-captioned chapter 11 cases are consolidated for procedural purposes only and shall be jointly administered by this Court under Case No. 23-90088 (DRJ).
  - 2. Additionally, the following checked items are ordered:
    - a. E One disclosure statement and plan of reorganization may be filed for all of the cases by any plan proponent.
    - b. Exact Parties may request joint hearings on matters pending in any of the jointly administered cases.
    - c. 🗷 Other: See below.
  - 3. The caption of the jointly administered cases will read as follows:

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

In re:		)	Chapter 11
AVAYA INC., et al.,1		)	Case No. 23-90088 (DRJ)
	Debtors.	)	(Jointly Administered)
		_ 丿	

- 4. The foregoing caption satisfies the requirements set forth in section 342(c)(1) of the Bankruptcy Code.
- 5. A docket entry, substantially similar to the following, shall be entered on the dockets of each of the Debtors, other than Avaya Inc., to reflect the joint administration of these chapter 11 cases:

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 <a href="http://www.kccllc.net/avaya">http://www.kccllc.net/avaya</a>. 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.

An order has been entered in accordance with rule 1015(b) of the Federal Rules of Bankruptcy Procedure and rule 1015-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Southern District of Texas directing joint administration of the chapter 11 cases of: Avaya Inc., Case No. 23-90088; Avaya CALA Inc., Case No. 23-90089; Avaya Cloud Inc., Case No. 23-90090; Avaya EMEA Ltd., Case No. 23-90091; Avaya Federal Solutions, Inc., Case No. 23-90093; Avaya Holdings Corp., Case No. 23-90094; Avaya Holdings LLC, Case No. 23-90095; Avaya Integrated Cabinet Solutions LLC, Case No. 23-90096; Avaya Management L.P., Case No. 23-90101; Avaya Management Services Inc., Case No. 23-90103; Avaya World Services Inc., No. 23-90104; CAAS Technologies, LLC, Case No. 23-90105; CTIntegrations, LLC, Case No. 23-90087; HyperQuality, Inc., Case No. 23-90106; HyperQuality II, LLC, Case No. 23-90107; Intellisist, Inc., Case No. 23-90092; KnoahSoft, Inc., Case No. 23-90097; Sierra Asia Pacific Inc., Case No. 23-90098; Sierra Communication International LLC, Case No. 23-90099; Ubiquity Software No. 23-90100; VPNet Corporation, Case and Technologies, Case No. 23-90102. The docket in Case No. 23-90088 (DRJ) should be consulted for all matters affecting this case. All further pleadings and other papers shall be filed in and all further docket entries shall be made in Case No. 23-90088 (DRJ).

- 6. The Debtors shall maintain, and the Clerk of the United States Bankruptcy Court for the Southern District of Texas shall keep, one consolidated docket, one file, and one consolidated service list for these chapter 11 cases.
- 7. Any party in interest may request joint hearings on matters pending in any of these chapter 11 cases.
- 8. Nothing contained in the Motion or this Order shall be deemed or construed as directing or otherwise effecting a substantive consolidation of these chapter 11 cases and this Order shall be without prejudice to the rights of the Debtors to seek entry of an order substantively consolidating their respective cases.
- 9. 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.

- 10. Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order are immediately effective and enforceable upon its entry.
- 11. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.
- 12. 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 14, 2023.

DAVID R. JONES

UNITED STATES BANKRUPT Y JUDGE

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United States Bankruptcy Court Southern District of Texas

In re: Case No. 23-90088-drj
Avaya Inc. Chapter 11

Debtor

#### CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser Page 1 of 2
Date Rcvd: Feb 14, 2023 Form ID: pdf001 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 16, 2023:

Recipi ID Recipient Name and Address

db + Avaya Inc., 350 Mount Kemble Avenue, Morristown, NJ 07960-6635

TOTAL: 1

 $Notice\ by\ electronic\ transmission\ was\ sent\ to\ the\ following\ persons/entities\ by\ the\ Bankruptcy\ Noticing\ Center.$ 

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

#### **BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID Bypass Reason Name and Address cr Citibank, N.A.

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

#### NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 16, 2023 Signature: /s/Gustava Winters

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 14, 2023 at the address(es) listed below:

Name Email Address

Charles A Beckham, Jr

 $on \ behalf \ of \ Creditor \ Citibank \ \ N.A. \ charles. beckham@haynesboone.com, kenneth.rusinko@haynesboone.com$ 

Genevieve Marie Graham

on behalf of Debtor Avaya Inc. ggraham@jw.com

dtrevino@jw.com;kgradney@jw.com;jpupo@jw.com;JacksonWalkerLLP@jubileebk.net

Jayson B. Ruff

on behalf of U.S. Trustee US Trustee jayson.b.ruff@usdoj.gov

Matthew D Cavenaugh

on behalf of Debtor Avaya Inc. mcavenaugh@jw.com

kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;JacksonWalkerLLP@jubileebk.net

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Date Rcvd: Feb 14, 2023 Form ID: pdf001 Total Noticed: 1

US Trustee

USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 5