

**Fill in this information to identify the case:**

Debtor Cytera Communications, LLC

United States Bankruptcy Court for the: \_\_\_\_\_ District of New Jersey  
(State)

Case number 23-14852

**Official Form 410  
Proof of Claim**

**04/22**

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.**

**Part 1: Identify the Claim**

<p><b>1. Who is the current creditor?</b></p>	<p><u>1550 Space Park Partners, KKC</u> Name of the current creditor (the person or entity to be paid for this claim)</p> <p>Other names the creditor used with the debtor <u>Digital Realty Trust, L.P.</u></p>	
<p><b>2. Has this claim been acquired from someone else?</b></p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. From whom? _____</p>	
<p><b>3. Where should notices and payments to the creditor be sent?</b></p> <p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p><b>Where should notices to the creditor be sent?</b></p> <p>See summary page</p>	<p><b>Where should payments to the creditor be sent? (if different)</b></p> <p><u>1550 Space Park Partners, LLC</u> <u>150 California Street</u> <u>Suite 400</u> <u>San Francisco, California 94111, USA</u></p> <p>Contact phone <u>408-387-8514</u></p> <p>Contact email <u>RRak@digitalrealty.com</u></p> <p>Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____</p>
<p><b>4. Does this claim amend one already filed?</b></p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY</p>	
<p><b>5. Do you know if anyone else has filed a proof of claim for this claim?</b></p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Who made the earlier filing? _____</p>	



**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?  No  
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_ \_

7. How much is the claim? \$ 686,375.41. Does this amount include interest or other charges?  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.  
  
See addendum.

9. Is all or part of the claim secured?  No  
 Yes. The claim is secured by a lien on property.  
**Nature or property:**  
 Real estate: If the claim is secured by the debtor's principle residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amount should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

10. Is this claim based on a lease?  No  
 Yes. Amount necessary to cure any default as of the date of the petition. \$ See addendum

11. Is this claim subject to a right of setoff?  No  
 Yes. Identify the property: \_\_\_\_\_



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

No

Yes. Check all that apply:

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies.	\$ _____

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 08/15/2023  
MM / DD / YYYY

/s/Rafal Rak  
Signature

**Print the name of the person who is completing and signing this claim:**

Name Rafal Rak  
First name Middle name Last name

Title Vice President, Portfolio Management

Company Digital Realty Trust, Inc. on behalf of T1550 Space Park Partners, LLC  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_

Contact phone \_\_\_\_\_ Email \_\_\_\_\_



# KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (877)-726-6510 | International 001-310-823-9000

<b>Debtor:</b> 23-14852 - Cyxtera Communications, LLC		
<b>District:</b> District of New Jersey, Newark Division		
<b>Creditor:</b> 1550 Space Park Partners, KKC Digital Realty Trust, Inc., Attn: Rafal Rak 5707 Southwest Parkway Building 1 Suite 275 Austin, Texas, 78735 USA <b>Phone:</b> 408-387-8514 <b>Phone 2:</b>  <b>Fax:</b>  <b>Email:</b> RRak@digitalrealty.com	<b>Has Supporting Documentation:</b> Yes, supporting documentation successfully uploaded <b>Related Document Statement:</b>	
	<b>Has Related Claim:</b> No <b>Related Claim Filed By:</b>	
	<b>Filing Party:</b> Creditor	
<b>Disbursement/Notice Parties:</b> 1550 Space Park Partners, LLC  150 California Street Suite 400  San Francisco, California, 94111 USA <b>Phone:</b>  <b>Phone 2:</b>  <b>Fax:</b>  <b>E-mail:</b>  <b>DISBURSEMENT ADDRESS</b>		
<b>Other Names Used with Debtor:</b> Digital Realty Trust, L.P.	<b>Amends Claim:</b> No <b>Acquired Claim:</b> No	
<b>Basis of Claim:</b> See addendum.	<b>Last 4 Digits:</b> No	<b>Uniform Claim Identifier:</b>
<b>Total Amount of Claim:</b> 686,375.41	<b>Includes Interest or Charges:</b> No	
<b>Has Priority Claim:</b> No	<b>Priority Under:</b>	
<b>Has Secured Claim:</b> No <b>Amount of 503(b)(9):</b> No <b>Based on Lease:</b> Yes, See addendum <b>Subject to Right of Setoff:</b> No	<b>Nature of Secured Amount:</b> <b>Value of Property:</b>  <b>Annual Interest Rate:</b>  <b>Arrearage Amount:</b>  <b>Basis for Perfection:</b>  <b>Amount Unsecured:</b>	
<b>Submitted By:</b> Rafal Rak on 15-Aug-2023 4:05:02 p.m. Eastern Time <b>Title:</b> Vice President, Portfolio Management <b>Company:</b> Digital Realty Trust, Inc. on behalf of T1550 Space Park Partners, LLC		

## United States Bankruptcy Court for the District of New Jersey

Indicate Debtor against which you assert a claim by checking the appropriate box below. **(Check only one Debtor per claim form.)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Cyxtera Communications, LLC (Case No. 23-14852) | <input type="checkbox"/> Cyxtera DC Holdings, Inc. (Case No. 23-14858)        | <input type="checkbox"/> Cyxtera Holdings, LLC (Case No. 23-14863)               |
| <input type="checkbox"/> Cyxtera Technologies, Inc. (Case No. 23-14853)             | <input type="checkbox"/> Cyxtera DC Parent Holdings, Inc. (Case No. 23-14859) | <input type="checkbox"/> Cyxtera Management, Inc. (Case No. 23-14864)            |
| <input type="checkbox"/> Cyxtera Canada TRS, ULC (Case No. 23-14854)                | <input type="checkbox"/> Cyxtera Digital Services, LLC (Case No. 23-14860)    | <input type="checkbox"/> Cyxtera Netherlands B.V. (Case No. 23-14865)            |
| <input type="checkbox"/> Cyxtera Canada, LLC (Case No. 23-14855)                    | <input type="checkbox"/> Cyxtera Employer Services, LLC (Case No. 23-14861)   | <input type="checkbox"/> Cyxtera Technologies Maryland, Inc. (Case No. 23-14866) |
| <input type="checkbox"/> Cyxtera Communications Canada, ULC (Case No. 23-14856)     | <input type="checkbox"/> Cyxtera Federal Group, Inc. (Case No. 23-14862)      | <input type="checkbox"/> Cyxtera Technologies, LLC (Case No. 23-14867)           |
| <input type="checkbox"/> Cyxtera Data Centers, Inc. (Case No. 23-14857)             |   |  |

## Official Form 410

# Proof of Claim

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

### Part 1: Identify the Claim

<b>1. Who is the current creditor?</b>	1550 Space Park Partners, LLC Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor <u>Digital Realty Trust, L.P.</u>	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
<b>3. Where should notices and payments to the creditor be sent?</b>  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
	<u>Digital Realty Trust, Inc., Attn: Rafal Rak</u> Name <u>5707 Southwest Parkway, Building 1, Suite 275</u> Number Street <u>Austin Texas 78735</u> City State ZIP Code <u>US</u> Country Contact phone <u>(408) 387-8514</u> Contact email <u>RRak@digitalrealty.com</u>	<u>1550 Space Park Partners, LLC</u> Name <u>150 California Street, Suite 400</u> Number Street <u>San Francisco California 94111</u> City State ZIP Code <u>US</u> Country Contact phone _____ Contact email _____
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. **Do you have any number you use to identify the debtor?**  No  
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_ \_

7. **How much is the claim?**  
 \$ 686,375.41 **Does this amount include interest or other charges?**  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. **What is the basis of the claim?** Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
 Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
 Limit disclosing information that is entitled to privacy, such as health care information.  
See addendum

9. **Is all or part of the claim secured?**  No  
 Yes. The claim is secured by a lien on property.  
**Nature of property:**  
 Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
 Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amount should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

10. **Is this claim based on a lease?**  No  
 Yes. **Amount necessary to cure any default as of the date of the petition.** \$ See addendum

11. **Is this claim subject to a right of setoff?**  No  
 Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?  No  Yes. Check all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150* earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.	\$ _____

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?  No  Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.


I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date August 15, 2023  
 \_\_\_\_\_  
 MM / DD / YYYY

DocuSigned by:

  
 Rafal Rak  
 Signature  
 9D0794B2828B411...

Print the name of the person who is completing and signing this claim:

Name	Rafal	Rak
	First name	Middle name Last name
Title	Vice President, Portfolio Management	
Company	Digital Realty Trust, Inc. on behalf of 1550 Space Park Partners, LLC	
	Identify the corporate servicer as the company if the authorized agent is a servicer.	
Address	5707 Southwest Parkway, Building 1, Suite 275	
	Number	Street
	Austin	Texas 78735 US
	City	State ZIP Code Country
Contact phone	(408) 387-8514	Email RRak@digitalrealty.com

**Official Form 410****Instructions for Proof of Claim**

United States Bankruptcy Court

12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.  
18 U.S.C. §§ 152, 157 and 3571

**PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:**

Cyxtera Technologies, Inc. Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Hwy., Ste. 300  
El Segundo, CA 90245

**How to fill out this form**

- **Fill in all of the information about the claim as of the date the case was filed.**
  
- **Fill in the caption at the top of the form**
  
- **If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.**
  
- **Attach any supporting documents to this form.**  
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)  
  
Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).
  
- **Do not attach original documents because attachments may be destroyed after scanning.**
  
- **If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.**

Alternatively, your claim can be filed electronically on KCC's website at <https://epoc.kccllc.net/cyxtera>.

- **A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth.** See Bankruptcy Rule 9037.
  
- **For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian.** For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

**Confirmation that the claim has been filed**

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at <http://www.kccllc.net/cyxtera>

**Understand the terms used in this form**

**Administrative expense:** Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate.  
11 U.S.C. § 503

**Claim:** A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.



**Claim Pursuant to 11 U.S.C. §503(b)(9):** A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

**Creditor:** A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

**Debtor:** A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

**Evidence of perfection:** Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

**Information that is entitled to privacy:** A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

**Priority claim:** A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

**Proof of claim:** A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

**Redaction of information:** Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

**Do not file these instructions with your form.**

**Secured claim under 11 U.S.C. §506(a):** A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

**Setoff:** Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

**Uniform claim identifier:** An optional 24-character identifier that some creditors use to facilitate electronic payment.

**Unsecured claim:** A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

### Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**WEIL, GOTSHAL & MANGES LLP**

Gary T. Holtzer, Esq.  
Jessica Liou, Esq.  
Stephanie Morrison, Esq.  
767 Fifth Avenue  
New York, New York 10153  
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**ECKERT SEAMANS CHERIN & MELLOTT, LLC**

Michael A. Alberico, Esq.  
Princeton Pike Corporate Center, Suite 203  
2000 Lenox Drive  
Lawrenceville, New Jersey 08648  
Telephone: (914) 286-2851  
Facsimile: (914) 949-5424  
Michael A. Alberico, Esq.

In Re:

CYXTERA TECHNOLOGIES, INC., *et al.*,

Debtors.<sup>1</sup>

Case No. 23-14853 (JKS)

Chapter 11

(Jointly Administered)

**ADDENDUM TO PROOF OF CLAIM FILED BY 1550 SPACE PARK PARTNERS, LLC**

1. 1550 Space Park Partners, LLC (“**1550 Space Park Partners**”), submits this addendum to its proof of claim (the “**Proof of Claim**”) against Cyxtera Communications, LLC (the “**Debtor**” and, together with its debtor-affiliates in the above-captioned chapter 11 cases, the “**Debtors**”). By submitting this Proof of Claim, 1550 Space Park Partners does not waive or

<sup>1</sup> 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 <https://www.kcellc.net/cyxtera>. The location of Debtor Cyxtera Technologies, Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is: 2333 Ponce de Leon Boulevard, Ste. 900, Coral Gables, Florida 33134.

modify any claims that it may hold against any of the Debtors, regardless of whether such claims are included on any of the Debtors' Schedules of Assets and Liabilities or Statements of Financial Affairs, and any such claims by 1550 Space Park Partners are expressly preserved and incorporated herein.

2. On June 4, 2023 (the "**Petition Date**"), each of the Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "**Bankruptcy Code**") in the United States Bankruptcy Court for the District of New Jersey (the "**Court**").

3. On July 19, 2023, the Court entered an order (Docket No. 298) (the "**Bar Date Order**") establishing the dates by which parties holding prepetition claims against the Debtors must file proofs of claim, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code.

4. Pursuant to the Bar Date Order, the Court established August 15, 2023 at 4:00 p.m. (Eastern Time) as the deadline (the "**Bar Date**") for non-governmental creditors to assert any claims against the Debtors that arose prior to the Petition Date.

5. The Bar Date Order also provides that any claim arising from the rejection of an executory contract or unexpired lease must be filed on or before the later of (a) the Bar Date and (b) thirty (30) calendar days after entry of the order authorizing such rejection, unless otherwise specified by the Court (the "**Rejection Damages Bar Date**").

#### **BASIS FOR CLAIM**

6. On April 23, 2019, 1550 Space Park Partners, as landlord, and the Debtor, as tenant, entered into that certain Datacenter Lease (as amended, restated, amended and restated, supplemented, or otherwise modified from time to time, the "**1550 Space Park Lease**"), whereby 1550 Space Park Partners granted the Debtor the right to use and possess space located at 1550

Space Park Drive, Santa Clara, California pursuant to the terms and conditions set forth in the 1550 Space Park Lease. Pursuant to the 1550 Space Park Lease, the Debtor, among other things, is primarily obligated to pay 1550 Space Park Partners (i) rent in accordance with the express terms therein, (ii) its proportionate share of operating expenses, and (iii) its proportionate share of real property taxes. As of the Petition Date, the Debtor owes 1550 Space Park Partners approximately \$686,375.41 under the 1550 Space Park Lease. Additionally, to the extent provided under the 1550 Space Park Lease, 1550 Space Park Partners would be entitled to any amounts due for interest, late fees, penalties and/or other similar amounts payable under the 1550 Space Park Lease.

#### **SETOFF AND RECOUPMENT**

7. 1550 Space Park Partners reserves all rights and defenses with respect to setoff and recoupment in connection with the 1550 Space Park Lease and any other contracts or arrangements. Moreover, should the Debtors assert a claim against 1550 Space Park Partners, 1550 Space Park Partners shall have a secured claim to the extent of its right of setoff under section 553 of the Bankruptcy Code against such claim, with respect to the claims asserted herein and any amendments thereto.

#### **RESERVATION OF RIGHTS**

8. 1550 Space Park Partners does not waive or release, and expressly reserves, all rights and remedies at law or in equity that it has or may have against the Debtors.

9. 1550 Space Park Partners reserves the right to amend, modify, supplement, reclassify, or otherwise revise its Proof of Claim at any time and in any respect, including, without limitation, as necessary or appropriate to provide additional detail regarding the claims set forth herein; to add or include any other Debtor or any other entity which may become a debtor in these chapter 11 cases; to revise, quantify, or correct the amount of the claim; to assert additional grounds

for the claims; to assert a further priority, security interest, or similar right with respect to the claims; to reflect any and all additional claims of whatever kind or nature that 1550 Space Park Partners has or may have against the Debtors, including, without limitation, claims for interest, fees (including attorneys' fees), and related expenses that are not ascertainable at this time; to file any claims for payment of administrative expenses (including stub rent) and/or other claims arising after the Petition Date; and/or to attach or submit additional documents supporting these claims that may become available after further investigation or discovery.

10. In executing and filing this Proof of Claim, 1550 Space Park Partners does not submit itself to the jurisdiction of the Bankruptcy Court for any purpose other than with respect to this Proof of Claim against the Debtors, and the execution and filing of this Proof of Claim is not and shall not be deemed any of the following: (i) a waiver of any rights or remedies of 1550 Space Park Partners, or any admission with respect to the appropriateness of any remedy, under any agreement or applicable law; (ii) a waiver of the right to withdraw the reference, or otherwise to challenge the jurisdiction of the Bankruptcy Court, with respect to the subject matter of the claims asserted herein, any objection or other proceeding commenced with respect thereto, or any other proceeding commenced in these cases against or otherwise involving the Debtors; (iii) an admission that any matter is a matter as to which the Bankruptcy Court can enter a final judgment; (iv) a waiver of the right to have final orders entered in matters as to which the Bankruptcy Court lacks the authority to enter final orders only after a *de novo* review by the district court; (v) a consent to the entry by the Bankruptcy Court of final judgment with respect to the claims asserted herein or any other matter; (vi) a waiver or release of 1550 Space Park Partners' claims or rights against any other entity or person that may be liable for all or any part of the claim or any matters related to the claim; (vii) a waiver of any right related to the assumption, assumption and

assignment, or rejection of the 1550 Space Park Lease documented herein or otherwise, or an admission as to the executory nature of the 1550 Space Park Lease documented herein or otherwise; and/or (viii) a waiver of any right related to the confirmation of any plan of reorganization or liquidation proposed in these chapter 11 cases.

11. Neither this Proof of Claim nor any of its contents shall be deemed or construed as an acknowledgment or admission of any liability or obligation on the part of 1550 Space Park Partners. 1550 Space Park Partners specifically reserves all of its defenses and rights, procedural and substantive, including, without limitation, its rights with respect to any claim that may be asserted against 1550 Space Park Partners or any of its affiliates by any Debtor, person, or entity.

12. 1550 Space Park Partners specifically reserves the right to file a claim for rejection damages relating to the 1550 Space Park Lease.

**CLAIMS ARISING ON OR AFTER THE PETITION DATE**

13. The filing of this Proof of Claim does not waive, alter, or otherwise affect any rights 1550 Space Park Partners may have to assert any claims against the Debtors created or otherwise arising on or subsequent to the Petition Date, including but not limited to, any claims related to any services performed that are entitled to administrative expense priority. 1550 Space Park Partners expressly reserves its right to file any and all such claims or similar claims at the appropriate time.

**NOTICE**

Copies of all notices and communications concerning this Proof of Claim should be sent

to:

Digital Realty Trust, Inc.  
5707 Southwest Parkway, Building 1, Suite 275  
Austin, Texas 78735  
Attn: Rafal Rak  
Email: RRak@digitalrealty.com

**With copies to:**

Weil, Gotshal & Manges LLP  
Gary T. Holtzer  
Jessica Liou  
Stephanie Morrison  
767 Fifth Avenue  
New York, NY 10153  
Emails: Gary.Holtzer@weil.com  
Jessica.Liou@weil.com  
Stephanie.Morrison@weil.com

**Exhibit A**

1550 Space Park Lease



**Supporting documents  
provided directly to Debtors'  
counsel upon agreement.**

**Exhibit B**

1550 Space Park Invoice

**Supporting documents  
provided directly to Debtors'  
counsel upon agreement.**