#### KIRKLAND & ELLIS LLP KIRKLAND & ELLIS INTERNATIONAL LLP

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## COLE SCHOTZ P.C.



Order Filed on June 6, 2023 by Clerk U.S. Bankruptcy Court District of New Jersey

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Proposed Co-Counsel for Debtors and Debtors in Possession

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In re:	
CYXTERA TECHNOLOGIES, INC.	Chapter 11
Debtor. <sup>1</sup>	Case No. 23-14853 (JKS)
In re:	
CYXTERA CANADA, LLC	Chapter 11
Debtor.	Case No. 23-14855 (JKS)

<sup>&</sup>lt;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 <u>https://www.kccllc.net/cyxtera</u>. 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.



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In re:		
CYXTERA CANADA TRS, ULC	Chapter 11	
Debtor.	Case No. 23-14854 (JKS)	
In re:		
CYXTERA COMMUNICATIONS CANADA, ULC	Chapter 11	
Debtor.	Case No. 23-14856 (JKS)	
In re:		
CYXTERA COMMUNICATIONS, LLC	Chapter 11	
Debtor.	Case No. 23-14852 (JKS)	
In re:		
CYXTERA DATA CENTERS, INC.	Chapter 11	
Debtor.	Case No. 23-14857 (JKS)	
In re:		
CYXTERA DC HOLDINGS, INC.	Chapter 11	
Debtor.	Case No. 23-14858 (JKS)	
In re:		
CYXTERA DC PARENT HOLDINGS, INC.	Chapter 11	
Debtor.	Case No. 23-14859 (JKS)	
In re:		
CYXTERA DIGITAL SERVICES, LLC	Chapter 11	
Debtor.	Case No. 23-14860 (JKS)	
In re:		
CYXTERA EMPLOYER SERVICES, LLC	Chapter 11	
Debtor.	Case No. 23-14861 (JKS)	
In re:		
CYXTERA FEDERAL GROUP, INC.	Chapter 11	
Debtor.	Case No. 23-14862 (JKS)	

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In re:	
CYXTERA HOLDINGS, LLC	Chapter 11
Debtor.	Case No. 23-14863 (JKS)
In re:	
CYXTERA MANAGEMENT, INC.	Chapter 11
Debtor.	Case No. 23-14864 (JKS)
In re:	
CYXTERA NETHERLANDS B.V.	Chapter 11
Debtor.	Case No. 23-14865 (JKS)
In re:	
CYXTERA TECHNOLOGIES, LLC	Chapter 11
Debtor.	Case No. 23-14867 (JKS)
In re:	
CYXTERA TECHNOLOGIES MARYLAND, INC.	Chapter 11
Debtor.	Case No. 23-14866 (JKS)

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

The relief set forth on the following pages, numbered three (3) through five (5), is

**ORDERED.** 

DATED: June 6, 2023

Honorable John K. Sherwood United States Bankruptcy Court

Case 23-14853-JKS	5 Doc 71	Filed 06/06/23	Entered 06/0	7/23 09:00:40	Desc Main
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(Page   3)			-		
Debtors:	CYXTERA	TECHNOLOGI	ES, INC., et al.		
Case No.	23-14853 (J	KS)			
Caption of Order:	Order (I)	Directing Joint	Administration	of Chapter 11	Cases and
-	(II) Grantin	g Related Relief		_	

Upon the Debtors' Motion for Entry of an Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief (the "Motion"),<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the "Debtors"), for entry of an order (this "Order") (a) authorizing the Debtors to direct 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 the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); 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 Debtors' notice of the Motion was 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 establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor,

## **IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.

<sup>&</sup>lt;sup>2</sup> Capitalized terms used but not otherwise defined herein have the meaning ascribed to them in the Motion.

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Debtors:	CYXTERA TECHNOLOGIES INC., et al.				
Case No.	23-14853 (JKS)				
Caption of Order:	Order (I) Directing Joint Administration of Chapter 11 Cases and				
-	(II) Granting Related Relief				

2. The above–captioned cases hereby are jointly administrated by this Court for procedural purposes only.

3. 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.

4. The Debtors shall maintain, and the Clerk of the United States Bankruptcy Court for the District of New Jersey shall keep, one consolidated docket, one file, and one consolidated service list for these chapter 11 cases.

5. All pleadings, papers, and documents filed in the Lead Case shall bear the caption as shown in **Exhibit 1** attached hereto.

6. The caption shown in <u>Exhibit 1</u> attached hereto satisfies the requirements set forth in section 342(c)(1) of the Bankruptcy Code.

7. All lists, schedules, and statements shall be filed and docketed in the specific Debtor's case to which they are applicable.

8. Any party in interest may request joint hearings on matters pending in any of these chapter 11 cases.

9. If pleadings, papers, or documents have been filed in any of the above–captioned cases other than the Lead Case prior to the entry of this Order, and those matters have not yet been heard and decided, the party who filed the pleading, paper, or document shall (i) refile the pleading, paper, or document in the Lead Case within three (3) business days of the entry of this Order,

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Debtors:	CYXTERA TECHNOLOGIES INC., et al.
Case No.	23-14853 (JKS)
Caption of Order:	Order (I) Directing Joint Administration of Chapter 11 Cases and
	(II) Granting Related Relief

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(ii) set the pleading, paper, or document for hearing before the judge assigned to the Lead Case, and (iii) notice the hearing to all appropriate parties.

10. The Clerk shall file a copy of this order in the Lead Case and each of the affiliated Debtor cases.

11. The Debtors shall file individual monthly operating reports for each Debtor and such reports shall be docketed in the Lead Case.

12. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

13. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Local Rules are satisfied by such notice.

14. Any party may move for modification of this Order in accordance with Local Rule 9013-5(e).

15. A true copy of this Order shall be served on all required parties pursuant to Local Rule 9013-5(f).

16. This Order shall be effective immediately upon entry.

17. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

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# <u>Exhibit 1</u>

**Case Caption** 

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Proposed Co-Counsel for Debtors and Debtors in Possession

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In re:

CYXTERA TECHNOLOGIES, INC., et al.,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-14853 (JKS)

(Jointly Administered)

<sup>&</sup>lt;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 <u>https://www.kccllc.net/cyxtera</u>. 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.