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Proposed Co-Counsel for Debtors and Debtors in Possession



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

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

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

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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.kccllc.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.

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)

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)

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 Doc 87 Filed 06/09/23 Entered 06/10/23 00:16:03 Desc Imaged Certificate of Notice Page 5 of 11

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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

Upon the Debtors' Motion for Entry of an Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief (the "Motion"),² 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.

² 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 **Exhibit 1** 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

(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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Exhibit 1

Case Caption

KIRKLAND & ELLIS LLP KIRKLAND & ELLIS INTERNATIONAL LLP

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Proposed Co-Counsel for Debtors and Debtors in Possession

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In re:	Chapter 11
CYXTERA TECHNOLOGIES, INC., et al.,	Case No. 23-14853 (JKS)
Debtors. ¹	(Jointly Administered)

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.kccllc.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.

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United States Bankruptcy Court District of New Jersey

In re: Case No. 23-14853-JKS

Cyxtera Technologies, Inc. Chapter 11

Debtor

CERTIFICATE OF NOTICE

District/off: 0312-2 User: admin Page 1 of 2
Date Rcvd: Jun 07, 2023 Form ID: pdf903 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 Jun 09, 2023:

Recipi ID Recipient Name and Address

db + Cyxtera Technologies, Inc., 2333 Ponce De Leon Boulevard, Suite 900, Coral Gables, FL 33134-5449

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.

NONE

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: Jun 09, 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 June 7, 2023 at the address(es) listed below:

Name Email Address

Alan J. Brody

on behalf of Creditor Citibank N.A. brodya@gtlaw.com, NJLitDock@gtlaw.com

Dale E. Barney

on behalf of Creditor Ad Hoc First Lien Group dbarney@gibbonslaw.com

David Gerardi

on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov

Joseph L. Schwartz

on behalf of Creditor Wilmington Savings Fund Society FSB, as Administrative Agent and Collateral Agent

jschwartz@riker.com

Lisa Bonsall

on behalf of Creditor PNC Bank National Association lbonsall@mccarter.com

Michael D. Sirota

on behalf of Debtor Cyxtera Technologies Inc. msirota@coleschotz.com,

Case 23-14853-JKS Doc 87 Filed 06/09/23 Entered 06/10/23 00:16:03 Desc Imaged Certificate of Notice Page 11 of 11

District/off: 0312-2 User: admin Page 2 of 2
Date Rcvd: Jun 07, 2023 Form ID: pdf903 Total Noticed: 1

fpis ano@coleschotz.com; ssallie@coleschotz.com; lmorton@coleschotz.com

Phillip Pavlick

on behalf of Creditor PNC Bank National Association ppavlick@mccarter.com

Ronald S. Gellert

on behalf of Interested Party NVIDIA Corporation <code>rgellert@gsbblaw.com</code> <code>abrown@gsbblaw.com</code>

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9