

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

PARETEUM CORPORATION, *et al.*,

Debtors.

Chapter 11

Case. No.: 22-10615 (LGB)

(Jointly Administered)

Related to Docket No. 53

Hearing Date: August 10, 2023 at 10:00 a.m.

Objection Date: August 3, 2023 at 4:00 p.m.

**MOTION FOR ENTRY OF AN ORDER, PURSUANT TO LOCAL
BANKRUPTCY RULE 2090-1(e), TO WITHDRAW AS ATTORNEYS OF RECORD**

Montgomery McCracken Walker & Rhoads LLP, as counsel to Channel Ventures Group, LLC (the “Client”), hereby submits its Motion for an Order Granting the Withdrawal of David M. Banker, Maura I. Russell, and the law firm of Montgomery McCracken Walker & Rhoads LLP (“MMWR”) as attorneys of record for the Client in connection with the above-captioned case (the “Case”). (See Docket No. 53 - *Notice of Appearance and Demand for Service of Papers*).

The undersigned also seeks an Order granting the removal from all service lists in the Case, including all service lists maintained by Kurtzman Carson Consultants, claims agent, and the Court’s ECF notification system.

In support of this Motion, MMWR respectfully states as follows:

The Client’s interest in the Case has substantially ended.¹ The undersigned’s formal representation of the Client in the Case concluded on February 1, 2023, and the Client consents to

¹ On June 14, 2022, Telx-Santa Clara LLC filed its *Objection to the Omnibus Motion for Entry of an Order Authorizing the Assumption of Certain Commercial Executory Contracts Pursuant to 11 U.S.C. § 365(a) and Granting Related Relief* [Docket No. 111] (the “Telx Objection”). Upon information and belief, the Telx Objection remains the only outstanding issues related to the Client. The latest adjourned date for the hearing on the Telx Objection is October 3, 2023. MMWR was instructed by the Client to do no further work as of February 1, 2023 when it reached final settlement with the TEUM Liquidating Trust. MMWR was further instructed by the Client that the Client would address any remaining issues, including with respect to Telx, and interact directly with respective counsel.

the relief requested in this Motion.

The Motion is submitted pursuant to Local Bankruptcy Rule 2090-1(e) of the United States Bankruptcy Court for the Southern District of New York, which provides that an attorney may not withdraw an appearance as attorneys of record except by order of the Court for the case shown. Therefore, this Motion is necessary.

WHEREFORE, MMWR requests that the Court enter an Order, substantially in the form attached hereto as **Exhibit A**, (i) granting the relief sought in this Motion and (ii) granting such other and further relief as the Court may deem just and proper.

Dated: July 18, 2023

Respectfully submitted,

**MONTGOMERY McCracken Walker &
Rhoads LLP**

/s/ Maura I. Russell

Maura I. Russell, Esq.

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Attorneys for Channel Ventures Group, LLC

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Hearing Date: August 10, 2023 at 10:00 a.m.

Objection Date: August 3, 2023 at 4:00 p.m.

**NOTICE OF MOTION FOR ENTRY OF AN ORDER, PURSUANT TO LOCAL
BANKRUPTCY RULE 2090-1(e), TO WITHDRAW AS ATTORNEYS OF RECORD**

PLEASE TAKE NOTICE that, on July 20, 2023, Montgomery McCracken Walker & Rhoads LLP, as counsel to Channel Ventures Group, LLC (the “Client”), filed its Motion for an Order granting the withdrawal of David M. Banker, Maura I. Russell, and the law firm of Montgomery McCracken Walker & Rhoads LLP (“MMWR”) as attorneys of record for the Client in connection with the above-captioned case (the “Case”).

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held on **August 10, 2023 at 10:00 a.m. (prevailing Eastern Time)**, or as soon thereafter as counsel can be heard, before the Honorable Lisa G. Beckerman, United States Bankruptcy Judge (the “Hearing”). In accordance with General Order M- 543 dated March 20, 2020, the Hearing will be conducted via *Zoom for Government*. Parties wishing to appear at the Hearing, whether in a “live” or “listen only” capacity, must make an electronic appearance through the “eCourt Appearances” tab on the Court’s website Bankruptcy Court’s website: (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) no later than August 9, 2023 at 4:00 p.m. (prevailing Eastern Time) (the “Appearance Deadline”). Following the Appearance Deadline, the Court will circulate by email

the Zoom link to the Hearing to those parties who have made an electronic appearance. Parties wishing to appear at the Hearing must submit an electronic appearance through the Court's website by the Appearance Deadline and not by emailing or otherwise contacting the Court. Additional information regarding the Court's Zoom and hearing procedures can be found on the Court's website.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief sought in the Motion must be made in writing and conform with the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules, and be filed with the Clerk of the Bankruptcy Court at the address set forth above, with a copy delivered directly to Judge Beckerman's chambers at: beckerman.chambers@nysb.uscourts.gov, and served upon (i) Maura I. Russell, Esq., Montgomery McCracken Walker & Rhoads LLP, 437 Madison Avenue, New York, NY 10022, (ii) The Debtors, 1185 Avenue of the Americas, 2nd Fl., New York, New York 10036, Attn: Laura W. Thomas, Interim CFO, (laura.thomas@pareteum.com); (iii) Sidley Austin LLP, counsel for the Official Committee of Unsecured Creditors, 787 Seventh Avenue, New York, New York 10022, Attn: Michael G. Burke, Esq. (mgburke@sidley.com); (iv) Togut, Segal & Segal LLP, counsel for the Debtors, One Penn Plaza, Suite 3335, New York, New York 10119, Attn: Frank A. Oswald, Esq. (frankoswald@teamtogut.com); (v) King & Spalding LLP, special counsel for the Debtors, 1185 Avenue of the Americas, New York, New York 10036, Attn: Thad Wilson, Esq. (thadwilson@kslaw.com); (vi) Office of the United States Trustee, for Region 2, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014, Attn: Susan Arbeit, Esq. (Susan.Arbeit@usdoj.gov); (vii) Cole Schotz P.C., attorneys for Anthony Saccullo in his capacity as Liquidating Trustee for the TEUM Liquidating Trust, 1325 Avenue of the Americas, 19th Fl., New York, New York 10019, Attn: Seth Van Aalten, Esq. (svanaalten@coleschotz.com);

(viii) Anthony Saccullo, Liquidating Trustee for the TEUM Liquidating Trust, 27 Crimson King Drive, Bear, Delaware 19701, (ams@sacculloconsulting.com); and (ix) DLA Piper, counsel for the DIP Lender, 1251 Avenue of the Americas, New York, New York, 10020-1104, Attn: Jamila Willis, Esq. (Jamila.willis@dlapiper.com); so as to be filed and actually received by all of them not later than **4:00 p.m. (prevailing Eastern Time) on August 3, 2023.**

PLEASE TAKE FURTHER NOTICE that the Hearing may be adjourned from time to time without further notice to creditors or parties-in-interest.

Dated: July 18, 2023

Respectfully submitted,

**MONTGOMERY McCracken Walker &
Rhoads LLP**

/s/ Maura I. Russell

Maura I. Russell, Esq.

437 Madison Avenue, 24th Floor
New York, NY 10022
Phone: (212) 867-9500
Email: mrussell@mmwr.com

Attorneys for Channel Ventures Group, LLC

Exhibit A – Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

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Debtors.

Chapter 11

Case. No.: 22-10615 (LGB)

(Jointly Administered)

**ORDER GRANTING MOTION TO WITHDRAW AS ATTORNEYS
OF RECORD, PURSUANT TO LOCAL BANKRUPTCY RULE 2090-1(e).**

THIS MATTER having been brought before the Court on *Motion for Entry of an Order, Pursuant to Local Bankruptcy Rule 2090-1(e), to Withdraw as Attorneys of record* (the “Motion”) of David M. Banker, Maura I. Russell, and the law firm of Montgomery McCracken Walker & Rhoads LLP; and the Court having reviewed the Motion and considered this matter pursuant to Local Bankruptcy Rule 2090-1(e) of the Local Rules of the United States Bankruptcy Court for the Southern District of New York; and for good cause shown; and a hearing to consider the Motion having been held before this Court on August 10, 2023 (the “Hearing”); it is hereby

ORDERED that the Motion of David M. Banker, Esq., Maura I. Russell, Esq., and the law firm of Montgomery McCracken Walker & Rhoads LLP to Withdraw as Attorneys of Record to Channel Ventures Group, LLC in the above-captioned bankruptcy case (the “Case”) is granted; and it is further

ORDERED that the request for the removal of David M. Banker, Esq and Maura I. Russell, Esq. and the law firm of Montgomery McCracken Walker & Rhoads LLP on behalf of Channel Ventures Group, LLC from all service lists in the Case, including all service lists maintained by Kurtzman Carson Consultants LLC, claims agent, and the Court’s ECF notification system be and is hereby granted; and it is further

ORDERED that the Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

PARETEUM CORPORATION, *et al.*,

Debtors.

Chapter 11

Case. No.: 22-10615 (LGB)

(Jointly Administered)

CERTIFICATE OF SERVICE

I, Maura I. Russell, hereby certify that, on July 18, 2023, I caused a true and correct copy of the foregoing **Motion for Entry of an Order, Pursuant To Local Bankruptcy Rule 2090-1(e), to Withdraw as Attorneys of Record** to be served via CM/ECF upon all parties receiving such service and additionally via email upon the following parties at the email addresses specified below:

1. The Debtors, 1185 Avenue of the Americas, 2nd Fl., New York, New York 10036, Attn: Laura W. Thomas, Interim CFO, (laura.thomas@pareteum.com);

2. Sidley Austin LLP, counsel for the Official Committee of Unsecured Creditors, 787 Seventh Avenue, New York, New York 10022, Attn: Michael G. Burke, Esq. (mgburke@sidley.com);

3. Togut, Segal & Segal LLP, counsel for the Debtors, One Penn Plaza, Suite 3335, New York, New York 10119, Attn: Frank A. Oswald, Esq. (frankoswald@teamtogut.com)

4. King & Spalding LLP, special counsel for the Debtors, 1185 Avenue of the Americas, New York, New York 10036, Attn: Thad Wilson, Esq. (thadwilson@kslaw.com);

5. Office of the United States Trustee, for Region 2, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014, Attn: Susan Arbeit, Esq. (Susan.Arbeit@usdoj.gov);

6. Cole Schotz P.C., attorneys for Anthony Saccullo in his capacity as Liquidating Trustee for the TEUM Liquidating Trust, 1325 Avenue of the Americas, 19th Fl., New York, New York 10019, Attn: Seth Van Aalten, Esq. (svanaalten@coleschotz.com);

7. Anthony Saccullo, Liquidating Trustee for the TEUM Liquidating Trust, 27 Crimson King Drive, Bear, Delaware 19701, (ams@sacculloconsulting.com); and

8. DLA Piper, counsel for the DIP Lender, 1251 Avenue of the Americas, New York, New York, 10020-1104, Attn: Jamila Willis, Esq. (Jamila.willis@dlapiper.com).

Dated: July 18, 2023

Respectfully submitted,

**MONTGOMERY McCracken Walker &
Rhoads LLP**

/s/ Maura I. Russell

Maura I. Russell, Esq.

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