

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)
) Chapter 11
PLASTIQ INC., *et al.*,¹)
) Case No. 23-10671 (BLS)
Debtors.)
) (Jointly Administered)
)
)
)

**SUPPLEMENTAL NOTICE OF ASSUMPTION AND
ASSIGNMENT OF CERTAIN EXECUTORY CONTRACTS
AND UNEXPIRED LEASES IN CONNECTION WITH SALE**

PLEASE TAKE NOTICE THAT on May 24, 2023, the above-captioned debtors and debtors in possession (each, a “Debtor” and, collectively, the “Debtors”) filed with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) their motion for entry of an order (the “Bidding Procedures Order”), among other things, (i) approving bidding procedures, substantially in the form attached as **Annex 1** to the Bidding Procedures Order, to govern the marketing and sale of all or substantially all of the Debtors’ assets (collectively, the “Assets”), and (ii) authorizing procedures governing the assumption and assignment of certain executory contracts and unexpired leases (the “Assumed Contracts”) to the prevailing bidders acquiring the Assets.

PLEASE TAKE FURTHER NOTICE THAT on June 27, 2023, pursuant to the Bidding Procedures Order, the Debtors filed the *Notice of Possible Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection with the Sale* [Docket No. 148] (the “Notice of Possible Assumption and Assignment”). The Notice of Possible Assumption and Assignment set forth certain of the Assumed Contracts that the Debtors could, but were not required to, seek to assume and assign in connection with the Sale and the corresponding cure amount (each, a “Proposed Cure Amount”), if any, that the Debtors believe was required to be paid to the applicable counterparty (each, a “Counterparty,” and collectively, the “Counterparties”) to each of the Assumed Contracts under sections 365(b)(1)(A) and (B) of the Bankruptcy Code. Pursuant to the Bidding Procedures Order and the Notice of Possible Assumption and Assignment, the deadline for Counterparties to object to the assumption and assignment of their contracts was July 12, 2023 at 4:00 p.m. (prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE THAT on July 31, 2023, the Bankruptcy Court entered the *Order Authorizing (I) the Sale of the Debtors’ Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests; (II) the Debtors to Enter Into and Perform Their*

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: PlastiQ Inc. (6125), PLV Inc. d/b/a/ PLV TX Branch Inc. (5084), and Nearside Business Corp. (N/A). The corporate headquarters and the mailing address for the Debtors is 1475 Folsom Street, Suite 400, San Francisco, California 94103.



Obligations Under the Asset Purchase Agreement and Related Documents; (III) the Debtors to Assume and Assign Certain Contracts and Unexpired Leases; (IV) Waiver of the Stay Periods Under Bankruptcy Rules 6004(H) and 6006(D); and (V) Granting Related Relief[Docket No. 223] (the “**Sale Order**”), which authorized, among other things, (a) the Sale of the Assets to PlastiQ, Powered by Priority, LLC (the “**Purchaser**”) and (b) the Debtors’ entry into and performance under that certain *Equity and Asset Purchase Agreement* (the “**Purchase Agreement**”) attached as Exhibit A to the Sale Order.

PLEASE TAKE FURTHER NOTICE THAT pursuant to the Purchase Agreement, on September 15, 2023, the Purchaser designated certain contracts, which are identified on Exhibit A attached hereto and were previously included in the Notice of Possible Assumption and Assignment, as Assumed Contracts.

PLEASE TAKE FURTHER NOTICE THAT if you would like to obtain copies of the Bidding Procedures Order, the Notice of Possible Assumption and Assignment, the Sale Order or any other pleadings or orders of the Bankruptcy Court, they are publicly available, for a fee via PACER at: <http://www.deb.uscourts.gov>, or free of charge from the claims agent at <https://www.kccllc.net/plastiq>. Such documents and pleadings may also be obtained by calling the Debtors’ restructuring hotline at (877) 634-7180 (toll-free) or +1 (424) 236-7225 (international).

Dated: September 18, 2023
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Jared W. Kochenash

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Counsel for Debtors and Debtors in Possession

EXHIBIT 1

Assumption Schedule

In re: **Plastiq Inc., et al**
Case No. 23-10671
 Exhibit A
 Assumed Contract Schedule

Debtor Entity	Counterparty or Notice Party Name	Contract Description
Plastiq Inc.	Postman Inc.	Invoice #FURPWTKPEUAM-0004
Plastiq Inc.	Postman Inc.	Postman terms of service
Plastiq Inc.	Splunk	PO Confirmation #597040559
Plastiq Inc.	Splunk	Splunk General Terms
Plastiq Inc.	Stripe	Stripe Connect Platform Agreement
Plastiq Inc.	Twilio Inc.	Invoice Number: INV09931411 (Sendgrid)
Plastiq Inc.	Twilio Inc.	ORDCBJ-2022-05
Plastiq Inc.	Twilio Inc.	Order Form #Q-72290-2
Plastiq Inc.	Twilio Inc.	Terms of Service
Plastiq Inc.	Twilio Inc.	Twilio Terms of Service