

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re:	§	
	§	Chapter 11
	§	
SPEEDCAST INTERNATIONAL LIMITED, <i>et al.</i> ,	§	
	§	Case No. 20-32243 (MI)
	§	
Reorganized Debtors. <sup>1</sup>	§	(Jointly Administered)
	§	

**REORGANIZED DEBTORS' OBJECTION TO PROOF OF CLAIM NO. 1352 FILED BY MICHIGAN DEPARTMENT OF TREASURY**

**THIS IS AN OBJECTION TO YOUR CLAIM. THIS OBJECTION ASKS THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED WITHOUT A HEARING.**

SpeedCast International Limited and its affiliates in the above-captioned chapter 11 cases (collectively, the “**Debtors**” and, as reorganized, the “**Reorganized Debtors**”), file this objection (this “**Objection**”), pursuant to sections 105(a) and 502(b) of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Rule 3007-1 of the Bankruptcy Local Rules for the United States Bankruptcy Court for the Southern District of Texas (the “**Bankruptcy Local Rules**”), and respectfully submit in support of the Objection the *Declaration of Michael Healy in Support of the Reorganized Debtors’ Objection to Proof of Claim No. 1352 Filed by Michigan Department of*

<sup>1</sup> A complete list of the Reorganized Debtors in these chapter 11 cases may be obtained on the website of the Reorganized Debtors’ claims and noticing agent at <http://www.kccllc.net/speedcast>. The Reorganized Debtors’ service address for the purposes of these chapter 11 cases is 4400 S. Sam Houston Parkway East, Houston, Texas 77048.



*Treasury* attached hereto as **Exhibit A** (the “**Healy Declaration**”), and request entry of an order, substantially in the form attached hereto as **Exhibit B** (the “**Proposed Order**”) disallowing Proof of Claim No. 1352 (the “**MDT Claim**”) filed the Michigan Department of Treasury against Speedcast Communications, Inc.

**Jurisdiction**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

**Relief Requested**

2. The MDT Claim was filed on September 9, 2020. According to the Debtors’ books and records, the total amount of the MDT Claim was paid in cash on June 3, 2022 (check number 0000001049).

3. Disallowing the MDT Claim will not prejudice the Michigan Department of Treasury, as the MDT Claim does not reflect an existing obligation of the Debtors. Failure to disallow the MDT Claim could result in the Michigan Department of Treasury receiving an unwarranted recovery against the Debtors under the *Third Amended Joint Chapter 11 Plan of SpeedCast International Limited and its Debtor Affiliates* (ECF No. 1394) (the “**Plan**”).

4. Accordingly, the Reorganized Debtors respectfully request that the Court enter the Proposed Order disallowing the MDT Claim.

**Reservation of Rights**

5. This Objection is limited to the grounds stated herein and accordingly is without prejudice to the rights of the Reorganized Debtors or any other party in interest to object to any claim, including the MDT Claim, on any grounds whatsoever, and the Reorganized Debtors expressly reserve all other substantive or procedural objections that they may have. Nothing

contained herein is intended to be or shall be deemed as (i) an admission as to the validity of any claim against the Debtors, (ii) a waiver of the Reorganized Debtors' or any appropriate party-in-interest's rights to dispute the amount of, basis for, or validity of any claim, (iii) a waiver of the Reorganized Debtors' or any other party-in-interest's rights under the Bankruptcy Code or any other applicable nonbankruptcy law, or (iv) an approval, adoption, assumption, or rejection of any agreement, contract, program, policy, or lease under section 365 of the Bankruptcy Code.

**Notice**

6. Notice of this Objection will be provided to (i) any party that has requested notice pursuant to Bankruptcy Rule 2002, (ii) the affected claimant, and (iii) any other party entitled to notice pursuant to Bankruptcy Local Rule 9013-1(d).

**No Previous Request**

7. No previous request for the relief sought herein has been made by the Reorganized Debtors to this or any other court.

WHEREFORE the Reorganized Debtors respectfully request entry of the Proposed Order granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

*[Remainder of page intentionally left blank]*

Dated: June 9, 2022  
Houston, Texas

Respectfully submitted,

/s/ Alfredo R. Pérez

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*Attorneys for the Reorganized Debtors*

**Certificate of Service**

I hereby certify that, on June 9, 2022, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

*/s/ Alfredo R. Pérez*

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Alfredo R. Pérez

**Exhibit A**

**The Healy Declaration**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>In re:</b>	§	
	§	<b>Chapter 11</b>
	§	
<b>SPEEDCAST INTERNATIONAL LIMITED, et al.,</b>	§	
	§	<b>Case No. 20-32243 (MI)</b>
	§	
<b>Reorganized Debtors.<sup>2</sup></b>	§	<b>(Jointly Administered)</b>
	§	

**DECLARATION OF MICHAEL HEALY IN  
SUPPORT OF REORGANIZED DEBTORS' OBJECTION TO PROOF  
OF CLAIM NO. 1352 FILED BY MICHIGAN DEPARTMENT OF TREASURY**

I, Michael Healy, hereby declare:

1. I am the Chief Restructuring Officer of the Reorganized Debtors. I am knowledgeable about and familiar with the Reorganized Debtors' businesses and financial affairs.
2. Except as otherwise indicated, the facts set forth in this Declaration are based upon my personal knowledge, my discussions with other employees of the Reorganized Debtors and/or their advisors, and based upon my experience and knowledge related to the Reorganized Debtors' business operations and books and records. If called upon to testify, I would testify competently to the facts set forth herein. I am authorized to submit this Declaration on behalf of the Reorganized Debtors. I am familiar with the *Reorganized Debtors' Objection to*

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<sup>2</sup> A complete list of the Reorganized Debtors in these chapter 11 cases may be obtained on the website of the Reorganized Debtors' claims and noticing agent at <http://www.kccllc.net/speedcast>. The Reorganized Debtors' service address for the purposes of these chapter 11 cases is 4400 S. Sam Houston Parkway East, Houston, Texas 77048.

*Proof of Claim No. 1352 Filed by Michigan Department of Treasury* (the “**Objection**”), filed on June 9, 2022.<sup>3</sup>

3. To the best of my knowledge, information, and belief, the assertions made in the Objection are accurate. In evaluating the MDT Claim (as defined in the Objection), I reviewed the Objection, and can confirm that the Reorganized Debtors and the Reorganized Debtors’ advisors have reviewed the Reorganized Debtors’ books and records, the relevant proofs of claim, and the supporting documentation provided by the claimant, and with respect to the MDT Claim, the total amount of the MDT Claim was paid in cash on June 3, 2022 (check number 0000001049).

4. Disallowing the MDT Claim will not prejudice the Michigan Department of Treasury, as the MDT Claim does not reflect an existing obligation of the Debtors. Failure to disallow the MDT Claim could result in the Michigan Department of Treasury receiving an unwarranted recovery against the Debtors under the Plan.

5. Moreover, disallowance of this claim will enable the Reorganized Debtors to maintain a claims register that more accurately reflects the claims that exist against the Debtors. As such, I believe that the disallowance of the MDT Claim is appropriate.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the facts set forth in the foregoing declaration are true and correct to the best of my knowledge, information, and belief.

Dated: June 9, 2022  
New York, New York

/s/ Michael Healy  
Name: Michael Healy  
Title: Chief Restructuring Officer

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<sup>3</sup> Capitalized terms used but not defined in this declaration shall have the meaning ascribed to them in the Objection.



**IN THE UNITED STATES BANKRUPTCY COURT  
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<b>In re:</b>	§	
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<b>SPEEDCAST INTERNATIONAL LIMITED, et al.,</b>	§	
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<b>Reorganized Debtors.<sup>1</sup></b>	§	<b>(Jointly Administered)</b>
	§	

**ORDER SUSTAINING REORGANIZED DEBTORS' OBJECTION TO PROOF OF  
CLAIM NO. 1352 FILED BY MICHIGAN DEPARTMENT OF TREASURY**

Upon the objection, dated June 9, 2022 (the “**Objection**”),<sup>2</sup> of SpeedCast International Limited and its affiliates in the above-captioned chapter 11 cases (collectively, the “**Debtors**” and, as reorganized, the “**Reorganized Debtors**”), seeking entry of an order (this “**Order**”) disallowing the Proof of Claim No. 1352 filed by Michigan Department of Treasury (the “**MDT Claim**”) and granting related relief, all as more fully set forth in the Objection, and upon the *Declaration of Michael Healy in Support of the Reorganized Debtors’ Objection to Proof of Claim No. 1352 Filed by Michigan Department of Treasury*; and after due deliberation,

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<sup>2</sup> All capitalized terms used, but not otherwise defined, herein shall have the meanings ascribed to such terms in the Objection.

**IT IS HEREBY ORDERED THAT:**

1. Proof of Claim No. 1352 filed by Michigan Department of Treasury is disallowed.

2. Kurtzman Carson Consultants LLC, as claims, noticing and solicitation agent, is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in this Order.

3. This Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: \_\_\_\_\_, 2022

Houston, Texas

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MARVIN ISGUR  
UNITED STATES BANKRUPTCY JUDGE