

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

*In re*

**AN GLOBAL LLC, et al.,<sup>1</sup>**

**Debtors.**

Chapter 11

Case No. 23-11294 (JKS)

(Jointly Administered)

**Obj. Deadline: February 23, 2024 at 4:00 p.m. (ET)**

**THIRD SUPPLEMENTAL NOTICE OF POSSIBLE ASSUMPTION AND  
ASSIGNMENT WITH RESPECT TO EXECUTORY CONTRACTS AND  
UNEXPIRED LEASES OF THE DEBTORS**

**PLEASE TAKE NOTICE THAT:**

The above-captioned debtors and debtors-in-possession (the “Debtors”) each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), on August 28, August 29, September 1, October 6, and December 28, 2023 (as applicable) with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). The Debtors are seeking to assume and assign certain of their executory contracts and unexpired leases in connection with the sale (the “Sale”) of all or substantially all of their assets (the “Assets”), free and clear of all liens, claims, interests, and encumbrances other than assumed liabilities and permitted encumbrances.

1. The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number or registration number in the applicable jurisdiction, are: AN Global LLC (5504); AgileThought, Inc. (2509); 4th Source Holding Corp. (9629); 4th Source Mexico, LLC (7552); 4th Source, LLC (7626); AgileThought Brasil-Consultoria Em Tecnologia LTDA (01-42); AgileThought Brasil Servicos de Consultoria Em Software (01-20); AgileThought Costa Rica S.A. (6822); AgileThought Digital Solutions, S.A.P.I. de C.V. (3KR0); AgileThought México S.A. de C.V. (7E46); AgileThought, LLC (7076); AgileThought Servicios Administrativos, S.A. de C.V. (4AG1); AgileThought Servicios México S.A. de C.V. (8MY5); AgileThought, S.A.P.I. de C.V. (No Tax ID); AGS Alpama Global Services USA, LLC (0487); AN Data Intelligence, S.A. de C.V. (8173); AN Extend, S.A. de C.V. (1D80); AN Evolution, S. de R.L. de C.V. (7973); AN USA (5502); AN UX, S.A. de C.V. (7A42); Cuarto Origen, S. de R.L. de C.V. (0IQ9); Entrepids México, S.A. de C.V. (OCYA); Entrepids Technology Inc. (No Tax ID); Facultas Analytics, S.A.P.I. de C.V. (6G37); Faktos Inc., S.A.P.I. de C.V. (3LLA); IT Global Holding LLC (8776); QMX Investment Holdings USA, Inc. (9707); AgileThought Argentina, S.A. (No Tax ID); AGS Alpama Global Services México, S.A. de C.V. (No Tax ID); Tarnow Investment, S.L. (No Tax ID); Anzen Soluciones, S.A. de C.V. (No Tax ID); and AgileThought Latam LLC (No Tax ID). The Debtors’ headquarters are located at 222 W. Las Colinas Boulevard, Suite 1650E, Irving, Texas 75039.



By order, dated September 25, 2023 [Docket No. 132] (the “Bidding Procedures Order”),<sup>2</sup> the Bankruptcy Court approved certain relief requested in the related motion [Docket No. 72] (the “Bidding Procedures Motion”), and certain “Bidding Procedures” that govern the Sale of the Assets to the highest or otherwise best bidders. On December 28, 2023, the Bankruptcy Court entered an order [Docket No. 590] (the “Sale Order”) approving, among other things, (i) the Sale of the Assets to AT Holdings Corp. (the “Stalking Horse Bidder”) and (ii) the Debtors’ entry into the Asset Purchase Agreement, dated as of October 4, 2023, with the Stalking Horse Bidder (the “Stalking Horse APA”). Copies of the Bidding Procedures Motion, the Bidding Procedures Order, the Bidding Procedures, the Sale Order, and the Stalking Horse APA are available for download at <http://www.kccllc.net/AgileThought> (the “Case Website”).

**You are receiving this Notice because you or one of your affiliates may be a party to an unexpired lease or an executory contract that *may* be assumed and assigned (collectively, the “Contracts”) in connection with such Sale. A list of the Contracts is attached hereto as Exhibit A.**

**To the extent that a Counterparty to a Contract objects to the assumption and assignment of the Contract by the Stalking Horse Bidder in connection with the Sale, the Counterparty must file and serve an objection (an “Objection”). Any Objection shall: (i) be in writing; (ii) comply with the Bankruptcy Rules and the Local Rules; (iii) be filed with the Clerk of the Court, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801 by February 23, 2024 at 4:00 p.m. (ET) (the “Objection Deadline”), and proof of service of such Objection upon the Objection Notice Parties (as defined below) shall be filed with the Court as and when required by the Local Rules; (iv) be served upon the Objection Notice Parties; and (v) state with specificity the grounds for such objection.**

The “Objection Notice Parties” are:

Counsel to the Debtors	The United States Trustee
Hughes Hubbard & Reed LLP One Battery Park Plaza, 16 <sup>th</sup> Floor New York, NY 10004 Attn: Kathryn A. Coleman, Christopher Gartman & Elizabeth A. Beitler katie.coleman@hugheshubbard.com, chris.gartman@hugheshubbard.com & elizabeth.beitler@hugheshubbard.com  Potter Anderson & Corroon LLP 1313 North Market Street, Sixth Floor P.O. Box 951 Wilmington, DE 19801-6108 Attn: Jeremy W. Ryan jryan@potteranderson.com	Office of the United States Trustee for the District of Delaware 844 King Street, Suite 2207, Lockbox 35 Wilmington, DE, 19801 Attn: Benjamin Hackman benjamin.a.hackman@usdoj.gov
Counsel to the Agent and Stalking Horse Bidder	Counsel to the Committee
Ropes & Gray LLP	Pachulski Stang Ziehl & Jones LLP

2. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Bidding Procedures Order.

<p>1211 Avenue of the Americas New York, NY 10036-8704 Attn: Gregg M. Galardi, Robb Tretter &amp; Leonard Klingbaum Gregg.Galardi@ropesgray.com, Robb.Tretter@ropesgray.com &amp; Leonard.Klingbaum@ropesgray.com</p> <p>Chipman Brown Cicero &amp; Cole, LLP 1313 N. Market Street, Suite 5400 Wilmington, DE 19801 Attn: Mark L. Desgrosseilliers desgross@chipmanbrown.com</p>	<p>919 N. Market Street, 17th Floor P.O. Box 8705 Wilmington, DE 19899-8705 Attn: Robert J. Feinstein, Bradford J. Sandler, Colin R. Robinson, Cia H. Mackle, &amp; Edward C. Corma rfeinstein@pszjlaw.com bsandler@pszjlaw.com crobinson@pszjlaw.com cmackle@pszjlaw.com ecorma@pszjlaw.com</p>
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**If no timely objection is received with respect to a Contract, the non-Debtor party to such Contract shall be deemed to have consented to the Court determining that adequate assurance of future performance has been sufficiently demonstrated and shall be forever barred and estopped from asserting or claiming that the requirement of adequate assurance of future performance is not satisfied or demonstrated.**

Pursuant to the terms of the Bidding Procedures Order, the auction for the Assets, including the Contracts, contemplated to occur on November 15, 2023 at 11:00 a.m. (prevailing Eastern Time), was **cancelled** because the Debtors received only one Qualified Bid. A notice that identifies the Stalking Horse Bidder as the Successful Bidder for the Assets, including any Contracts, was filed and served on November 15, 2023 [Docket No. 432].

*[Remainder of Page Intentionally Left Blank]*

Nothing contained herein shall obligate the Debtors or the Successful Bidder to assume any Contracts, and all rights of the Debtors and the Successful Bidder with respect to such Contracts are reserved. Moreover, the Debtors explicitly reserve their rights, in their reasonable discretion, to seek to reject or assume each Contract pursuant to section 365(a) of the Bankruptcy Code and in accordance with the procedures allowing the Debtors or the Successful Bidder, as applicable, to designate any Contract as either rejected or assumed on a post-closing basis.

Dated: February 14, 2024  
Wilmington, Delaware

Respectfully submitted,

/s/ Gregory J. Flasser

Jeremy W. Ryan (No. 4057)

Gregory J. Flasser (No. 6154)

Sameen Rizvi (No. 6902)

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*Counsel for the Debtors and Debtors-in-Possession*

**EXHIBIT A TO THIRD SUPPLEMENTAL ASSUMPTION NOTICE**

## In re AN Global LLC et al., Case No. 23-11294 (JKS)

### Third Supplemental Contract List

[1] Includes Amendments, Renewals and SOWs

Count	Counterparty	Cure Amount (\$)	Debtor Entity	Description <sup>1</sup>	Execution Date
1	AXTEL, SAB. de CV	(162)	Cuarto Origen S de RL de CV	Telecommunications Agreement	7/9/2022
2	Bradescard Mexico S de RL	-	AgileThought SAPI de CV	Master Service Agreement	11/2/2023
3	COMDATA	-	AgileThought US LLC	Center Card	
4	CORPORATIVO PRISMA, BANCA MIFEL, S.A.	-	AgileThought SAPI de CV	Lease Agreement	10/16/2023
		-	AgileThought Digital Solutions, S.A.P.I. de C.V.	Engagement Letter for Social Security Audit	
5	De la Parra Enriquez y Asociados SC	-	Anzen Soluciones SA de CV	Computer Leasing in Mexico	1/1/2023
		-			10/1/22, 9/1/22,
6	Dell Leasing Mexico S De CV	-	AgileThought Digital Solutions, S.A.P.I. de C.V.		1/1/23
		-		Hardware and access points license for internet	
7	Elizabeth Del Carmen Roldan	-	AgileThought Digital Solutions, SAPI de CV		8/18/2022
8	Infra, SA de CV	-	AgileThought Digital Solutions, SAPI de CV	Service Agreement	9/29/2023
		-	AgileThought Digital Solutions, S.A.P.I. de C.V.	Employee Loans	
		-	AgileThought SAPI de CV		
9	Inmobiliaria Kaza Para Todos SA De SV		Anzen Soluciones SA de CV		1/1/2023
10	IW Services, SA de CV	-	AgileThought SAPI de CV	Service Agreement	10/24/2023
11	Megacable De Mexico Sa De Cv		AgileThought Digital Solutions, S.A.P.I. de C.V.	Phone	4/4/2022
12	Metro Net Hosting, S. De R.L. De C.V.	-	AgileThought Digital Solutions, S.A.P.I. de C.V.	IT Information Hosting	6/1/2023
13	Mexico Red De Telecomunicaciones S	(1,771)	AgileThought Digital Solutions, S.A.P.I. de C.V.	Telecommunications Service Proposal	2/26/2022
14	Miguel Angel Osorio Flores	-	AgileThought Digital Solutions, S.A.P.I. de C.V.	Consultant Service Agreement	11/14/2023
15	Mikonos	-	AgileThought SAPI de CV	Cleaning Service Agreement	10/19/2023
16	Multikard de Mexico SA de CV	-	AgileThought SAPI de CV	Employee Loans	1/1/2023
17	Pluxee Mexico SA de CV	-	AgileThought SAPI de CV	Service Agreement	11/1/2023
18	Qualitas Compañía de Seguros, S.A. de C.V.	-	Agilethought Digital Solutions, S.A.P.I. de C.V.	Master Services Agreement	5/1/2023
19	Qualitas Compañía de Seguros, S.A. de C.V.	-	Agilethought Digital Solutions, S.A.P.I. de C.V.	Master Services Agreement	5/4/2023
20	Qualitas Salud, SA de CV	-	AgileThought Digital Solutions, SAPI de CV	Master Services Agreement	9/1/2023
21	Regus Management Espana	-	Tarnow Investment, S.L.	Virtual Office Lease Agreement	12/1/2023
22	USG Mexico, S.A. de C.V.	-	AgileThought Digital Solutions, S.A.P.I. de C.V.	Service Agreement	9/14/2023
23	Workiva Inc	(8,506)	AgileThought US LLC	Finance and Accounting Software Services	7/2/2022