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Sworn to me this 17th day of February, 2023

Notary Public

Ellen Herb Notary Public, State of New York No. 01HE6163785 Qualified in New York County Commission Expires April 2, 2023

PROOF OF PUBLICATION

February 17, 2023

I, Larnyce Tabron, in my capacity as a Principal Clerk of the Publisher of The New York Times, a daily newspaper of general circulation printed and published in the City, County, and State of New York, hereby certify that the advertisement annexed hereto was published in the editions of The New York Times on the following date or dates, to wit on.

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Larnyce Tabron





A construction site in Lviv, left, and churches boarded against shelling, right. Long-term reconstruction aid will depend on how much money the European Union, the United States and other Ukrainian allies are willing to allocate.

Even as War Goes On, a Battle Looms to Rebuild Ukraine

FROM FIRST BUSINESS PAGE program that provided aid to Western Europe after World War II. Early cost estimates of rebuilding the physical infrastructure range from \$138 billion to \$750 bil-

The prospect of that trove is inspiring altruistic impulses and entrepreneurial vision, savvy business strategizing and rank opportunism for what the Ukrainian chamber of commerce is trumpeting as "the world's largest construction site!"

Mr. Zelensky and his allies want to use the rebuilding to stitch Ukraine's infrastructure seamlessly into the rest of Europe

Yet whether all the gold in the much-anticipated gold rush will materialize is far from certain. Ukraine, whose economy shrank 30 percent last year, desperately needs funds just to keep going and to make emergency repairs. Long-term reconstruction aid will depend not only on the outcome of the war, but on how much money the European Union, the United States and other allies put up.

And though private investors are being courted, few are willing to risk committing money now, as the conflict is entrenched.

Ukraine and several European nations are pushing hard to confiscate frozen Russian assets held abroad, but several skeptics, including officials in the Biden administration, have questioned the legality of such a move.

Nonetheless, "a lot of companies are starting to position themselves to be ready and have some track record for this time when the reconstruction funding will be coming in," said Tymofiy Mylovanov, a former economy minister who is president of the Kyiv School of Economics. "There will be a lot of funding from all over the world," he said, and businesses are saying that "we want to be a part of it."

More than 300 companies from 22 countries signed up for a Rebuild Ukraine trade exhibition and conference this week in Warsaw. The gathering is just the latest in a dizzying series of in-person and virtual meetings. Last month, at the World Economic Forum in Davos, Switzerland, a standing-room-only crowd packed Ukraine House to discuss

investment opportunities. More than 700 French companies swarmed to a conference organized in December by President Emmanuel Macron. And on Wednesday, the Finnish Confederation of Industries sponsored an all-day webinar with Ukrainian officials so companies could show off their wastewater treatment plants, transformers, threshers

and prefabricated housing. Sergiy Tsivkach, the executive director of UkraineInvest, the government office dedicated to attracting foreign investment, is glad for the interest. He was in Lviv last week to meet with inter-



shelling destroyed its Kyiv ware-Danfoss has since focused on elping with immediate needs in war-torn regions and in western Ukraine, where millions of people displaced from their homes have been forced to settle in temporary

shelters. "For now, all efforts are going toward maintaining a survival mode," said Andriy Berestyan, the company's managing director in Ukraine. "Right now, nobody is really looking for major reconstruc-

Ukraine since 1997. When the war

started last February, Russian

tion. Things had been going better for the company since last summer as Ukraine pushed back Russian advances. By October, new orders for Danfoss's products were rolling in, and Mr. Berestyan restored Danfoss's distribution center in Kyiv. Then Russia started dropping bombs en masse. Power and water were widely cut off, forcing Ukraine and businesses — to swing back to

dealing with emergencies. Even so, he said, Danfoss is keeping its eye on the long term. "Definitely there will be rebuilding opportunities," he said, "and we see a huge, huge opportunity for ourselves and for similar companies."

That groundwork is being laid in places like Mykolaiv, one of the hardest-hit regions, where numerous Danish companies have been working. Drones operated by Danish companies have mapped every bombed-out structure, with an eye toward using the data to help decide what reconstruction contracts should be is-

The information would help companies like Danfoss evaluate the potential for business, and eventually bid on contracts.

Other governments that are expected to contribute to Ukraine's reconstruction are also offering financial support for domestic

Germany announced the creation of a fund to guarantee investments. The plan will be overseen by the global auditing giant PwC and would compensate investors for potential financial losses if businesses were expropriated or projects were disrupted.

France will also offer state guarantees to companies doing future work in Ukraine. Bruno Le

Patricia Cohen reported from Lviv. and Liz Alderman from Paris. Eshe Nelson contributed reporting from

Maire, the finance minister, said contracts worth a total of 100 million euros, or \$107 million, had been awarded to three French companies for projects in Ukraine: Matière will build 30 and Lidea are providing seeds for

Private equity firms, too, have an eye on business opportunities. Mr. Zelensky sealed a deal late last year with Laurence D. Fink, the chief executive of BlackRock. to "coordinate investment efforts to rebuild the war-torn nation." BlackRock, the world's largest asset manager, will advise Kyiv on "how to structure the country's reconstruction funds." The work will be done on a pro bono basis, but promises to give BlackRock insights into investors' interests.

Mr. Fink was brought into the effort by Andrew Forrest, a gregarious Australian mining magnate who is the chief executive of Fortescue Metals Group. Mr. Forrest announced a \$500 million initial investment in November, from his own private equity fund, into a new pot of money created for rebuilding projects in Ukraine. The fund would be run with BlackRock and aims to raise at least \$25 billion from sovereign wealth funds controlled by national governments and private investors from around the world for clean energy investments in war-torn areas.

Mr. Forrest has courted Mr. Zelensky, wearing a Ukrainian flag pin in his lapel and presenting the Ukrainian president with an Australian bullwhip during a visit to Kyiv last year. But in a sign of how cautious investors remain, Mr. Forrest said capital would be made available "the instant that the Russian forces have been removed from the homelands of Ukraine" — but not before.



Andriy Berestyan, above, the managing director of Danfoss in Ukraine. Top, a memorial to people who were killed during the 2014 Ukrainian revolution.

national investors. But he emphasized a crucial point.

"They all say, 'We want to help in rebuilding Ukraine,'" Mr. Tsivkach said. "But do you want to invest your own money, or do you want to sell services or goods? These are two different things."

Most are interested in selling something, he said.

That was clearly evident at the Warsaw conference.

What Ukrainian and foreign companies wanted to know was: Who will decide on the contracts, and how do they apply?

"Hundreds of companies have been asking me this," said Tomas Kopecny, the Czech government's

envoy for Ukraine. For businesses, a crucial issue is who will control the money. This is a question that Europe, the United States and global institutions like the World Bank — the biggest donors and lenders — are

vigorously debating. "Who will pay for what?" Domenico Campogrande, director general of the European Construction Industry Federation, said from the stage.

Ukraine has made clear there will be rewards for early investors when it comes to postwar reconstruction. But that opportunity carries risk.

Danfoss, a Danish industrial company that sells heat-efficiency devices and hydraulic power units for apartment and other buildings, has been doing business in floating bridges, and Mas Seeds IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION

Chapter 11 Case No. 23-90088 (DRJ) (Jointly Administered) NOTICE OF COMMENCEMENT OF PREPACKAGED CHAPTER 11 BANKRUPTCY CASES AND HEARING ON THE DISCLOSURE STATEMENT AND CONFIRMATION OF THE **JOINT PREPACKAGED CHAPTER 11 PLAN**

DISCLOSURE STATEMENT AND CONFIRMATION OF THE JOINT PREPACKAGED CHAPTER 11 PLAN

TO: ALL HOLDERS OF CLAIMS, HOLDERS OF INTERESTS, AND PARTIES IN INTEREST IN THE ABOVE-CAPTIONED CHAPTER 11 CASES

PLEASE TAKE NOTICE THAT On February 14, 2023 (the "Petition Date"), the above-captioned debtors and debtors in possession Collectively, the "Debtors", filed with the United States Bankruptcy Court for the Southern District of Texas (the "Bankruptcy Court") the Joint Prepackaged Plan of Reorganization of Awaya Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Docket No. 50] (as amended, supplemented, or otherwise modified from time to time, the "Plan") and proposed disclosure statement (Docket No. 51] (as amended, supplemented, or otherwise modified from time to time, the "Disclosure Statement") pursuant to sections 1125 and 1126(b) of title 11 of the United States Code (the "Bankruptcy Code"). Copies of the Plan and the Disclosure Statement may be obtained upon request of the Debtors' proposed counsel at the address specified below and are on file with the Clerk of the Court, 515 Rusk Street, Houston, Texas 77002, where they are available for review between the hours of 8:00 a.m. to 5:00 p.m., prevailing Central Time. The Plan and the Disclosure Statement also are available for inspection, for a fee, arhttps://pasee.gov (account required) or, free of charge, on the Debtors' restructuring website at http://www.kcdlk.net/avaya.

PLEASE TAKE EURTHER NOTICE THAT 3 hearing (the "Combined")

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ree or charge, on the Debtors restructuring Website at meter/avaya2.

PLEASE TAKE FURTHER NOTICE THAT a hearing (the "Combined Hearing") wil be held before David R. Jones, United States Bankruptcy Judge, in Courtroom 400, 4th Floor of the United States Bankruptcy Judge, in Courtroom 400, 4th Floor of the United States Bankruptcy Judge, in Courtroom 400, 4th Floor of the United States Bankruptcy Court, 515 Rusk Street Houston, Texas 77002, on March 22, 2023, at 10:00 a.m., prevailing Central Time, to consider the adequacy of the Disdosure Statement, any objections to the Disdosure Statement, confirmation of the Plan, any objections thereto, and any other matter that may properly come before the Bankruptcy Court. Please be advised that the Combined Hearing may be continued from time to time by the Bankruptcy Court method in open court or by a notice of adjournment filed with the Bankruptcy Court and served on other parties entitled to notice.

PLEASE TAKE FURTHER NOTICE THAT objections (each, an Objection), 'famy, to the Plan or the Disdosure Statement must: (a) be in writing; (b) comply with the Federal Rules of Bankruptcy Procedure and the of the Bankruptcy to latel Rules for the Southern District of Fexas; (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest beneficially owned by such entity or individual, (d) state with particularly the legal and factual basis for such objections, and, if practicable, a proposed modification to the Plan that would resolve such objections; and (e) be filed with the Bankruptcy court (contemporaneously with a proof of service) and served so as to be actually received no later than March 17, 2023, at 4:00 p.m., prevailing Central Time, by those parties with have a filed a notice of appearance in the Debtors' Chapter 11 Cases as well as each of the following parties: (f) Debtors: Avaya Moldings Corp., 350 Mt. Kemble Avenue, Morristown, NI O'3900, Attn: Shefali Shah, Chief Administrat

CRITICAL INFORMATION REGARDING OBJECTING TO THE PLAN

ARTICLE VIII OF THE PLAN CONTAINS RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS, ARTICLE VIII.D CONTAINS A THIRD-PARTY RELEASE, AND ARTICLE VIII.E CONTAINS A SETTLEMENT GROUP RELEASE. THUS, YOU ARE ADVISED TO REVIEW AND CONSIDER THE PLAN CAREFULLY BECAUSE YOUR RIGHTS MIGHT BE AFFECTED TRIPETUNDED.

THEREUNDER.

ALL HOLDERS OF CLAIMS OR INTERESTS THAT DO NOT (X) ELECTTO DOT OUT OF THE RELEASES CONTAINED IN ARTICLES VIII.D OR VIII.E OF THE PLAN; OR (Y) TIMELY FILE WITH THE BANKRUPTCY COURT ON THE DOCKET OF THE CHAPTER 11 CASES AN OBJECTION TO THE RELEASES CONTAINED IN ARTICLES VIII.D OR VIII.E OF THE PLAN THAT IS NOT RESOLVED BEFORE CONFIRMATION WILL BE DEEMED TO HAVE EXPRESSLY, UNCONDITIONALLY, GENERALLY, INDIVIDUALLY, AND COLLECTIVELY CONSENTED TO THE RELEASE AND DISCHARGE OF ALL CLAIMS AND CAUSES OF ACTION AGAINST THE DEBTORS AND THE RELEASE PARTIES OR THE SETTLEMENT GROUP RELEASED PARTIES, AS APPLICABLE. ASAPPLICABLE.
YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE

PLAN, INCLUDING THE DISCHARGE, RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS IN ARTICLE VIII OF THE PLAN, AS YOUR RIGHTS MIGHT BE AFFECTED.

RIGHTS MIGHT BEAFFECTED.

1 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/avaya.. The location of Debtor Avaya Inc5 principal place of business and the Debtors' service address in these chapter 11 cases is 350 Mount Kemble Avenue, Morristown, New Jersey 07960.

2 Capitalized terms used but not defined herein have the meanings given to them in the Plan or the Disclosure Statement, as applicable. The statements contained herein are summaries of the provisions contained in the Plan and the Disdosure Statement and do not purport to be precise or complete statements of all the terms and provisions of the Plan or the documents referred therein. To the extent there is a discrepancy between terms herein and the Plan or the Discosure Statement, the Plan or the Disdosure Statement, as applicable, shall govern and control. For a more detailed description of the Plan, please refer to the Disdosure Statement.

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

NOTICE OF ORDER APPROVING NOTIFICATION AND HEARING PROCEDURES FOR CERTAIN TRANSFERS OF AND DECLARATIONS OF WORTHLESSNESS WITH RESPECT TO COMMON STOCK AND PREFERRED STOCK TO: ALL ENTITIES (AS DEFINED BY SECTION 101(15) OF THE BANKRUPTCY CODE) THAT MAY HOLD BENEFICIAL OWNERSHIP OF THE EXISTING CLASS (OR SERIES) OF COMMON STOCK (THE "COMMON STOCK") OR ANY EXISTING CLASS (OR SERIES) OF PREFERRED STOCK (THE "PREFERRED STOCK") OF AVAYA HOLDINGS CORP.

HOLDINGS CORP:

PLEASE TAKE NOTICE that on February 14, 2023 (the "Petition Date"), the above-captioned debtors and debtors in possession (collectively, the "Debtors"), fled petitions with the United States Bankruptcy Court for the Southern District of Texas (the "Court") under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"). Subject to certain exceptions, section 362 of the Bankruptcy Code operates as a stay of any act to obtain possession of property of or from the Debtors' estates or to exercise control over property of or from the Debtors' estates.

PLEASE TAKE FURTHER NOTICE that on the Petition Date, the Debtors 'fled the Debtors' Reparency Motion for Entry of an Order

PLEASE TAKE FURTHER NOTICE that on the Petition Date, the Debtors filed the Debtors' Emergency Motion for Entry of an Order Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Respect to Common Stock and Preferred Stock Docket No. 10] (Ive "Motion").

PLEASE TAKE FURTHER NOTICE that on February 15, 2023, the Court entered the Order Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Despect to Common Stock and Preferred Stock [Docket No. 82] (the "Order") approving procedures for certain transfers of and declarations of worthlessness with respect to Common Stock and Preferred Stock set forth in Exhibit 1 attached to the Order (the "Procedures"). PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, a Substantial Shareholder may not consummate any purchase, sale,

Substantial Shareholder may not consummate any purchase, sale, or other transfer of Common Stock or Preferred Stock or Beneficial Ownership of Common Stock or Preferred Stock in violation of the Procedures, and any such transaction in violation of the Procedures shall the consumer of the procedures of the procedures shall the consumer of the procedures of the procedures shall the consumer of the procedures of the procedures shall the consumer of the procedures of the p enull and void *ab initio.* PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, the

PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, the Procedures shall apply to the holding and transfers of Common Stock or Preferred Stock or any Beneficial Ownership therein by a Substantial Shareholder or someone who may become a Substantial Shareholder. PLEASE TAKE FURTHER NOTICE that pursuant to the Order, a 50-Percent Shareholder may not claim a worthless stock deduction with respect to Common Stock or Preferred Stock, or Beneficial Ownership of Common Stock or Preferred Stock, in violation of the Procedures, and any such deduction in violation of the Procedures shall be null and void in initio, and the 50-Percent Shareholder shall be required to file an amended tax return revoking such proposed deduction.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, upon the request of any entity, the proposed notice, claims, and solicitation

PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, upon the request of any entity, the proposed notice, claims, and solicitation agent for the Debtors, Kutzman Carson Consultants LLC, will provide a copy of the Order and a form of each of the declarations required to be filed by the Procedures in a reasonable period of time. Such declarations are also available via PACER on the Court's website at https://pacer.txpourts.gov/ for a fee, or free of charge by accessing the Debtors' restructuring website at https://www.kcclic.net/avaya.
PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, failure to follow the procedures set forth in the Order shall constitute a violation of, among other things, the automatic stay provisions of section 362 of the Bankruptry Code.

PLEASE TAKE FURTHER NOTICE that other than to the extent that the Order expressly conditions or restricts trading in Common Stock or Preferred Stock, nothing in the Order or in the Motion shall, or shall be deemed to, prejudice, impair, or otherwise after or affect the rights of any holders of Common Stock or Preferred Stock, induding in connection with the treatment of any such stock under any chapter 11 plan or any pagicalls by high purposure under the property of the p

oplicable bankruptcy court order.

PLEASE TAKE FURTHER NOTICE that any prohibited purchase, sale, other transfer of, or declaration of worthlessness with respect to Common Stock or Preferred Stock, beneficial ownership thereof, or potion with respect thereto in violation of the Order is prohibited, and shall be null and void *ab inito* and may be subject to additional sanctions

sthis court may determine. PLEASE TAKE FURTHER NOTICE that the requirements set forth in he Order are in addition to the requirements of applicable law and do not excuse compliance therewith.

ton, Texas, Dated: February 15, 2023, /s/ Matthew D. Cavenaugh Houston, Jease, Jated: February 15, 2013, <u>515 Motthew IV. Covenaugh</u>
JACKSON WALKER LLP Matthew D. Cavenaugh IV. RB ar No. 24062655,
Rebecca Blake Chaikin (TX Bar No. 24133055), Genevieve M. Graham (TX
Bar No. 24085340), Emily Meraia (TX Bar No. 2412307), 1401 McKinney
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Facsimile: (713) 752–4221, Email: mcavenaugh@jw.com, rhaikin@jw.com, ggraham@jw.com, emeraia@jw.com, proposed Co-Course! to ession -and- KIRKLAND & ELLIS LLP the Debtors and Debtors in Possession—and-KIRKLAND & ELLIS LITE,
KIRKLAND & ELLIS INTERNATIONAL LIP, JOSHUA A. Sussberg, P.C.
(pro hac vice pending), Aparna Yenamandra, P.C. (pro hac vice pending), Rachael M.Bentley (pro hac vice pending), Andrew Townsell (pro hac vice pending), 601 Lexington Avenue, New York, New Port 10022, Pelephone:
[212] 446–4800, Facsimile: (212) 446–4900, Email: joshua.sussberg@ kirkland.com, aparna.yenamandra@kirkland.com, rachael.bentley@ kirkland.com, andrew.townsell@kirkland.com -and- Patrick J. Nash, IX, P.C. (pp hav.vice pending), 300 North LaSalle Street, (hi.eago, Illinois 60654, Telephone: (312) 862-2000, Facsimile: (312) 862-2200, Email: patrick.nash@kirkland.com, Proposed Co-Counsel to the Debtors and

Debators in Assession

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 http://www.kcdl.net/avaya. The location of Debtor Avayalnc's principal place of business and the Debtors service address in these chapter 11 cases is 350 Mount Kemble Avenue, Morristown, New Jersey 07960.



MACIEK NABRDALIK FOR THE NEW YORK TIMES Generators outside a cafe in Lviv. Ukraine will reward early investors when it comes to postwar reconstruction.