

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

In re

HELIOS AND MATHESON ANALYTICS  
INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 7

Case Nos. 20-10242 (DSJ)  
(Jointly Administered)

**SUPPLEMENTAL ORDER GRANTING TRUSTEE'S OMNIBUS OBJECTION  
TO CLAIMS FILED AGAINST MOVIEPASS, INC.**

Upon the Omnibus Objection (Doc. 157) (the “**Objection**”) of Alan Nisselson (the “**Trustee**”), trustee for the above-captioned jointly administered chapter 7 Debtors (“**Debtors**”), including Helios and Matheson Analytics Inc. (“**HMNY**”) and MoviePass, Inc. (“**MoviePass**”), pursuant to section 502 of title 11, United States Code, 11 U.S.C. §§ 101, et seq. (the “**Bankruptcy Code**”), and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”); and the Court having jurisdiction to consider the Objection and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* of the United States District Court for the Southern District of New York dated January 31, 2012 (Preska, C.J.); and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(B); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided in accordance with Bankruptcy Rule 3007 as evidenced by the Affidavit of Service filed with the Court; and a hearing having been held on July 8, 2021 to consider the relief requested in the Objection (the “**Hearing**”); previous relief having been granted as to certain of the claims in the

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<sup>1</sup>The Debtors in the jointly administered Chapter 7 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Helios and Matheson Analytics, Inc., a/k/a MovieFone (9913), Zone Technologies, Inc., a/k/a Red Zone, a/k/a Zone Intelligence, (5124), and MoviePass, Inc. (9893).



Objection (Doc. 189); supplemental notice having been provided to the holder of Claim No. 82 per the Court's July 8, 2021 directive; no response having been filed by the holder of Claim No. 82; and upon the record of the Hearing and all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is

**ORDERED**, that:

1. The Objection is further granted as follows.
2. Claim No. 82 is reclassified as an equity claim pursuant to Bankruptcy Code § 510(b) in the amount of \$423,980.00, and the remainder of the claim in the amount of \$52,271.60 is disallowed and expunged pursuant to Bankruptcy Rule 3007(d)(6).
3. Except as otherwise specified above, nothing herein shall constitute an admission or finding concerning the validity or amount of any of the Claims.
4. The Trustee and the Clerk of the Court are authorized to take all actions necessary or appropriate to give effect to this Order.
5. This Court shall retain jurisdiction over the Trustee and the claimants whose claims are subject to the Objection with respect to any matters related to or arising from the Objection or the implementation of this Order.

Dated: New York, New York  
August 2, 2021

*s/ David S. Jones*  
Honorable David S. Jones  
United States Bankruptcy Judge