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

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**IN RE:**

**WINDSTREAM HOLDINGS, INC.,<sup>1</sup>**

*Debtors.*

Case No.: 19- 22312 (RDD)  
(Jointly Administered)

Chapter 11

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**OBJECTION BY BULL COMMUNICATIONS, INC.  
TO DEBTORS' NOTICE OF REJECTION OF CERTAIN EXECUTORY  
CONTRACTS AND REQUEST FOR EXTENSION OF TIME**

Bull Communications, Inc. ("**BCI**"), by its attorneys Barclay Damon LLP and The Wolford Law Firm LLP, hereby OBJECTS to that certain *Notice of Rejection of Executory Contracts* [Docket Item 1004] to the extent it applies to or affects any and all contracts with BCI including, without limitation, those contracts listed as items 36, 37, 38, 39, 40 and 41 of Exhibit 2 thereto (See page 18 of 27 to Docket Item 1004).

Further, BCI requests an order of this Court granting it an extension of time to supplement this Objection and submit a memorandum of law in support thereof (the "Extension

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<sup>1</sup> The last four digits of Debtor Windstream Holdings, Inc.'s tax identification number are 7717. Due to the large number of debtor entities in these Chapter 11 Cases, for which the Debtors have requested joint administration, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' proposed claims and noticing agent at <http://www.kccllc.net/windstream>. The location of the Debtors' service address for purposes of these Chapter 11 Cases is: 4001 North Rodney Parham Road, Little Rock, Arkansas 72212.



Request”).

In support of this Objection and Extension Request, BCI respectfully represents as follows. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, 11 U.S.C. §362(d), and Rules 4001(a) and 9014 of the Federal Rules of Bankruptcy Procedure and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, dated February 1, 2012.

1. BCI has not received the Rejection notice because it was not sent to the current address of BCI to which the Debtors have been sending payments and communications for many years.

2. BCI has just become aware of the Rejection notice and the deadline for its objection thereto.

3. The contracts in question were terminated by the Debtors many years ago. Under the terms of the contracts BCI continues to be entitled to sales commissions and/or other payments post termination of the contracts. So long as customers of the Debtors for whom BCI became entitled to sales commissions or other payments before termination of the contracts continue to be customers of the Debtors and so long as BCI does not compete with the Debtors, BCI continues to be entitled to sales commissions under the terminated contracts.

4. If the Debtors are authorized to reject the BCI contracts they would be able to collect post payments from customers obtained through the services of BCI without being required to pay the agreed post petition commissions to BCI.

5. No prior request for the relief sought in this motion has been made to this or any other court.

**WHEREFORE**, BCI hereby objects to the Debtors’ rejection of BCI’s contracts and

requests an extension of time to supplement this objection and submit a memorandum of law in support thereof. BCI requests such other and further relief as the Court deems just and proper.

Dated: Rochester, New York  
September 18, 2019

**BARCLAY DAMON LLP**

By: /s/John R. Weider  
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