

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION

IN RE:	§	
	§	
WINDSTREAM HOLDINGS, INC.,	§	
<i>ET. AL.</i> ,	§	
	§	
Debtors.	§	
<hr/>		
GLM DFW, INC.,	§	
	§	
Appellant,	§	
	§	
v.	§	CIVIL ACTION: 7:19-cv-04854-CS
	§	
WINDSTREAM HOLDINGS, INC.,	§	
<i>ET. AL.</i> ,	§	
	§	
Appellees.	§	

**APPELLANT’S STATEMENT OF ISSUES ON APPEAL AND
DESIGNATION OF THE RECORD ON APPEAL**

Pursuant to Rule 6(b)(2)(B), F.R.A.P., GLM DFW, Inc. (the “Appellant”), the appellant pursuant to that certain *Notice of Appeal* filed on April 10, 2020 at docket no. 13, hereby files this its *Statement of Issues on Appeal and Designation of the Record on Appeal*, as follows:

I. STATEMENT OF ISSUES ON APPEAL

1. In affirming the Bankruptcy Court’s order, did the District Court commit reversible error in concluding that the Bankruptcy Court did not



impermissible delegate its exclusive judicial function by permitting the debtors to determine which creditor was a critical vendor, lien claimant, or 503(b)(9) claimant, as opposed to the Bankruptcy Court determining the same after a hearing and upon appropriate evidence?

2. In affirming the Bankruptcy Court's order, did the District Court commit reversible error in concluding that the Bankruptcy Court had the lawful discretion to keep secret and under seal from the Appellant, a creditor, the list of those entities determined by the debtors to be critical vendors, lien claimants, or 503(b)(9) claimants, in violation of the Bankruptcy Code, Bankruptcy Rules, and the Appellant's due process rights?

3. In affirming the Bankruptcy Court's order, did the District Court commit reversible error in concluding that the Bankruptcy Court properly permitted the debtors to determine, in their discretion, who were critical vendors based on a series of proposed factors, as opposed to any correct, or the correct, legal elements governing who qualifies as a critical vendor as determined by this Court or any prior precedent?

II. RECORD ON APPEAL

The Appellant designates the following for the record on appeal:

<u>Item</u>	<u>Description</u>
1	Complete record as prepared by Bankruptcy Court
2	<i>Opinion and Order</i> [docket no. 11]

RESPECTFULLY SUBMITTED this 10th day of April, 2020.

MUNSCH HARDT KOPF & HARR, P.C.

By: /s/ Davor Rukavina
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ATTORNEYS FOR GLM DFW, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this the 10th day of April, 2020, a true and correct copy of this Notice was electronically served by the Court's ECF system on counsel for the appellees.

By: /s/ Davor Rukavina
Davor Rukavina, Esq.