

Hearing Date: May 27, 2022 at 9:00 a.m. (EST)
Objection Deadline: May 26, 2022 at 9:00 a.m. (EST)

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

In re:

PARETEUM CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No.: 22-10615 (LGB)

(Jointly Administered)

**AMENDED NOTICE OF HEARING ON
MOTION FOR BIDDING PROCEDURES ORDER**

PLEASE TAKE NOTICE that on May 15, 2022 (the "Petition Date"), the above-

¹ The Debtors in the Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Pareteum Corporation (7538); Pareteum North America Corp. (f/k/a Elephant Talk North America Corp.) (9623); Devicescape Holdings, Inc. (2909); iPass, Inc. (4598); iPass IP LLC (2550); Pareteum Europe B.V.; Artium Group Ltd. (f/k/a Artium PLC); Pareteum Asia Pte. Ltd.; and Pareteum N.V. (f/k/a Artium N.V.). The Debtors' corporate headquarters is located at 1185 Avenue of the Americas, 2nd Floor, New York, NY 10036.



captioned debtors and debtors-in-possession (collectively, the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that on the Petition Date, the Debtors filed, among other items, the following motion and declaration:

(1) Motion of Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for Sales of Debtors Assets, (B) Approving Stalking Horse Bid Protections, (C) Scheduling Auction for and Hearing to Approve Sales of Debtors Assets, (D) Approving Form and Manner of Notice of Sale, Auction, and Sale Hearing, (E) Approving Assumption and Assignment Procedures and Form and Manner of Notice of Assumption and Assignment; and (II)(A) Authorizing Sale of Debtors Assets Free and Clear of Liens, Claims, Interests, and Encumbrances [Docket No. 13] (the "Bidding Procedures Motion"); and

(2) Declaration of Glenn Tobias in Support of Debtor-In-Possession Financing Motion and Bidding Procedures and Sale Motion [Docket No. 15] (the "Tobias Declaration").

PLEASE TAKE FURTHER NOTICE that on May 17, 2022 the Debtors filed the *Notice of Hearing on Motion for Bidding Procedures Order* [Docket No. 26] (the "Initial Hearing Notice").

PLEASE TAKE FURTHER NOTICE that the Initial Hearing Notice is hereby amended to provide Zoom procedures for the Hearing (as defined below).

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Bidding Procedures Motion will be held on **May 27, 2022, at 9:00 a.m. (prevailing Eastern Time)**, or as soon thereafter as counsel can be heard, before the Honorable Lisa G. Beckerman, United States

Bankruptcy Judge for the Southern District of New York, One Bowling Green, Courtroom 601, New York, New York 10004 (the "Hearing").

PLEASE TAKE FURTHER NOTICE that parties wishing to object or otherwise respond to the Bidding Procedures Motion must file any objections or responses with the Court not later than **May 26, 2022, at 9:00 a.m.**

PLEASE TAKE FURTHER NOTICE that in light of the COVID-19 pandemic and in accordance with the Court's General Order M-543, the Hearing will only be conducted via Zoom for Government. Parties should not appear in person. Parties wishing to participate in or observe the Final Hearing must follow the procedures attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that Gen. Ord. M-543, along with other temporary procedures implemented by the Bankruptcy Court in connection with the COVID-19 pandemic (including electronic filing procedures for *pro se* parties) can be found by visiting www.nysb.uscourts.gov (the "Bankruptcy Court's Website") and clicking on the "Coronavirus COVID-19 Protocol" banner.

PLEASE TAKE FURTHER NOTICE that copies of the Bidding Procedures Motion and Tobias Declaration can be viewed and/or obtained by (i) accessing the Bankruptcy Court's Website for a fee, (ii) visiting the website for the Debtors' chapter 11 cases at <http://www.kccllc.net/pareteum>, or (iii) contacting the Office of the Clerk of the United States Bankruptcy Court, Southern District of New York. Please note that a PACER password is required to access documents on the Bankruptcy Court's Website.

Dated: New York, New York
May 19, 2022

PARETEUM CORPORATION, *et al.*
Debtors and Debtors in Possession
By its Proposed Counsel
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By:

/s/ Frank A. Oswald

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Exhibit A

Zoom Procedures

**PROCEDURES FOR ALL HEARINGS BEFORE JUDGE BECKERMAN BEING HELD
BY ZOOM VIDEO**

The Zoom video hearing (the “Hearing”) held in connection with this notice will be conducted in accordance with the procedures contained herein. Under Rule 43 of the Federal Rules of Civil Procedure, made applicable here by Rule 9017 of the Federal Rules of Bankruptcy Procedure, the current COVID-19 pandemic provides good cause in compelling circumstances to allow this Hearing to be conducted remotely using audio and video conferencing solutions. Accordingly, pursuant to this Court’s General Order M-543 regarding the COVID-19 pandemic, and after due deliberation, this Court adopts the following virtual hearing procedures which provide appropriate safeguards in relation to the Hearing.

With respect to Hearings that are evidentiary hearings or trials, the procedures contained herein are subject to, and do not limit, the terms of any pre-trial order, scheduling order, or other order regarding the Hearing.

PROCEDURES

1. **Audio and Videoconferencing Solutions.** The Hearing shall take place virtually using both audio and videoconferencing solutions as set forth herein. The Court shall utilize Zoom for Government (for audio and video purposes). The Zoom link shall be provided by the Court to the list of persons identified by the parties as Zoom participants in accordance with Section 2 below, and to other attorneys, parties in interest, or members of the public who provide notice to the Court in accordance with Section 3 below.

2. **Prior Notice of Intent to use Zoom.** All attorneys appearing before the Court must register for the Hearing through the Electronic Appearance Portal located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than 4:00 p.m. one business day before the Hearing. Failure to register by the specified deadline will result in the party not being admitted to the Hearing. The Court will circulate the Zoom link to such persons by email after 4:00 pm one business day before the Hearing. Parties are strictly forbidden from circulating or sharing the Zoom link.

3. **Attendance at the Hearing by Other Attorneys, Parties in Interest, and the Public.** All other attorneys, parties in interest, or members of the public who wish to hear or

observe the Hearing must register for the Hearing through the Electronic Appearance Portal located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than 4:00 p.m. (ET) one business day before the Hearing. Parties shall indicate that they are requesting listen-only access when registering their appearance. Failure to register by the specified deadline will result in the party not being admitted to the Hearing. The Court will circulate by email prior to the Hearing the Zoom link to such persons who wish to hear or observe the Hearing via Zoom. Parties are strictly forbidden from circulating or sharing the Zoom link.

4. **Courtroom Formalities.** Although being conducted using audio and videoconferencing on Zoom, the Hearing constitutes a court proceeding, and any recording other than the official court version is prohibited. No participant or attendee of the Hearing may record images or sounds of the Hearing from any location. All parties appearing before the Court must situate themselves in such a manner as to be able to view the video screen and be seen by the Court. For purposes of this Hearing, the formalities of a courtroom must be observed, except that the Court will permit counsel in this Hearing to be attired in business casual clothing.

5. **Submission of Exhibits to Court.** If any of these parties intend to offer any exhibits at the Hearing, such party shall provide the Court (and file on ECF) a copy of the exhibits it will seek to use during the Hearing (either by offering it in evidence or using it for demonstrative purposes) no later than the deadline set forth in Judge Beckerman's Chambers Rules or the applicable scheduling or pretrial order but in any event at least 24 hours before the Hearing.

6. **Checking in for Hearing.** Because of the Court's security requirements for participating in a Zoom for Government audio and video hearing, all persons seeking to attend the Hearing must connect to the Hearing beginning half an hour prior to the scheduled start of the Hearing. Failure to connect to the Hearing at the indicated time may result in significant delays to the start of the Hearing. When signing into Zoom for Government, participants must type in the first and last name that will be used to identify them at the hearing, and the party they represent (*i.e.*, Jane Doe, Debtor's Counsel). Participants that type in only their first name, a nickname, or initials will not be admitted into the hearing. When seeking to connect for video

participation in a Zoom for Government hearing, participants will first enter a waiting room (“Waiting Room”) in the order in which the participants seek to connect. Court personnel will admit each person to the Hearing from the Waiting Room after confirming the person’s name (and telephone number, if a telephone is used to connect) provided to the Court in accordance with Sections 2 and 3 above. You may experience a delay in the Waiting Room before you are admitted to the Hearing. Once admitted, please turn off video and mute the microphone on Zoom until the matter is called by the Court.

7. **Retention of Jurisdiction.** The Court retains jurisdiction with respect to all matters arising from or related to these procedures.