

Fill in this information to identify the case:	
Debtor 1	Windstream Holdings, Inc.
Debtor 2	(Spouse, if filing)
United States Bankruptcy Court	Southern District of New York
Case number:	19-22312

FILED
 U.S. Bankruptcy Court
 Southern District of New York
 4/15/2019
 Vito Genna, Clerk

**Official Form 410
 Proof of Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	11525 North Community House Road	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom?	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	11525 North Community House Road	
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name	Name
	Suite 100 Charlotte, NC 28277	
	Contact phone 9803451762	Contact phone
	Contact email landresen@extendedstay.com	Contact email
	Uniform claim identifier for electronic payments in chapter 13 (if you use one):	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) Filed on MM/DD/YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing?	



Part 2: Give Information About the Claim as of the Date the Case Was Filed

<p>6. Do you have any number you use to identify the debtor?</p>	<p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: <u>0958</u></p>	
<p>7. How much is the claim?</p>	<p>\$ <u>256699.36</u></p>	<p>Does this amount include interest or other charges?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</p>
<p>8. What is the basis of the claim?</p>	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.</p> <p>Creditor's overpayment to Debtor _____</p>	
<p>9. Is all or part of the claim secured?</p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. The claim is secured by a lien on property.</p> <p>Nature of property:</p> <p><input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>.</p> <p><input type="checkbox"/> Motor vehicle</p> <p><input type="checkbox"/> Other. Describe: _____</p> <p>Basis for perfection: _____</p> <p>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</p> <p>Value of property: \$ _____</p> <p>Amount of the claim that is secured: \$ _____</p> <p>Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</p> <p>Amount necessary to cure any default as of the date of the petition: \$ _____</p> <p>Annual Interest Rate (when case was filed) _____ %</p> <p><input type="checkbox"/> Fixed</p> <p><input type="checkbox"/> Variable</p>	
<p>10. Is this claim based on a lease?</p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</p>	
<p>11. Is this claim subject to a right of setoff?</p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Identify the property: _____</p>	

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply.</i>	Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
	<input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
	<input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
	<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
	<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
	<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(_) that applies	\$ _____
* Amounts are subject to adjustment on 4/1/22 and every 3 years after that for cases begun on or after the date of adjustment.		

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 4/15/2019
MM / DD / YYYY

/s/ Alexandria Louise Andresen

Signature

Print the name of the person who is completing and signing this claim:

Name	Alexandria Louise Andresen
	First name Middle name Last name
Title	Corporate Counsel
Company	ESA Management, LLC
	Identify the corporate servicer as the company if the authorized agent is a servicer
Address	11525 North Community House Road Ste 100
	Number Street
	Charlotte, NC 28277
	City State ZIP Code
Contact phone	9803451762
	Email
	landresen@extendedstay.com

Andresen, Lexi

From: Atulsingh Baghel <atulsingh.baghel@sakon.com>
Sent: Tuesday, March 05, 2019 5:11 AM
To: Head, Richard; Backman, Sharon
Cc: 'Anne Hussey'; esa@sakon.com; 'Tony Gaetano'; laxman.bagadi@sakon.com
Subject: ESA: Windstream - Pending Dispute and double billing
Attachments: ESA Windstream Rolling Credits Tracker for Double Billing Lines_3-5-2019.xlsx
Importance: High

External Email

Hi Richard:

As discussed on yesterday's call attached is the rolling credits and double billing file for Windstream.

Below are some highlights:

1. Blank dates in column 'G' are still billing. Refer column 'M' for comments.
2. Account # 7130958 is now out of scope for Sakon, last validation we did in Jan'19. Need to check billing from ESA side.
3. Column 'AV' is pending \$\$\$ (one time credit) from Windstream side, expected amount **\$256,699.36**.
4. Column 'AW' is received \$\$\$ (onetime credit) from Windstream side, Credit received **\$107,082.28**.
5. \$\$\$ in column 'AV and column 'AW' both are separate.

Hope this is easy to understand.

Incase of any question please let me know?

Thank You.

Regards,

Atul Singh

Sr. Analyst – Telecom Expense Management

www.sakon.com



Learn more here: [Site](#) | [Video](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#)

Sakon is featured in Gartner's 2018 Market Guide for TEM Services. Get it [here](#).



Case No.	Case Name	Case Type	Case Status	Case Date	Case Amount	Case Description
19-22312-001
19-22312-002
19-22312-003
19-22312-004
19-22312-005
19-22312-006
19-22312-007
19-22312-008
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19-22312-098
19-22312-099
19-22312-100

WINDSTREAM COMMUNICATIONS, LLC.

Mailstop B1F03-71A
4001 Rodney Parham Road
Little Rock, Arkansas 72212

James C Lloyd
Litigation Counsel
(501) 748-7538
Email: James.Lloyd@windstream.com



February 21, 2019

VIA US MAIL & EMAIL

ESA – POTS Parent
Richard Head & Sharon Backman
11525 N Community House Rd
Charlotte, NC 28277-1574
rhead@extendedstay.com & sbackman@extendedstay.com

Re: Notice of Investigation Resolution for Account No. 200393029

Dear Customer Name:

Windstream Services, LLC. ("Windstream") is sending this notice to information you that it has completed its investigation regarding Credit Request Number 01030543 for you Windstream account, account number 200393029. Windstream has concluded that no additional credit is due and is denying the credit request made for \$248,810.81.

Windstream has denied the credit request because Windstream was never notified of your intent to port the numbers to another provider. The only notification was from the new carrier after the lines were already ported. The contract language is clear that it is the customer responsibility to provide Windstream written notification of the intent to cancel services, and does not differentiate between circuits and regular telephone numbers.

If you have questions or concerns, please feel free to contact me via phone or email.

Sincerely,

A handwritten signature in black ink that reads "James C. Lloyd". The signature is written in a cursive, flowing style.

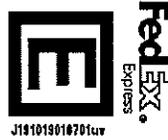
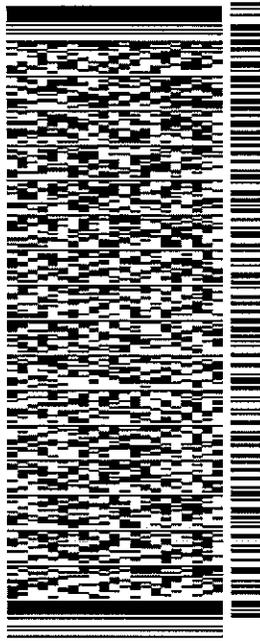
James C Lloyd
Litigation Counsel

ORIGIN ID: MEQA (980) 345-1762
ALEXANDRIA ANDRESEN
11525 NORTH COMMUNITY HOUSE ROAD
SUITE 100
CHARLOTTE, NC 28277
UNITED STATES US

SHIP DATE: 21MAR19
ACTWGT: 0.10 LB
CAD: 9486754MINET4100
BILL SENDER

TO JAMES C. LLOYD, LITIGATION COUNSEL
WINDSTREAM COMMUNICATIONS, LLC
4001 RODNEY PARHAM ROAD

LITTLE ROCK AR 72212
REF: (000) 000-0000
INV: DEPT: 9907

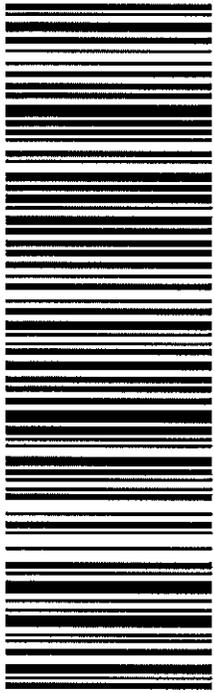


TRK# 7747 6571 7388
0201

FRI - 22 MAR 3:00P
STANDARD OVERNIGHT

X2 LITA

72212
AR-US LIT



565J1146D3/23AD

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
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3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.



March 21, 2019

Via FedEx Overnight & Electronic Mail

Mr. James C. Lloyd, Litigation Counsel
Windstream Communications, LLC
4001 Rodney Parham Road
Little Rock, Arkansas 72212
James.Lloyd@windstream.com

**Re: Windstream's Outstanding Credits in the Amount of \$248,810.81
Demand for Payment**

Dear Mr. Lloyd:

As you are aware, Windstream Communications, LLC ("Windstream") is seriously delinquent in paying ESA Management, LLC ("ESA") the amount of \$248,810.81. ESA is in receipt of your letter dated February 21, 2019 which states, "Windstream has denied the credit request because Windstream was never notified of your intent to port the numbers to another provider." Contrary to Windstream's contention, Windstream has been put on notice of ESA's intent to port numbers to another provider since 2017. This is supported by written correspondence between Windstream and ESA evidencing that the parties have been working together since 2017 to resolve the double billing issue while Windstream's lines were being transferred to another provider.

ESA's 2017 Request for Production and Letter of Authorization

In 2017, ESA issued a Request For Production for the Plain Old Telephone Service ("POTS") service, which Velocity won over Windstream. Velocity started the POTS migration on October 17, 2017 and it was completed at the end of 2018. On December 7, 2017, ESA's intent to port the number to another provider was clearly communicated to Windstream from Velocity. Enclosed along with this letter as **Exhibit A** is the December 7, 2017 email and Letter of Authorization that was attached to said email.

The Letter of Authorization ("LOA") enclosed within Exhibit A, signed on October 17, 2017 by ESA's Telecom Analyst, Brad Carroll, states that ESA had authorized Velocity to act as ESA's agent to obtain Customer Service Records/Customer Service Information for all services associated with the numbers provided. The LOA further states that ESA understand that only one local phone company, one regional carrier, and one long distance carrier can be designated for each telephone number. This LOA put Windstream on notice of ESA's intent to port the numbers from Windstream to Velocity on December 7, 2017.

Windstream's Repeated Assurances to ESA Concerning the Double Billing Issue

On October 31, 2018, Roan Thomas ("Mr. Thomas") of Sakon (formerly GSG Teleco), the ESA vendor that pays, audits, and inventories all of ESA's Telecom items, communicated to Matthew E. Hardy ("Mr. Hardy"), Windstream's Account Relationship Manager, that ninety-four (94) POT lines had been migrated from Windstream to Velocity, but the POTs were still billing on Windstream.

Mr. Hardy responded to Mr. Thomas on October 31, 2018, stating:

Our Finance Department is in the process of performing an audit on all of the ESA POTS Lines. ESA has roughly 3,200 total POTS Lines that have been migrating away over the last 10-11 months. I have shared this information with them, and will keep you posted as we move forward.

In another email from Mr. Hardy on November 1, 2018, Mr. Hardy provided:

We have done another checks and found that POTs in attached sheet has stopped billing on Windstream, however stopped billing date is not same as migration date. Also the complete credits not has been provided.

In this email, Windstream admits that billing has stopped on some of the POT lines, but that the complete credits have not yet been provided to ESA, and that Windstream continues working on getting those double-billed credits back to ESA.

On November 26, 2018, Mr. Hardy informed Mr. Thomas that Windstream's Finance team was still working on determining the amount of credit owed to ESA. In the same email, Mr. Hardy stated:

Windstream Finance Leadership is aware that ESA would like to have this wrapped up before the end of the year. The fact of the matter is the POTS project in total has taken 13 months and counting to complete. This isn't something we can control as Velocity is running this project for ESA. That project is driving the total credit amount.

Enclosed along with this letter as **Exhibit B** is the email chain, which includes the October 31, November 1, and November 26, 2018 email correspondences between Windstream and ESA.

At no point during discussions regarding the double billing did Windstream claim that "Windstream was never notified of ... intend to port the numbers to another provider." Indeed, all of the written correspondence between the parties demonstrates that Windstream was fully aware that ESA was in the process of porting the numbers to Velocity, and that Windstream *had been* fully aware of that fact since October 2017. We believe that a court would agree with this position based on the clear written correspondence between the parties.

Windstream Further Concedes Notice by Crediting Certain Lines for Double Billing Issue

On March 5, 2019, Sakon provided to ESA a summary of credits showing the amount that Windstream has credited to ESA towards the double billing issue. Windstream was crediting ESA for some of the line transfers and those larger credits were issued in the first half of last year. Enclosed as **Exhibit C**, we provide a summary of the Windstream credits that were issued back to ESA based on double billing and the outstanding Windstream credits that are still due to ESA based on same.

Windstream's credit for *some* of the lines that were double billed, but not *all* of the lines, clearly demonstrates that Windstream was put on notice of ESA's intent to port numbers to another provider. The contention in your February 21, 2019 letter that Windstream was "never notified of [ESA's] intent to port the numbers to another provider" is pretext and a bad faith attempt by Windstream to avoid paying the amount that it has known would be due since 2017. Indeed, at the end of 2018, the only outstanding issue being assessed by Windstream was how many lines

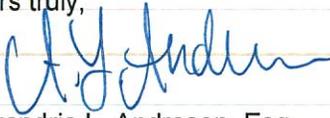
Page 3 of 3
Windstream's Outstanding Credits Due

were transferred and exactly how much was due to ESA (see Exhibit B). At no point was there a question of *whether ESA provided notice* to Windstream of its intent to transfer lines.

ESA requests that the outstanding balance of **\$248,810.81** be paid immediately, or at the latest by March 27, 2019. Windstream may contact Richard Head directly for the purpose of discussing the amount owed and making arrangements for payment.

If Windstream fails to uphold its obligation by making full payment by March 27, ESA reserves the right to pursue any and all available legal remedies against Windstream, including the commencement of litigation through local counsel. As part of this lawsuit, ESA will seek all outstanding costs, attorneys' fees, and all applicable legal interest in addition to the above-stated outstanding amount.

Yours truly,



Alexandria L. Andresen, Esq.
Corporate Counsel
ESA Management, LLC

Enclosures

Andresen, Lexi

From: Unique West <uwest@velocity.org>
Sent: Thursday, December 07, 2017 9:32 AM
To: wci.scsc.lspac@windstream.com
Cc: Luis Cammarano
Subject: n9988689
Attachments: DOC101717.pdf; ESH CSR's Request Windstream_11_3.xlsx

Good morning,

Please provide the CSR's for the lines on the Spreadsheet attached.

Thank You,

Unique West
Telecom Spécial Projects Manager
Velocity
Corporate: 419.868.9983
Fax: 419.868.9986
NOC 24/7: 1.877.375.3854
7130 Spring Meadows West Drive
Holland, OH 43528
[email](#) | [website](#)

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LETTER OF AUTHORIZATION

Contact Brad Carroll Phone 980-345-1663
 Title Telecom Analyst Email bcarroll@csa.com
 Address 11525 N Community House Rd City Charlotte State NC Zip 28227

Billing Telephone Number(s) (Include Area Code) and all related numbers at those locations.

1. I certify that I am at least 18 years of age, I am the customer or I am authorized by the customer to order service(s) for the number(s) listed on this form.
2. I am authorizing Velocity, The Greatest Phone Company Ever, Inc., and its representative(s) Unique West, uwest@velocity.org, Colleen Smith, csmith@velocity.org, Rachael Freeman, rfreeman@velocity.org to act as my agent to obtain Customer Service Records/Customer Service Information for all services associated with the numbers listed on this form.
3. I understand that only one local phone company, one regional carrier and one long distance carrier can be designated for each telephone number.
4. This Letter of Authorization shall continue for a period of 90 days from the date signed below.

Brad Carroll
 Signature

Brad Carroll
 Authorized Name (please print)

10/17/17
 Date

Andresen, Lexi

From: Hardy, E Matthew <E.Hardy@windstream.com>
Sent: Thursday, January 31, 2019 7:15 AM
To: Backman, Sharon; rthomas@gsgtelco.com
Cc: Head, Richard; anne.hussey@sakon.com; tony.gaetano@sakon.com; 'kiran.jadhav@sakon.com'; 'atulsingh.baghel@sakon.com'; 'laxman.bagadi@sakon.com'; Criscoe, Julie
Subject: RE: RE: Urgent Request: ESA Windstream Double Billing Dispute

External Email

Good Morning, Sharon,

This request is with our Senior Director of Finance. We do not have anything approved at this time, but are working hard to close this out. Leadership is holding meetings tomorrow to review this, so I expect to have more details following that.

Thanks,

Matt Hardy

Account Relationship Manager
o: 704.319.6865 | m: 704.779.9949
e.hardy@windstream.com

WINDSTREAM ENTERPRISE

10005 Monroe Rd. Matthews, NC 28105
windstreamenterprise.com

From: Backman, Sharon <sbackman@extendedstay.com>
Sent: Wednesday, January 30, 2019 11:59 AM
To: Hardy, E Matthew <E.Hardy@windstream.com>; rthomas@gsgtelco.com
Cc: Head, Richard <rhead@extendedstay.com>; anne.hussey@sakon.com; tony.gaetano@sakon.com; 'kiran.jadhav@sakon.com' <kiran.jadhav@sakon.com>; 'atulsingh.baghel@sakon.com' <atulsingh.baghel@sakon.com>; 'laxman.bagadi@sakon.com' <laxman.bagadi@sakon.com>; Criscoe, Julie <Julie.Criscoe@windstream.com>
Subject: RE: RE: Urgent Request: ESA Windstream Double Billing Dispute

Hi Matt,

Please provide an update on the double billing dispute.

Thank you,

Sharon Backman
IT Financial Analyst
Information Technology Department

Extended Stay America
Office: (980) 345-1593
sbackman@esa.com

For reservations, call 800.EXT.STAY
or visit ExtendedStayAmerica.com



From: Hardy, E Matthew [<mailto:E.Hardy@windstream.com>]
Sent: Monday, November 26, 2018 10:51 AM
To: rthomas@gsgtelco.com
Cc: Head, Richard <rhead@extendedstay.com>; Backman, Sharon <sbackman@extendedstay.com>;
anne.hussey@sakon.com; tony.gaetano@sakon.com; 'kiran.jadhav@sakon.com' <kiran.jadhav@sakon.com>;
'atulsingh.baghel@sakon.com' <atulsingh.baghel@sakon.com>; 'laxman.bagadi@sakon.com'
<laxman.bagadi@sakon.com>; Criscoe, Julie <Julie.Criscoe@windstream.com>
Subject: RE: RE: Urgent Request: ESA Windstream Double Billing Dispute

External Email

Good Morning, Roan,
I have provided Richard with the latest update from our side. Here's the detail shared on 11/12/18 (attached as well)...

- *"Finance doesn't have an approved total just yet, so anything we share is premature. We'll provide that data/ spreadsheet once we determine the owed credit. I can tell you that we've used the Velocity Data (report sent my Colleen Smith), GSG Data (reports sent by Roan Thomas), and our own internal data pulled from an operations Audit (performed with the LEC's directly). I'll keep you posted, but we're all pushing to get this one done."*

Windstream Finance Leadership is aware that ESA would like to have this wrapped up before the end of the year. The fact of the matter is the POTS project in total has taken 13 months and counting to complete. This isn't something we can control as Velocity is running this project for ESA. That project is driving the total credit amount.

Thanks,

Matt Hardy
Account Relationship Manager
o: 704.319.6865 | m: 704.779.9949
e.hardy@windstream.com

WINDSTREAM ENTERPRISE

10005 Monroe Rd. Matthews, NC 28105
windstreamenterprise.com

-----Original Message-----

From: rthomas@gsgtelco.com <rthomas@gsgtelco.com>
Sent: Monday, November 26, 2018 10:30 AM
To: Hardy, E Matthew <E.Hardy@windstream.com>

Cc: rhead@extendedstay.com; sbackman@extendedstay.com; anne.hussey@sakon.com; tony.gaetano@sakon.com; kiran.jadhav@sakon.com <kiran.jadhav@sakon.com>; atulsingh.baghel@sakon.com <atulsingh.baghel@sakon.com>; laxman.bagadi@sakon.com <laxman.bagadi@sakon.com>; Criscoe, Julie <Julie.Criscoe@windstream.com>
Subject: RE: RE: Urgent Request: ESA Windstream Double Billing Dispute

Hello Matt:

If your research has been completed, please let us know the approx. credit amount?

Also ESA want to close all those credit by mid of Dec'18.

I have copied Richard and Sharon from ESA.

Thank You.

Regards,
Roan

-----Original Message-----

From: "Hardy, E Matthew" <E.Hardy@windstream.com>
Sent: Monday, November 12, 2018 7:17am
To: "rthomas@gsgtelco.com" <rthomas@gsgtelco.com>
Cc: "anne.hussey@sakon.com" <anne.hussey@sakon.com>, "tony.gaetano@sakon.com" <tony.gaetano@sakon.com>, "kiran.jadhav@sakon.com" <kiran.jadhav@sakon.com>, "atulsingh.baghel@sakon.com" <atulsingh.baghel@sakon.com>, "laxman.bagadi@sakon.com" <laxman.bagadi@sakon.com>, "swapnil.pawar@sakon.com" <swapnil.pawar@sakon.com>, "Criscoe, Julie" <Julie.Criscoe@windstream.com>
Subject: RE: RE: Urgent Request: ESA Windstream Double Billing Dispute

Good Morning, Roan,
Here's the update from our Finance Team last Friday...

* "I have most of my research complete, so I will submit for approval shortly after this is complete. Keep in mind that with any large credit amount it will take time to go through the review process."

We are pushing to have the credit total confirmed and applied before the end of the year. I'll keep you updated as I learn more.

I will make sure ESA is aware of this as well. Thanks,

Matt Hardy
Account Relationship Manager
o: 704.319.6865 | m: 704.779.9949
e.hardy@windstream.com<<mailto:e.hardy@windstream.com>>

[cid:image001.png@01D3A596.4C1ECA00]
10005 Monroe Rd. Matthews, NC 28105
windstreamenterprise.com

From: rthomas@gsgtelco.com <rthomas@gsgtelco.com>
Sent: Friday, November 9, 2018 5:52 AM

To: Hardy, E Matthew <E.Hardy@windstream.com>
Cc: anne.hussey@sakon.com; tony.gaetano@sakon.com; 'kiran.jadhav@sakon.com' <kiran.jadhav@sakon.com>;
'atulsingh.baghel@sakon.com' <atulsingh.baghel@sakon.com>; 'laxman.bagadi@sakon.com'
<laxman.bagadi@sakon.com>; 'swapnil.pawar@sakon.com' <swapnil.pawar@sakon.com>; Criscoe, Julie
<Julie.Criscoe@windstream.com>
Subject: FW: RE: Urgent Request: ESA Windstream Double Billing Dispute

Hello Matt:

Any updates on below request?

Thank You.

Regards,

Roan

-----Original Message-----

From: rthomas@gsgtelco.com<mailto:rthomas@gsgtelco.com>
Sent: Thursday, November 1, 2018 4:46am
To: "Hardy, E Matthew" <e.hardy@windstream.com<mailto:e.hardy@windstream.com>>
Cc: "anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>"
<anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>>,"
"tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>"
<tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>>," "kiran.jadhav@sakon.com"
<kiran.jadhav@sakon.com<mailto:kiran.jadhav@sakon.com>>,"
"atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>"
<atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>>," "laxman.bagadi@sakon.com"
<laxman.bagadi@sakon.com<mailto:laxman.bagadi@sakon.com>>," "swapnil.pawar@sakon.com"
<swapnil.pawar@sakon.com<mailto:swapnil.pawar@sakon.com>>," "Criscoe, Julie"
<julie.criscoe@windstream.com<mailto:julie.criscoe@windstream.com>>
Subject: RE: Urgent Request: ESA Windstream Double Billing Dispute

Hello Matt:

We have done another checks and found that POTs in attached sheet has stopped billing on Windstream, however stopped billing date is not same as migration date. Also the complete credits not has been provided.

Attached is the list of stopped billing POTs lines with details.

In attached Sheet, we have mentioned received and the credit period in column "J" and "K". Also please refer comments column "L" for remaining credit period and column "M" for remaining expected credits.

Could you please also look for these past pending credits?

Thank You.

Regards,

Roan

-----Original Message-----

From: rthomas@gsgtelco.com<mailto:rthomas@gsgtelco.com>

Sent: Thursday, November 1, 2018 3:55am

To: "Hardy, E Matthew" <E.Hardy@windstream.com<mailto:E.Hardy@windstream.com>>

Cc: "anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>"

<anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>>,"

"tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>"

<tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>>,""kiran.jadhav@sakon.com"

<kiran.jadhav@sakon.com<mailto:kiran.jadhav@sakon.com>>,"

"atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>"

<atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>>,""laxman.bagadi@sakon.com"

<laxman.bagadi@sakon.com<mailto:laxman.bagadi@sakon.com>>,""swapnil.pawar@sakon.com"

<swapnil.pawar@sakon.com<mailto:swapnil.pawar@sakon.com>>,"Criscoe, Julie"

<julie.criscoe@windstream.com<mailto:julie.criscoe@windstream.com>>

Subject: RE: Urgent Request: ESA Windstream Double Billing Dispute

Hello Matt:

Thank You for the update.

Please keep us posted.

Regards,

Roan

-----Original Message-----

From: "Hardy, E Matthew" <E.Hardy@windstream.com<mailto:E.Hardy@windstream.com>>
Sent: Wednesday, October 31, 2018 4:30pm
To: "rthomas@gsgtelco.com<mailto:rthomas@gsgtelco.com>"
<rthomas@gsgtelco.com<mailto:rthomas@gsgtelco.com>>
Cc: "anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>"
<anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>>, "tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>"
<tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>>, "kiran.jadhav@sakon.com"
<kiran.jadhav@sakon.com<mailto:kiran.jadhav@sakon.com>>, "atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>"
<atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>>, "laxman.bagadi@sakon.com"
<laxman.bagadi@sakon.com<mailto:laxman.bagadi@sakon.com>>, "swapnil.pawar@sakon.com"
<swapnil.pawar@sakon.com<mailto:swapnil.pawar@sakon.com>>, "Criscoe, Julie"
<Julie.Criscoe@windstream.com<mailto:Julie.Criscoe@windstream.com>>
Subject: RE: Urgent Request: ESA Windstream Double Billing Dispute Roan, Our Finance Department is in the process of performing an audit on all of the ESA POTS Lines. ESA has roughly 3,200 total POTS Lines that have been migrating away over the last 10-11 months. I have shared this information with them, and will keep you posted as we move forward.

Thanks!

Matt Hardy
Account Relationship Manager
o: 704.319.6865 | m: 704.779.9949
e.hardy@windstream.com<mailto:e.hardy@windstream.com>

[cid:image001.png@01D3A596.4C1ECA00]
10005 Monroe Rd. Matthews, NC 28105
windstreamenterprise.com

From: rthomas@gsgtelco.com<mailto:rthomas@gsgtelco.com>
<rthomas@gsgtelco.com<mailto:rthomas@gsgtelco.com>>
Sent: Wednesday, October 31, 2018 7:56 AM
To: Hardy, E Matthew <E.Hardy@windstream.com<mailto:E.Hardy@windstream.com>>
Cc: anne.hussey@sakon.com<mailto:anne.hussey@sakon.com>;
tony.gaetano@sakon.com<mailto:tony.gaetano@sakon.com>; 'kiran.jadhav@sakon.com'
<kiran.jadhav@sakon.com<mailto:kiran.jadhav@sakon.com>>;
atulsingh.baghel@sakon.com<mailto:atulsingh.baghel@sakon.com>; 'laxman.bagadi@sakon.com'
<laxman.bagadi@sakon.com<mailto:laxman.bagadi@sakon.com>>; 'swapnil.pawar@sakon.com'
<swapnil.pawar@sakon.com<mailto:swapnil.pawar@sakon.com>>
Subject: Urgent Request: ESA Windstream Double Billing Dispute

Hello Matt:

We have found 94 POTS lines migrated from old carrier Windstream to new carrier Velocity. However, these POTS are still billing on Windstream.

Attached is the list of POTs billing on Wndstream with details and LOA for your reference.

Could you please immediately disconnect these POTs and provide the back dated credit?

Thank You.

Regards,

Roan Thomas

Andresen, Lexi

From: Head, Richard
Sent: Thursday, March 21, 2019 2:59 PM
To: Andresen, Lexi
Subject: Windstream credit

Sakon our TEM provider has alerted Windstream over the course of 2018 and some of 2017 as to the current amount that Windstream owes ESA for phone line billing that went past the termination date. The last correspondence from Sakon showed the outstanding amount owed as \$256,699.36. Since the project started, Windstream has paid us \$107,082.28 in overlapping phone line billing

Richard Head
Manager of Tech Support/Telecom

Extended Stay America
11525 N. Community House Rd. Ste. 100
Charlotte, NC 28277
O: 980.345.1510
rhead@esa.com

Come stay with us!
800.EXT.STAY or visit ESA.com



WINDSTREAM COMMUNICATIONS, LLC.

Mailstop B1F03-71A
4001 Rodney Parham Road
Little Rock, Arkansas 72212

James C Lloyd
Litigation Counsel
(501) 748-7538
Email: James.Lloyd@windstream.com



March 25, 2019

VIA EMAIL ONLY

Alexandria L. Andresen
Corporate Counsel
Extended Stay America
11525 N Community House Rd
Charlotte, NC 28277-1574
(980) 345-1762

Re: Notice of Windstream Services, LLC's Chapter 11 Bankruptcy

Mrs. Andresen,

In response to Extended Stay America's ("ESA") March 21, 2019, letter, Windstream Services, LLC. ("Windstream") maintains its position that no credit is due for account number 200393029. Furthermore, Windstream also provides notice that on February 25, 2019, it filed for protection under Chapter 11 of the United States Bankruptcy Code. As such, any claim ESA may have against Windstream must be filed with the Bankruptcy Court.

Additional information regarding the bankruptcy may be obtained free of charge by visiting the website of Windstream's claims and noticing agent at <http://www.kccllc.net/windstream>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov/> (PACER login and password required) in accordance with the procedures and fees set forth therein.

If you have questions or concerns, please feel free to contact me via phone or email.

Sincerely,

A handwritten signature in black ink that reads "James C. Lloyd". The signature is written in a cursive, flowing style.

James C Lloyd
Litigation Counsel