



ENTERED
04/23/2020

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

| | | |
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| <p>In re:</p> <p>SPEEDCAST INTERNATIONAL LIMITED, <i>et al.</i>,</p> <p style="padding-left: 40px;">Debtors.¹</p> | <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> | <p>Chapter 11</p> <p>Case No. 20-32243 (MI)</p> <p>(Jointly Administered)</p> <p>Re: Docket No. __</p> |
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ORDER (I) AUTHORIZING DEBTORS TO FILE A CONSOLIDATED CREDITOR MATRIX AND A CONSOLIDATED LIST OF 30 LARGEST UNSECURED CREDITORS; (II) MODIFYING REQUIREMENT TO FILE A LIST OF EQUITY SECURITY HOLDERS; (III) APPROVING FORM AND MANNER OF NOTIFYING CREDITORS OF COMMENCEMENT OF CHAPTER 11 CASES AND OTHER INFORMATION; AND (IV) GRANTING RELATED RELIEF

Upon the motion, dated April 23, 2020 (the “**Motion**”),² of SpeedCast International Limited (“**Speedcast International**”) and its affiliated debtors in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), for entry of an order (i) authorizing the Debtors to file a consolidated creditor matrix (the “**Consolidated Creditor Matrix**”) and a consolidated list of the Debtors’ 30 largest unsecured creditors (the “**Consolidated Top 30 Creditors List**”), (ii) modifying the requirement to file a list of and provide notice directly to the Debtors’ equity security holders, (iii) approving the form and manner of notifying creditors of the commencement of the chapter 11 cases and other information, and (iv) granting related relief, all as more fully set forth in the Motion; and upon consideration of the Healy Declaration;

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <http://www.kccllc.net/speedcast>. The Debtors’ service address for the purposes of these chapter 11 cases is 4400 S. Sam Houston Parkway East, Houston, Texas 77048.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.



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and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion; and this Court having held a hearing to consider the relief requested in the Motion; and all objections, if any, to the Motion have been withdrawn, resolved, or overruled; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion is in the best interests of the Debtors and their respective estates and creditors; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT

1. The Debtors are authorized, but not directed, to file the Consolidated Creditor Matrix and a Consolidated Top 30 Creditors List.
2. Speedcast International shall make a disclosure to the Australian Stock Exchange (“ASX”) pursuant to ASX Listing Rule 3.1 notifying equity holders of Speedcast International of the filing of these chapter 11 cases and providing a link to the website relating to the Debtors’ chapter 11 cases set up by the Debtors’ claims and noticing agent.
3. As soon as is practicable following the date hereof, the Debtors shall cause the notices required under Bankruptcy Rule 2002(d) to be served on registered holders of Speedcast International’s common stock.
4. The requirement that Speedcast International file a list of its equity security holders pursuant to Bankruptcy Rule 1007(a)(3) is waived.

5. Any requirement that Speedcast International provide notice directly to equity security holders under Bankruptcy Rule 2002(d) is waived. The Debtors shall, to the extent reasonably practicable, serve all notices required by Bankruptcy Rule 2002(d) on all beneficial equity holders through the appropriate broker or other equivalent intermediary, to the extent a beneficial equity holder holds such equity interest through such intermediary.

6. The Debtors are authorized to serve the Notice of Commencement, substantially in the form attached hereto as **Exhibit 1**, on all parties listed on the Consolidated Creditor Matrix and on all parties that have entered an appearance in the case. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of: (i) the commencement of these chapter 11 cases and (ii) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.

7. The Debtors shall cause the Notice of Commencement (with such changes as may be required for publication) to be published once in the international edition of *the New York Times* within seven (7) days after entry of the Proposed Order or as soon as practicable thereafter and the form of the publication notice is hereby approved and authorized pursuant to Bankruptcy Rule 2002(l).

8. The Debtors shall cause the noticing agent to post the Notice of Commencement on the case website as soon as practicable.

9. The Debtors are authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.

10. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Signed: April 23, 2020


Marvin Isgur
United States Bankruptcy Judge

Exhibit 1

Notice of Commencement

Information to identify the case:

Debtor Speedcast International Limited, et al. EIN _____
Name

United States Bankruptcy Court for the: Southern District of Texas
(State) [Date case filed for chapter 11 _____ MM / DD / YYYY OR

Case number: _____ [Date case filed in chapter _____ MM / DD / YYYY

Date case converted to chapter 11 _____ MM / DD / YYYY

Official Form 309F1 (For Corporations or Partnerships)**Notice of Chapter 11 Bankruptcy Case****02/20**

For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors and debtors, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov) or the website established by the Debtors' claims and noticing agent at www.kccllc.net/speedcast.

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

| 1. Debtor's full name(s) | Debtor | Case Number | Tax ID |
|---|--|--------------------|---------------|
| List of Jointly Administered Debtors | SpeedCast International Limited | 20-_____ | n/a |
| | SpeedCast UK Holdings Limited | 20-_____ | n/a |
| | CapRock UK Limited | 20-_____ | n/a |
| | CapRock Communications Pte. Ltd. | 20-_____ | n/a |
| | Speedcast Cyprus Ltd. | 20-_____ | n/a |
| | SpeedCast Limited | 20-_____ | n/a |
| | SpeedCast Group Holdings Pty Ltd | 20-_____ | n/a |
| | SpeedCast Americas, Inc. | 20-_____ | 371767664 |
| | SpeedCast Communications, Inc. | 20-_____ | 760043882 |
| | SpaceLink Systems, LLC | 20-_____ | n/a |
| | SpeedCast Australia Pty Limited | 20-_____ | n/a |
| | Satellite Communications Australia Pty Ltd | 20-_____ | n/a |
| | Oceanic Broadband Solutions Pty Ltd | 20-_____ | n/a |
| | SpeedCast Managed Services Pty Limited | 20-_____ | n/a |
| | Maritime Communication Services, Inc. | 20-_____ | 592221603 |
| | Telaurus Communications LLC | 20-_____ | 270254991 |
| | CCI Services Corp. | 20-_____ | 300400518 |
| | HCT Acquisition, LLC | 20-_____ | 822191711 |
| | Cosmos Holdings Acquisition Corp. | 20-_____ | 464882088 |
| | Globecomm Network Services Corporation | 20-_____ | 113318591 |
| Hermes Datacommunications International Limited | 20-_____ | n/a | |
| SpeedCast Singapore Pte. Ltd. | 20-_____ | n/a | |
| SpaceLink Systems II, LLC | 20-_____ | 760288333 | |
| CapRock Comunicações do Brasil Ltda. | 20-_____ | n/a | |

Debtor Speedcast International Limited, et al. Case number (if known) _____
Name

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|--|---|---|-------------------------------------|
| | CapRock Participações do Brasil Ltda. | 20-_____ | n/a |
| | Speedcast Canada Limited | 20-_____ | n/a |
| | CapRock Communications (Australia) Pty Ltd | 20-_____ | n/a |
| | SpeedCast Norway AS | 20-_____ | n/a |
| | Globecomm Europe B.V. | 20-_____ | n/a |
| | NewCom International, Inc. | 20-_____ | 65-1030231 |
| | Evolution Communications Group Limited | 20-_____ | n/a |
| | SpeedCast Netherlands B.V. | 20-_____ | n/a |
| | SpeedCast France SAS | 20-_____ | n/a |
| 2. All other names used in the last 8 years | <u>Debtor</u> | <u>Other Names(s)</u> | |
| | Speedcast Cyprus Ltd. | SAIT Communications Limited | |
| | SpeedCast Communications, Inc. | Caprock Communications, Inc. Harris Caprock Communications, Inc. | |
| | SpeedCast Australia Pty Limited | Australian Satellite Communications Pty Ltd | |
| | SpeedCast Managed Services Pty Limited | Pactel International Pty Ltd. Speedcast Pacific Pty Ltd. | |
| | SpeedCast Singapore Pte. Ltd. | ST Teleport Pte. Ltd. | |
| | SpaceLink Systems II, LLC | Spacelink System Inc. | |
| | SpeedCast Norway AS | Schlumberger Information Technology Services Norge AS Harris Norge AS | |
| | Globecomm Europe B.V. | Carrier to Carrier Telecom B.V. | |
| | Speedcast Netherlands B.V. | Elektrikom BV Speedcast Europe BV | |
| | Speedcast France SAS | Geolink Satellite Services SAS | |
| 3. Address | 4400 Sam Houston Parkway East, Houston, Texas 77048 | | |
| 4. Debtor's attorney Name and address | WEIL, GOTSHAL & MANGES LLP Alfredo R. Pérez (TX Bar No. 15776275) Brenda L. Funk (TX Bar No. 24012664) Stephanie N. Morrison (<i>pro hac vice</i> pending) 700 Louisiana Street, Suite 1700 Houston, Texas 77002 Telephone: (713) 546-5000 Facsimile: (713) 224-9511 Email: Alfredo.Perez@weil.com Brenda.Funk@weil.com Stephanie.Morrison@weil.com - and - Gary T. Holtzer (<i>pro hac vice</i> pending) David N. Griffiths (<i>pro hac vice</i> pending) 767 Fifth Avenue New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007 Email: Gary.Holtzer@weil.com David.Griffiths@weil.com | Debtors' Claims and Noticing Agent (for Court Documents and Case Information Inquiries): Speedcast Claims Processing Center c/o KCC LLC 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245 US/Canada Toll-Free Number: (877) 709-4758 International Toll Number: (424) 236-7236 Email: www.kccllc.net/speedcast/inquiry Website: www.kccllc.net/speedcast | |
| 5. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at www.pacer.gov . | United States Courthouse 515 Rusk Avenue Houston, Texas 77002 | Hours open <u>Monday to Friday - 8:30 a.m. to 5:00 p.m.</u> | Contact phone <u>(713) 250-5500</u> |

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| <p>6. Meeting of creditors</p> <p>The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.</p> | <p>Not yet scheduled.</p> <p>_____ at _____ Date Time</p> <p>The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p> | <p>Location: United States Courthouse Office of the United States Trustee 515 Rusk Avenue, Suite 3401 Houston, Texas 77002</p> |
| <p>7. Proof of claim deadline</p> | <p>Deadline for filing proof of claim:</p> <p>[Not yet set. If a deadline is set, the court will send you another notice.] or [date, if set by the court]]</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at www.uscourts.gov, any bankruptcy clerk's office, or www.kccllc.net/speedcast.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none"> ■ your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>; ■ you file a proof of claim in a different amount; or ■ you receive another notice. <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the bankruptcy clerk's office or online at www.pacer.gov or www.kccllc.net/speedcast.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p> | |
| <p>8. Exception to discharge deadline</p> <p>The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p> | <p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.</p> <p>Deadline for filing the complaint: N/A</p> | |
| <p>9. Creditors with a foreign address</p> | <p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p> | |
| <p>10. Filing a Chapter 11 bankruptcy case</p> | <p>Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.</p> | |
| <p>11. Discharge of debts</p> | <p>Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.</p> | |