

ENTERED

November 29, 2023

Nathan Ochsner, Clerk

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

In re:)	
)	Chapter 11
)	
AVAYA HOLDINGS LLC, ¹)	Case No. 23-90095 (MI)
)	
Reorganized Debtor.)	(Formerly Jointly Administered Under
)	Lead Case Avaya Inc., 23-90088)

FINAL DECREE CLOSING THE CHAPTER 11 CASE OF AVAYA HOLDINGS LLC

Upon the motion (the "Motion")² of the above-captioned reorganized debtor (the "Reorganized Debtor," and before the Effective Date of the Plan, the "Debtor") for entry of a final decree (this "Final Decree") pursuant to section 350(a) of the Bankruptcy Code and Bankruptcy Rule 3022, closing the Remaining Case, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is permissible pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Reorganized Debtor's estates, its creditors, and other parties in interest; and this Court having found that the Reorganized Debtor's notice of the Motion and opportunity for a hearing on the Motion were appropriate and no other notice need be provided; and this Court having reviewed the Motion; and this Court having determined

¹ The Reorganized Debtor's service address in these chapter 11 cases is 350 Mount Kemble Avenue, Morristown, New Jersey 07960.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion or the *Joint Prepackaged Plan of Reorganization of Avaya Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Technical Modifications)* [Docket No. 325] (as amended, supplemented, or otherwise modified from time to time, the "Plan"), as applicable.



that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; 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 chapter 11 case of Avaya Holdings LLC, Case No. 23-90095 (MI), is hereby closed effective as of the date of the entry of this Final Decree; *provided*, that this Court shall retain jurisdiction as provided in the Plan and the Confirmation Order.

2. The entry of this Final Decree is without prejudice to the rights of the Reorganized Debtor, the U.S. Trustee, or any other party to seek to reopen the Remaining Case for cause pursuant to section 350(b) of the Bankruptcy Code

3. Within 21 days after entry of this Final Decree, the Reorganized Debtor shall file any outstanding post-confirmation reports and a post-confirmation report for the fourth quarter of 2023 through the date of entry of the Final Decree and shall serve a true and correct copy of said statements on the U.S. Trustee.

4. The Reorganized Debtor shall pay the appropriate sum of quarterly fees for the fourth quarter of 2023 when due and pay subsequent quarters when due and payable under 28 U.S.C. § 1930(a)(6)(A) and (B) for the Remaining Case by either (a) remitting payment to the U.S. States Trustee Payment Center, PO Box 6200-19, Portland, OR 97228-6200, which payment shall reflect the closed Reorganized Debtors' account numbers and shall be transmitted with a "Chapter 11 Quarterly Fee Payment" coupon available from the U.S. Trustee; or (b) by remitting payment via the pay.gov website: <http://www.pay.gov/public/form/start/672415208>, using the ten digit case number for each payment, no later than the later of (x) fourteen days after the date of entry of the Final Decree and (y) the date on which such quarterly fees are otherwise due. The Reorganized Debtors shall furnish evidence of such payment to the U.S. Trustee via

email. This Court retains jurisdiction to enforce fees assessed under 28 U.S.C. § 1930(a)(6)(A) and (B).

5. The Clerk of the Court shall enter this Final Decree on the docket of the Remaining Case, and thereafter such docket shall be marked as “Closed.”

6. Subject to the performance of any obligations of the Debtors’ claims, noticing, and solicitation agent, Kurtzman Carson Consultants, LLC (“KCC”), pursuant to this Final Decree, KCC’s services as claims, noticing, and solicitation agent for the Remaining Case and the chapter 11 cases of the other Debtors are hereby terminated, and KCC shall be deemed formally discharged as claims and noticing agent for the Remaining Case and the chapter 11 cases of the other Debtors without further order of this Court.

7. Entry of this Final Decree is without prejudice to (a) the rights of the Reorganized Debtors or any party in interest to seek to reopen any of the Affiliate Cases for cause pursuant to section 350(b) of the Bankruptcy Code, and (b) the rights of the Reorganized Debtors, or any entity authorized pursuant to the Plan, as applicable, to dispute any claims filed against the Reorganized Debtors in these Chapter 11 Cases, as provided in the Plan and the Confirmation Order.

8. This Final Decree shall be effective and enforceable upon its entry.

Signed: November 28, 2023


Marvin Isgur
United States Bankruptcy Judge

9. The Reorganized Debtors and any entity authorized pursuant to the Plan, and their respective agents, are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Decree in accordance with the Motion.

10. Nothing in this Final Decree shall change the amount or nature of any distribution, or any other substantive rights, that any claim against or interest in any Debtor would have been entitled to under the Plan, the Confirmation Order, the Bankruptcy Code, the Bankruptcy Rules, or otherwise, had this Final Decree not been entered.

11. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Final Decree.

Dated: _____, 2023
Houston, Texas

MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE