

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel to the GUC Trust

In re:

CTI Liquidation Co., Inc.

Post-Effective Date Debtor.

Chapter 11

Case No. 23-14853 (JKS)

Hearing Date: September 10, 2024

Time: 10:00 a.m. (ET)

Response Deadline: September 3, 2024

NOTICE OF OBJECTION TO YOUR CLAIM

**TO: THE HOLDERS OF CLAIMS AND THEIR COUNSEL (IF ANY)
SET FORTH ON EXHIBIT A HERETO**

META Advisors LLC, in its capacity as GUC trustee (the “GUC Trustee”) of the Cyxtera GUC Trust established in the chapter 11 cases of the above-captioned debtors (collectively, the “Debtors”), has filed the enclosed *First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims* [Docket No. ____] (the “Omnibus Objection”) which seeks to alter your rights by disallowing and expunging each of the claims identified on Exhibit A attached hereto for the reasons set forth therein and in Omnibus Objection.



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If you disagree with the objection, you must file a response to the Objection with the Clerk of the Bankruptcy Court at the address below on or before September 3, 2024.

At the same time, you must also serve a copy of the response upon the following parties:

GUC Trustee	Counsel to the GUC Trustee	United States Trustee
META Advisors LLC 3 World Trade Center 175 Greenwich Street, 67 th Fl New York, NY 10007 Attn: Grace Marie Codispoti	Pachulski Stang Ziehl & Jones LLP 780 Third Avenue, 34 th Floor New York, NY 10017 Attn: Bradford J. Sandler Attn: Paul J. Labov Attn: Colin R. Robinson Kelley Drye & Warren LLP One Jefferson Road, Second Floor Parsippany, NJ 07054 Attn: James S. Carr Attn: Dana Kane	Office of the United States Trustee, Regions 3 & 9 One Newark Center Suite 2100 Newark, NJ 07102 Attn: Martha R. Hildebrandt, Esq.

If you file a response, you or your attorney must appear at a hearing on the objection that will be held before the honorable John K. Sherwood on September 10, 2024 at 10:00 a.m. (ET) at the United States Bankruptcy Court, 50 Walnut Street, 3rd Floor, Newark, NJ 07102 Courtroom 3D.

PLEASE TAKE FURTHER NOTICE that if you file a response, you or your attorney must appear at the Hearing, with the option to appear via Court Solutions in lieu of in-person participation. Please be advised that the Court has directed that parties who wish to appear via Court Solutions should submit their reservation requests to Court Solutions no later than noon on the day prior to the hearing, *i.e.*, on September 9, 2024 at 12:00 p.m. (ET).

IF YOU DO NOT RESPOND TO THE OMNIBUS OBJECTION, THE COURT MAY GRANT THE RELIEF DEMANDED BY THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

EXHIBIT A

THIS OMNIBUS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN PROOFS OF CLAIM. CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ON SCHEDULE 1 THROUGH SCHEDULE 5 ATTACHED TO THE PROPOSED ORDER.

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In re:

CTI Liquidation Co., Inc.

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Chapter 11

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Response Deadline: September 3, 2024

**FIRST OMNIBUS OBJECTION TO CLAIMS SEEKING TO DISALLOW
AND EXPUNGE CERTAIN (A) DUPLICATIVE CLAIMS; (B) AMENDED
AND SUPERSEDED CLAIMS; (C) INSUFFICIENT DOCUMENTATION
CLAIMS; (D) LATE-FILED CLAIMS; AND (E) NO LIABILITY CLAIMS**

META Advisors LLC, in its capacity as GUC trustee (the “GUC Trustee”) of the Cyxtera GUC Trust (the “Trust”) established in this chapter 11 case, by and through its undersigned counsel, files this *First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims* (this “Omnibus Objection”) because each such claim (collectively, the “Proofs of Claim”) either (a) is substantively duplicative of another claim or claims filed on account of the same liability (the

“Duplicative Claims”); (b) has been amended and superseded by one or more claims subsequently filed by, or on behalf of, the same claimant in respect of the same liabilities (the “Amended Claims”); (c) has failed to include sufficient documentation to support the amount of the claim (the “Insufficient Documentation Claims”); (d) was filed after the applicable Claims Bar Date (defined below) (the “Late-Filed Claims”); and/or (e) is not enforceable against the Debtor asserted to be liable for such claim (the “No Liability Claims”). In support of this Omnibus Objection, the GUC Trustee submits and relies upon the accompanying *Declaration of Grace Marie Codispoti in Support of the First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims* (the “Declaration”) filed contemporaneously herewith and respectfully represents as follows:

Jurisdiction and Venue

1. This Court (the “Court”) has jurisdiction over this case and this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(B). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409(a).

2. The statutory predicates for the relief requested herein are section 502(b) of Title 11 of the United States Code (“Bankruptcy Code”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 3007-2 of the Local Rules of the United States Bankruptcy Court District of New Jersey (the “D.N.J. LBR”).

Background

A. Procedural Background

3. On June 4, 2023 (the “Petition Date”), Cyxtera Technologies, Inc. (n/k/a CTI Liquidation Co., Inc.) (the “Lead Debtor”) and certain of its affiliates (collectively, the

“Debtors”) each filed a voluntary petition under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of New Jersey commencing chapter 11 cases.

4. On November 16, 2023, the Court entered its *Findings of Fact, Conclusions of Law, and Order Confirming the Fourth Amended Joint Plan of Reorganization of Cyxtera Technologies, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 718] confirming the *Fourth Amended Joint Plan of Reorganization of Cyxtera Technologies, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 694] (the “Plan”).¹

5. On January 12, 2024, the Effective Date of the Plan occurred. *See Notice of (A) Entry of the Order Confirming Fourth Amended Joint Plan of Reorganization of Cyxtera Technologies, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code and (B) Occurrence of Effective Date* [Docket No. 855] (the “Effective Date Notice”).

6. On March 27, 2024, the Court entered an *Order (I) Granting Post-Effective Date Debtors’ Motion for Final Decree Closing Certain of the Chapter 11 Cases, (II) Amending the Case Caption of the Remaining Case, and (III) Granting Related Relief* [Docket No. 953] pursuant to which all of the Debtors’ chapter 11 cases were closed other than the case of the Lead Debtor.

B. The Claims Reconciliation Process

7. Pursuant to the Plan, the GUC Trustee was appointed pursuant to the terms of the Plan, Confirmation Order and that certain *GUC Trust Agreement* dated as of the Effective Date and is responsible for, among other things, “. . . (solely with respect to the General Unsecured

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Plan.

Claims),. . . and, in the event of a Sale Transaction, with the consent of the Purchaser solely to the extent that such Claim or Interest are transferred to the Purchaser pursuant to the Purchase Agreement, shall have the sole authority: (i) to File, withdraw, or litigate to judgment, objections to Claims or Interests; (ii) to settle or compromise any Disputed Claim or Interest without any further notice to or action, order, or approval by the Bankruptcy Court; and (iii) to administer and adjust the Claims Register to reflect any such settlements or compromises without any further notice to or action, order, or approval by the Bankruptcy Court” *See* Plan § VII.D.

8. On July 10, 2023, each of the Debtors filed their respective schedules of assets and liabilities (as amended from time to time, the “Schedules”) pursuant to Bankruptcy Rule 1007.

9. On July 19, 2023, the Court entered an order establishing certain dates and deadlines for filing Proofs of Claim in these chapter 11 cases.² Specifically, among other things, the Court established August 15, 2023 (the “General Claims Bar Date”) as the deadline for all persons and entities asserting a Claim (as defined in section 101(5) of the Bankruptcy Code) against the Debtors that arose on or prior to the Petition Date, including claims pursuant to section 503(b)(9) of the Bankruptcy Code, and December 1, 2023 (the “Governmental Claims Bar Date”), as the deadline for all governmental agencies, to file written proof of such claim. Finally, Section V.C. of the Plan established the date that is 30 days after the effective date of rejection as the deadline for filing a claim damages for rejection of Executory Contracts or Unexpired Leases by operation of the Plan, which occurred on February 11, 2024 (the “Rejection Damages Claims Bar Date” and, collectively the “Claims Bar Dates”).

² Docket No. 298.

10. To date, approximately 550 Proofs of Claim have been filed against the Debtors. Of these, 383 Proofs of Claim currently assert General Unsecured Claims in the aggregate approximate amount of \$307 million, plus unliquidated amounts. In addition, the Debtors' Schedules currently reflect approximately 400 non-zero General Unsecured Claims in the aggregate approximate amount of nearly \$1.25 million.

11. Since the Effective Date, the GUC Trustee, together with its advisors, has been reviewing and reconciling all General Unsecured Claims asserted against the Debtors. As part of its ongoing review of filed claims, the GUC Trustee has reviewed each of the Proofs of Claim listed on **Schedule 1** through **Schedule 5** to the proposed order filed herewith (the "**Proposed Order**"), and has concluded that each such claim should be disallowed and expunged.

Relief Requested

12. The GUC Trustee respectfully requests entry of an order, substantially in the form of the Proposed Order, pursuant to the Bankruptcy Code, the Bankruptcy Rules and the objection procedures (the "**Objection Procedures**") approved pursuant to the *Order (I) Approving Omnibus Claims Objection Procedures and (II) Authorizing the GUC Trustee to File Substantive Omnibus Objections to Claims Pursuant to Bankruptcy Rule 3007 (c) and (d)* [Docket No. 987] (the "**Objection Procedures Order**"), disallowing and expunging in their entirety each claim listed on **Schedule 1**, **Schedule 2**, **Schedule 3**, **Schedule 4** and **Schedule 5** to the Proposed Order.

Basis for Relief Requested

13. When asserting a proof of claim against a bankrupt estate, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *In re Allegheny Int'l, Inc.*, 954 F.2d 167, 173 (3d Cir. 1992). To receive the benefit of prima facie validity, however, the proof of claim must "set forth facts necessary to support the claim." *In re*

Stoecker, 143 B.R. 879, 883 (N.D. Ill. 1992). Where the claimant alleges sufficient facts to support its claim, the claim is afforded *prima facie* validity. *Allegheny*, 954 F.2d at 173.

14. Section 502(a) of the Bankruptcy Code provides, in pertinent part, that “[a] claim or interest, proof of which is filed under section 501 of this title, is deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502(a).

15. Thus, while a properly-filed proof of claim is *prima facie* evidence of the claim’s allowed amount, when an objecting party presents evidence to rebut a claim’s *prima facie* validity, the claimant bears the burden of proving the claim’s validity by a preponderance of evidence. *See In re Allegheny Int’l, Inc.*, 954 F.2d at 173-74. The burden of persuasion with respect to the claim is always on the claimant. *See, e.g., Biolitec, AG v. Cyganowski*, No. 13-cv-5864, 2013 WL 6795400, *3 (D. N.J. Dec. 16, 2013); *see also In re Allegheny Int’l, Inc.*, 954 F.2d at 173-74. The failure to allege facts and to provide sufficient support for a claim deprives the claim of *prima facie* validity. *See, e.g., In re Jorczak*, 314 B.R. 474, 481-82 (Bankr. D. Conn. 2004) (discussing the evidentiary requirements and burden of proof with respect to the allowance of claims). Here, there is ample evidence to rebut the *prima facie* validity of each of the disputed claims.

16. The GUC Trust has standing to file objections to claims under sections 502 and 1109(b) of the Bankruptcy Code, Article IV of the Plan and Article III of the GUC Trust Agreement.

17. Once an objection to a claim is filed, the Court, after notice and hearing, shall determine the allowed amount of the claim. 11 U.S.C. § 502(b).

18. Bankruptcy Rule 3007 requires that an objection to a proof of claim be made in writing, and that the claimant be provided with not less than thirty days’ notice of the hearing to be held in respect of such objection. *See Fed. R. Bankr. P. 3007(a)*. Objections of up to one

hundred claims may be joined in an omnibus objection if such objections are based on the grounds that the claims should be disallowed, in whole or in part, for any of eight enumerated reasons, including: “they were presented in a form that does not comply with applicable rules, and the objection states that the objector is unable to determine the validity of the claim because of noncompliance.” *See* Fed. R. Bankr. P. 3007(d).

19. In addition, pursuant to Local Bankruptcy Rule 3007-2, “[a]n omnibus objection to claims may be filed to reduce the amount of a claim or to modify a claim’s priority status.” D.N.J. LBR 3007-2.

20. Further, pursuant to the Objection Procedures, omnibus objections may be filed where claims (a) are inconsistent with the Debtors’ books and records; (b) fail to specify the asserted claim amount (or only list the claim amount as “unliquidated”); (c) fail to sufficiently specify the basis for the claim or provide sufficient supporting documentation in support of such claim; (d) seek recovery of amounts for which the various Debtors are not liable; (e) are filed against non-Debtors; (f) are disallowed pursuant to section 502 of the Bankruptcy Code; or (g) are disallowed pursuant to the terms of the Plan. Objection Procedures, at 1-2.

A. Duplicative Claims

21. The GUC Trustee objects to each of the Duplicative Claims listed on **Schedule 1** to the Proposed Order. As set forth in the Declaration, the GUC Trustee has reviewed the Duplicative Claims and has determined that the Duplicative Claims are duplicative of other Proofs of Claim filed by or on behalf of the same claimant (or a successor thereto) in respect of the same liabilities as the Proofs of Claim reflected in the column labeled “Remaining Claim” (the “Remaining Claims”) on **Schedule 1**. Any disallowance or expungement of the Duplicative Claims will not affect the Remaining Claims, which will remain on the register of claims

maintained by the Claims and Noticing Agent (the “Claims Register”) unless withdrawn by the applicable claimants or disallowed by the Court, subject to the GUC Trustee’s right to object to such claims in the future on any grounds permitted by applicable law. Failure to disallow the Duplicative Claims may result in a double recovery to the claimants.

B. Amended Claims

22. The GUC Trustee objects to each of the Amended Claims listed on **Schedule 2** to the Proposed Order. As set forth in the Declaration, the GUC Trustee has reviewed the Amended Claims and has determined that the Amended Claims have been amended and superseded by subsequently filed Proofs of Claim by the same Claimant on account of the same liability reflected in the column labeled “Surviving Claim Number” (the “Surviving Claims”). Any disallowance or expungement of the Amended Claims will not affect the Surviving Claims, which will remain on the Claims Register unless withdrawn by the applicable claimants or disallowed by the Court, subject to the GUC Trustee’s right to object to such claims in the future on any grounds permitted by applicable law. Accordingly, the GUC Trustee requests that the Court disallow and expunge the Amended Claims from the Claims Register.

C. Insufficient Documentation Claims

23. The GUC Trustee objects to each of the Claims listed on **Schedule 3** to the Proposed Order. As set forth in the Declaration, the GUC Trustee has determined that each of the Insufficient Documentation Claims listed on **Schedule 3** to the Proposed Order assert amounts without attaching sufficient supporting documentation to the proof of claim that would allow the GUC Trustee to make a reasonable determination as to the validity of the claim. Failure to disallow the Insufficient Documentation Claims at this stage could result in an improper recovery on account of said claims to the detriment of other creditors. Accordingly, the GUC Trustee seeks

disallowance of the Insufficient Documentation Claims absent timely receipt of additional documentation sufficient to support each Claim.

D. Late-Filed Claims

24. The GUC Trustee objects to each of the Claims listed on **Schedule 4** to the Proposed Order. As set forth in the Declaration, the GUC Trustee has determined that the Late-Filed Claims were filed after the applicable Claims Bar Date. Accordingly, the GUC Trustee requests that the Court disallow and expunge the Late-Filed Claims from the Claims Register.

E. No Liability Claims

25. Section 502(b)(1) of the Bankruptcy Code provides that a claim asserted in a proof of claim shall be allowed, except to the extent “such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law.”³ As set forth in the and the Declaration, the Liquidation Trustee has identified certain No Liability Claims listed on **Schedule 5** that, based upon the documentation attached to the proofs of claim, it is unable to reconcile with the books and records of the Debtor against which the Proof of Claim was filed.

26. The Liquidation Trustee believes that No Liability Claims are not valid because: (a) the books and records of the Debtor against which the claim was asserted do not reflect the existence of the asserted claim or of the claimant asserting such claim; (b) no value to the Debtor was provided in connection with the asserted claim; and/or (c) the claim is not enforceable against the claimed Debtor or its property under any agreement or applicable law. In each case, the claimant asserted substantially the same claim against another Debtor entity as to which the GUC Trustee has not, at this time, asserted an objection on a “no liability” basis. Accordingly,

³ 11 U.S.C. § 502(b)(1).

each of the No Liability Claims identified on Schedule 5 should be disallowed in full and expunged.

Responses to the Objection

27. Parties Required to File a Response. Any party who disagrees with an Omnibus Objection is required to file a Response in accordance with the procedures set forth herein. If a claimant whose Claim is subject to an Omnibus Objection does not file and serve a Response in compliance with the procedures below, the Court may grant the Omnibus Objection with respect to such Claim without further notice to the claimants.

28. Response Contents. Each Response must contain the following (at a minimum):

- a. a caption stating the name of the Court, the name of the Debtors, the case number, the title of the Omnibus Objection to which the Response is directed, and, if applicable, the Proof of Claim number(s) related thereto from the Claims Register;
- b. a concise statement setting forth the reasons why the Court should not grant the Omnibus Objection with respect to such Claim, including the factual and legal bases upon which the claimant will rely in opposing the Omnibus Objection;
- c. a copy of any other documentation or other evidence of the Claim, to the extent not already included with the Claim, upon which the claimant will rely in opposing the Omnibus Objection; *provided, however*, that the claimant need not disclose confidential, proprietary, or otherwise protected information in the Response; *provided further, however*, that the claimant shall disclose to the GUC Trustee all information and provide copies of all documents that the claimant believes to be confidential, proprietary, or otherwise protected and upon which the claimant intends to rely in support of its Claim, subject to appropriate confidentiality constraints; and
- d. the following contact information for the responding party:
 - i. the name, address, telephone number, and email address of the responding claimant or the name, address, telephone number, and email address of the claimant's attorney or designated representative to whom

the attorneys for the GUC Trustee should serve a reply to the Response, if any; or

- ii. the name, address, telephone number, and email address of the party with authority to reconcile, settle, or otherwise resolve the Omnibus Objection on the claimant's behalf.

29. Filing and Service of the Response. A Response will be deemed timely only if it is filed with the Court and *actually received* by 4:00 p.m. (prevailing Eastern Time) on September 3, 2024 (the "Response Date") by the following parties:

GUC Trustee	Counsel to the GUC Trustee	United States Trustee
META Advisors LLC 3 World Trade Center 175 Greenwich Street, 67 th Fl New York, NY 10007 Attn: Grace Marie Codispoti	Pachulski Stang Ziehl & Jones LLP 780 Third Avenue, 34 th Floor New York, NY 10017 Attn: Bradford J. Sandler Attn: Paul J. Labov Attn: Colin R. Robinson Kelley Drye & Warren LLP One Jefferson Road, Second Floor Parsippany, NJ 07054 Attn: James S. Carr Attn: Dana Kane	Office of the United States Trustee, Regions 3 & 9 One Newark Center Suite 2100 Newark, NJ 07102 Attn: Martha R. Hildebrandt, Esq.

30. Discovery. If the GUC Trustee determines that discovery is necessary in advance of a hearing on an Objection, the GUC Trustee will serve notice on the affected claimant and its counsel of record that the scheduled hearing will be treated as a status conference during which the parties will request that the Court issue a scheduling order to facilitate dismissal or resolution of the litigation. Such notice may be incorporated into the initial agenda letter for the hearing, or may be provided by separate notice.

31. Failure to Respond. A Response that is not filed and served by the Response Deadline in accordance with the procedures set forth herein may not be considered by the Court at the Hearing. **Absent reaching an agreement with the GUC Trustee resolving the Omnibus**

Objection to a Claim (as described in the Objection Notice), failure to timely file and serve a Response as set forth herein may result in the Court granting the Omnibus Objection without further notice or hearing. Upon entry of an order sustaining an Omnibus Objection, affected creditors will be served with such order.

32. Reply to a Response. The GUC Trustee shall be permitted to file a reply to any Response no later than four (4) days before the hearing with respect to the relevant Omnibus Objection.

Reservation of Rights

33. In the event that any of the Proofs of Claim are not expunged and disallowed, on the grounds asserted herein, the GUC Trustee hereby reserves its rights to object to such Proofs of Claim on any other grounds. Additionally, the GUC Trustee expressly reserves the right to amend, modify, or supplement the objections asserted herein and to file additional objections to the Proofs of Claim or any other claims that may be asserted against the Debtors' estates.

34. Nothing contained herein or any actions taken pursuant to such relief is intended or should be construed as: (a) an admission as to the validity of any claim against a Debtor entity or such Debtor entity's estate; (b) a waiver of any party's right to dispute any claim on any grounds; (c) a promise or requirement to pay any claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Omnibus Objection or any order granting the relief requested by this Omnibus Objection; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the GUC Trustee's rights under the Bankruptcy Code or any other applicable law.

Separate Contested Matter

35. To the extent that a response is filed regarding any Proof of Claim and the GUC Trustee is unable to resolve any such response, each such Proof of Claim, and the Omnibus Objection as it pertains to such Proof of Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Further, the GUC Trustee requests that any order entered by the Court regarding an objection or other reply asserted in response to this Omnibus Objection be deemed a separate order with respect to each proof of claim.

Waiver of Memorandum of Law

36. The GUC Trustee respectfully requests that this Court waive the requirement to file a separate memorandum of law pursuant to D.N.J. LBR 9013-1(a)(3) because the legal bases upon which the GUC Trustee relies is incorporated herein and the Omnibus Objection does not raise any novel issues of law.

Notice

37. Notice of this Omnibus Objection has been given to: (a) the affected claimant party set forth on the Proof of Claim and their respective attorney of record (if any) and (b) the U.S. Trustee. The GUC Trustee respectfully submits that such notice is sufficient and proper under the circumstances and that no other or further notice is required.

Conclusion

WHEREFORE, based upon the foregoing, the GUC Trustee respectfully requests that the Court: (a) grant this Omnibus Objection; (b) enter an order substantially in the form of the Proposed Order filed herewith granting this Objection and providing that the Duplicative Claims, the Amended Claims, the Insufficient Documentation Claims and the Late-Filed Claims shall be disallowed and expunged; and (c) grant such other and further relief as the Court deems just and proper.

Dated: August 9, 2024

KELLEY DRYE & WARREN LLP

/s/ James S. Carr

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

CTI Liquidation Co., Inc.

Post-Effective Date Debtor.

Chapter 11

Case No. 23-14853 (JKS)

Hearing Date: September 10, 2024
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**DECLARATION OF GRACE MARIE CODISPOTI IN SUPPORT OF THE
FIRST OMNIBUS OBJECTION TO CLAIMS SEEKING TO DISALLOW
AND EXPUNGE CERTAIN (A) DUPLICATIVE CLAIMS; (B) AMENDED
AND SUPERSEDED CLAIMS; (C) INSUFFICIENT DOCUMENTATION
CLAIMS; (D) LATE-FILED CLAIMS; AND (E) NO LIABILITY CLAIMS**

I, Grace Marie Codispoti, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am an authorized representative of META Advisors LLC, in its capacity as trustee (the “GUC Trustee”) of the Cyxtera GUC Trust (the “Trust”) established in this case. I submit this declaration (the “Declaration”) for all permissible purposes under the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure, and the Federal Rules of Evidence in support of the *First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain*

(A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims (the “Omnibus Objection”).¹

2. As part of my current position in assisting with GUC Trustee’s responsibilities under the Plan and the GUC Trust Agreement, I am responsible for certain claims management and reconciliation matters. I am generally familiar with the Debtors’ business affairs and books and records that reflect, among other things, the Debtors’ liabilities and the amount thereof owed to their creditors as of the Petition Date.

3. I have read the Omnibus Objection and am directly, or by and through the GUC Trustee’s advisors, familiar with the information contained therein and the exhibits attached thereto.

4. I am authorized to submit this Declaration in support of the Omnibus Objection. All matters set forth in this Declaration are based on: (a) my personal knowledge; (b) my review of relevant documents; (c) my view, based on my knowledge of the Debtors’ operations, books and records; (d) information supplied to me by the Trust’s advisors and by others at the Trust’s request; or (e) as to matters involving United States bankruptcy law or rules or other applicable laws, my reliance upon the advice of counsel or other advisors to the GUC Trustee. If called upon to testify, I could and would testify competently to the facts set forth herein.

5. To the best of my knowledge, information and belief, insofar as I have been able to ascertain after reasonable inquiry, considerable time and resources have been expended to ensure a high level of diligence in reviewing and reconciling the Proofs of Claim filed against the Debtors in these chapter 11 cases.

¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Omnibus Objection.

6. Upon a thorough review of the Proofs of Claim filed in these chapter 11 cases and supporting documentation thereto, I have determined that:

a. the Duplicative Claims listed on **Schedule 1** to the Proposed Order are duplicative of other Proofs of Claim filed by or on behalf of the same claimant (or a successor thereto) in respect of the same liabilities as the Proofs of Claim reflected in the column labeled “Remaining Claim” on **Schedule 1**. Accordingly, I believe the Duplicative Claims listed on **Schedule 1** should be disallowed and expunged in their entirety;

b. the Amended Claims listed on **Schedule 2** to the Proposed Order have been amended and superseded by subsequently filed Proofs of Claim by the same claimant and on account of the same liability as reflected in the column labeled “Surviving Claim Number” on **Schedule 2**. Accordingly, I believe the Amended Claims listed on **Schedule 2** should be disallowed and expunged in their entirety;

c. the Insufficient Documentation Claims listed on **Schedule 3** to the Proposed Order assert amounts that are not supported by documentation that would enable the GUC Trustee to make a reasonable determination as to the validity of each Claim. Accordingly, I believe that absent receipt of any such additional supporting documentation the Insufficient Documentation Claims listed on **Schedule 3** should be disallowed and expunged in their entirety;

d. the Late-Filed Claims listed on **Schedule 4** to the Proposed Order are claims that (i) arose before the Petition Date, (ii) were subject to the Claims Bar Dates, and (iii) were filed after the applicable Claims Bar Date. Accordingly, I believe the Late-Filed Claims listed on **Schedule 4** should be disallowed and expunged in their entirety; and

e. the No Liability Claims listed on Schedule 5 to the Proposed Order are not valid because: (i) the books and records of the Debtor against which the claim was asserted do not reflect the existence of the asserted claim or of the claimant asserting such claim; (ii) no value to the Debtor was provided in connection with the asserted claim; and/or (iii) the claim is not enforceable against the claimed Debtor or its property under any agreement or applicable law.

7. Failure to disallow and expunge the disputed claims could result in the relevant claimant receiving an unwarranted recovery against the Debtors, to the detriment of other creditors. Accordingly, I believe that the Court should grant the relief requested in the Objection.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: August 9, 2024

/s/ Grace Marie Codispoti

Grace Marie Codispoti

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel to the GUC Trust

In re:

CTI Liquidation Co., Inc.

Post-Effective Date Debtor.

Chapter 11

Case No. 23-14853 (JKS)

**ORDER GRANTING FIRST OMNIBUS OBJECTION TO CLAIMS SEEKING TO
DISALLOW AND EXPUNGE CERTAIN (A) DUPLICATIVE CLAIMS; (B) AMENDED
AND SUPERSEDED CLAIMS; (C) INSUFFICIENT DOCUMENTATION CLAIMS;
(D) LATE-FILED CLAIMS; AND (E) NO LIABILITY CLAIMS**

The relief set forth on the following pages, numbered two (2) through and including five
(5), is hereby **ORDERED**:

Page: 2
Debtor: CTI Liquidation Co., Inc.
Case No.: 23-14853 (JKS)
Caption: Order Granting First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims

Upon the first omnibus objection (the “Omnibus Objection”)¹ of the GUC Trustee in the above-captioned Chapter 11 Cases seeking entry of an order, pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rules 3007-1, disallowing and expunging each of the claims set forth on: (a) Schedule 1 hereto because each such claim is duplicative of other Proofs of Claim filed by or on behalf of the same claimant; (b) Schedule 2 hereto because each such claim has been amended and superseded by subsequently filed Proofs of Claim by the same claimant and on account of the same liability; (c) Schedule 3 hereto because each such claim has failed to provide sufficient documentation to support the amount of the claim; (d) Schedule 4 hereto because each such claim (i) arose before the Petition Date, (ii) was subject to the Claims Bar Dates, and (iii) was filed after the applicable Claims Bar Date; and (e) Schedule 5 because: (i) the books and records of the Debtor against which the claim was asserted do not reflect the existence of the asserted claim or of the claimant asserting such claim; (ii) no value to the specific Debtor was provided in connection with the asserted claim; and/or (iii) the claim is not enforceable against the claimed Debtor or its property under any agreement or applicable law; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Omnibus Objection has been given and that no other or

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Omnibus Objection.

Page: 3
Debtor: CTI Liquidation Co., Inc.
Case No.: 23-14853 (JKS)
Caption: Order Granting First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims

further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Omnibus Objection is in the best interests of the GUC Trustee, the estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Omnibus Objection is GRANTED as set forth herein.
2. Each Duplicative Claim listed on **Schedule 1** to this Order is disallowed and expunged in its entirety. The Remaining Claims identified on **Schedule 1** will remain on the Claims Register and such Claims are neither allowed nor disallowed at this time, subject, however, to any future objection on any basis. Nothing contained herein shall constitute, nor shall it be deemed to constitute, the allowance of any of the Remaining Claims.
3. Each Amended Claim listed on **Schedule 2** to this Order is disallowed and expunged in its entirety. The respective Surviving Claims identified on **Schedule 2** will remain on the Claims Register and such Claims are neither allowed nor disallowed at this time, subject, however, to any future objection on any basis. Nothing contained herein shall constitute, nor shall it be deemed to constitute, the allowance of any of the Surviving Claims.
4. Each Insufficient Documentation Claim listed on **Schedule 3** to this Order is disallowed and expunged in its entirety.
5. Each Late-Filed Claim listed on **Schedule 4** to this Order is disallowed and expunged in its entirety.
6. Each No Liability Claim listed on **Schedule 5** to this Order is disallowed and expunged in its entirety.

Page: 4
Debtor: CTI Liquidation Co., Inc.
Case No.: 23-14853 (JKS)
Caption: Order Granting First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims

7. The rights of the GUC Trustee to object in the future to any of the claims that are the subject of the Omnibus Objection on any grounds, and to amend, modify, and/or supplement the Omnibus Objection, including, without limitation, to object to amended or newly filed claims is hereby reserved. Without limiting the generality of the foregoing, the GUC Trustee specifically reserves the right to amend the Omnibus Objection, file additional papers in support of the Omnibus Objection, or take any other appropriate actions, including to (a) respond to any allegation or defense that may be raised in a response filed in accordance with the Omnibus Objection by or on behalf of any of the claimants or other interested parties; (b) object further to any Claim for which a claimant provides (or attempts to provide) additional documentation or substantiation; and (c) object further to any Claim based on additional information that may be discovered upon further review by the GUC Trustee or through discovery pursuant to the applicable provisions of the Bankruptcy Rules.

8. For the avoidance of doubt, nothing in the Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim against the GUC Trustee, (b) an implication or admission that any particular claim is of a type specified or defined in this Order or the Omnibus Objection, and/or (c) constitute a waiver of the GUC Trustee's rights to dispute any claim on any grounds.

9. The GUC Trustee, its Claims and Noticing Agent (Verita Global), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

Page: 5
Debtor: CTI Liquidation Co., Inc.
Case No.: 23-14853 (JKS)
Caption: Order Granting First Omnibus Objection to Claims Seeking to Disallow and Expunge Certain (A) Duplicative Claims; (B) Amended and Superseded Claims; (C) Insufficient Documentation Claims; (D) Late-Filed Claims; and (E) No Liability Claims

10. The objection to each claim addressed in the Omnibus Objection and as set forth on **Schedule 1**, **Schedule 2**, **Schedule 3**, **Schedule 4** and **Schedule 5** attached hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim that is the subject of the Omnibus Objection and this Order. Any stay of this Order pending appeal by any claimants whose claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the Omnibus Objection and this Order.

11. The requirement set forth in D.N.J. LBR 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Omnibus Objection or otherwise waived.

12. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

13. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

SCHEDULE 1

Duplicative Claim				Remaining Claim				
Claim #	Claimant	Debtor	Asserted General Unsecured Amount	Claim #	Claimant	Debtor	Asserted General Unsecured Amount	Reason for Disallowance
122	California Wire Products Corp	Cytera Communications, LLC	\$96,033.00	122	California Wire Products Corp	Cytera Communications, LLC	\$96,033.00	Claim 122 is duplicative of Claim 94, filed in the same amount against the same debtor.
431	Ganchozo, Cinthia	Cytera Technologies, Inc.	Unliquidated	429	Ganchozo, Cinthia	Cytera Technologies, Inc.	Unliquidated	Claim 431 is duplicative of Claim 429, filed in an unliquidated amount against the same debtor.

SCHEDULE 2

Amended Claim				Surviving Claim				
Claim #	Claimant	Debtor	Asserted General Unsecured Amount	Claim #	Claimant	Debtor	Asserted General Unsecured Amount	Reason for Disallowance
398	1111 Comstock Property, LLC	Cytera Communications, LLC	\$17,399,856.00	449	1111 Comstock Property, LLC	Cytera Communications, LLC	\$17,399,856.00	Claim 398 is superseded by Claim 449
403	1111 Comstock Property, LLC	Cytera DC Holdings, Inc.	\$17,399,856.00	450	1111 Comstock Property, LLC	Cytera DC Holdings, Inc.	\$17,399,856.00	Claim 403 is superseded by Claim 550
399	1231 Comstock Property, LLC	Cytera Communications, LLC	\$20,148,895.00	451	1231 Comstock Property, LLC	Cytera Communications, LLC	\$20,148,895.00	Claim 399 is superseded by Claim 451
402	1231 Comstock Property, LLC	Cytera DC Holdings, Inc.	\$20,148,895.00	452	1231 Comstock Property, LLC	Cytera DC Holdings, Inc.	\$20,148,895.00	Claim 402 is superseded by Claim 452
411	City Of Tempe	Cytera Communications, LLC	\$1,313.80	497	City Of Tempe	Cytera Communications, LLC	\$544.93	Claim 411 is superseded by Claim 497
296	Johnson Controls Fire Protection LP	Cytera Communications Canada, ULC	\$3,539.93	298	Johnson Controls Fire Protection LP	Cytera Communications Canada, ULC	\$3,539.93	Claim 296 is superseded by Claim 298
67	Quinn Company	Cytera Communications, LLC	\$4,745.97	178	Quinn Company	Cytera Communications, LLC	\$17,844.24	Claim 67 is superseded by Claim 178
368	RS Titan, LLC	Cytera Communications, LLC	\$8,848,582.00	390	RS Titan, LLC	Cytera Communications, LLC	\$8,848,582.00	Claim 368 is superseded by Claim 390
484	Vipond Inc	Cytera Communications Canada, ULC	\$10,827.10	481	Vipond Inc	Cytera Communications Canada, ULC	\$0.00	Claim 484 (filed 8/29/23) is superseded by Claim 481 (filed 8/31/23)
174	Waste Management Inc.	Cytera Technologies, Inc.	\$8,811.34	208	Waste Management Inc.	Cytera Technologies, Inc.	\$8,811.34	Claim 174 is superseded by Claim 208

SCHEDULE 3

Claim #	Claimant	Debtor	Asserted General Unsecured Amount	Reason for Disallowance
350	Accusoft Corporation	Cytera Communications, LLC	Unliquidated	Claim 350 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates "Agreement re data center near Tampa FL housing certain of Accusoft equipment", which the GUC Trust interprets to mean potential rejection damages, as the basis for liability, but fails to provide the contract or articulate an amount, and has not amended the claim to do so over the course of the year that has elapsed since the claim was filed.
448	Chavez, Omar	Cytera Technologies, Inc.	Unliquidated	Claim 448 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates neither a basis for liability nor an amount. In addition, claim was filed after the applicable Bar Date and is separately listed as a late-filed claim on Schedule 4 to the Omnibus Objection.
460	Do, Young	Cytera Technologies, Inc.	\$1,000.00	Claim 460 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates no basis for liability. In addition, claim was filed after the applicable Bar Date and is separately listed as a late-filed claim on Schedule 4 to the Omnibus Objection.
386	Examinetics Inc.	Cytera Data Centers, Inc.	Unliquidated	Claim 386 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates neither a basis for liability nor an amount.
185	Hughes, Michael	Cytera Technologies, Inc.	Unliquidated	Claim 185 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim asserts neither an amount nor a basis for liability.
103	Interactive Telecom Solutions	Cytera Technologies, Inc.	\$1,066,377.60	Claim 103 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant.
135	Jonsco, Inc.	Cytera Management, Inc.	Unliquidated	Claim 135 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim asserts neither an amount nor a basis for liability.
245	Markarian, Antranik	Cytera Technologies, Inc.	\$7,635.30	Claim 245 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates no basis for liability.
20	Moruga, Inc.	Cytera Technologies, Inc.	\$108,000.00	Claim 20 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant.
237	Murphy, Michael P.	Cytera Technologies, Inc.	\$26,250.00	Claim 237 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates no basis for liability.
337	Nor Cal Battery Co	Cytera Communications, LLC	\$1,500.00	Claim 337 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates "services performed" as the basis for liability but fails to provide a contract, agreement or an invoice.
193	Ports America Shared Services, Inc.	Cytera Technologies, LLC	Unliquidated	Claim 193 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates potential rejection damages as the basis for liability but fails to provide the contract or articulate an amount, and has not amended the claim to do so over the course of the year that has elapsed since the claim was filed.
194	Ports America Shared Services, Inc.	Cytera Communications, LLC	Unliquidated	Claim 194 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates potential rejection damages as the basis for liability but fails to provide the contract or articulate an amount, and has not amended the claim to do so over the course of the year that has elapsed since the claim was filed.
285	Priyadarshini, Arpana	Cytera Technologies, Inc.	Unliquidated	Claim 285 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates neither a basis for liability nor an amount.
214	SAFY of America	Cytera Technologies, Inc.	Unliquidated	Claim 214 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates "provided cloud services" as the basis for liability but fails to provide a contract/agreement or articulate an amount, and has not amended the claim to do so over the course of the year that has elapsed since the claim was filed.
170	Schneider Electric IT Corporation	Cytera Technologies, Inc.	\$758,455.98	Claim 170 is asserted more than \$550,000 in excess of the scheduled amount, and attaches no documentation to enable the GUC Trust to evaluate the significant differential.
207	Strider Technologies, Inc.	Cytera Communications, LLC	\$1,600.00	Claim 207 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant.
61	Supreme Capital Group Inc.	Cytera Technologies, Inc.	\$3,287.35	Claim 61 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant.
132	Tech Titans	Cytera Technologies, Inc.	Unliquidated	Claim 132 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim asserts neither an amount nor a basis for liability.
156	Urbano Centeno Zenteno	Cytera Technologies, Inc.	Unliquidated	Claim 156 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim asserts neither an amount nor a basis for liability.
457	Weichert, Nancy	Cytera Technologies, Inc.	Unliquidated	Claim 457 attaches no documentation to enable the GUC Trust to evaluate the claim, nor do the schedules evidence any liability to this claimant. Claim articulates neither a basis for liability nor an amount. In addition, claim was filed after the applicable Bar Date and is separately listed as a late-filed claim on Schedule 4 to the Omnibus Objection.

SCHEDULE 4

Claim #	Date Filed	Claimant	Debtor	Asserted General Unsecured Amount	Reason for Disallowance
508	10.06.2023	3416895 Canada Inc.	Cyxtera Technologies, Inc.	\$475.00	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
472	08.22.2023	AGM Consulting, LLC	Cyxtera Technologies, Inc.	\$1,648.66	Claim filed after applicable Bar Date.
509	10.04.2023	Alectra Utilities Corporation	Cyxtera Technologies, Inc.	\$390,503.26	Claim filed after applicable Bar Date.
464	08.18.2023	ARAMARK Refreshments Services, LLC	Cyxtera Communications, LLC	\$411.21	Claim filed after applicable Bar Date.
448	08.16.2023	Chavez, Omar	Cyxtera Technologies, Inc.	Unliquidated	Claim was filed after the applicable Bar Date. In addition, claim attaches insufficient documentation to enable the GUC Trust to evaluate the validity of the claim and is separately listed as an "insufficient documentation claim" on Schedule 3 to the Omnibus Objection.
479	08.28.2023	Cummings Electrical LP	Cyxtera Communications, LLC	\$181,131.68	Claim filed after applicable Bar Date.
544	03.10.2024	Dange, Jitesh K	Cyxtera Technologies, Inc.	\$355.80	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
455	08.17.2023	DC Professional Development Ltd	Cyxtera Communications, LLC	\$40,000.00	Claim filed after applicable Bar Date.
460	08.18.2023	Do, Young	Cyxtera Technologies, Inc.	\$1,000.00	Claim was filed after the applicable Bar Date. In addition, claim attaches insufficient documentation to enable the GUC Trust to evaluate the validity of the claim and is separately listed as an "insufficient documentation claim" on Schedule 3 to the Omnibus Objection.
469	08.21.2023	Driven, Inc.	Cyxtera Communications, LLC	\$17,179.57	Claim filed after applicable Bar Date.
475	08.24.2023	Eurofiber Spine B.V.	Cyxtera Netherlands B.V.	Unliquidated	Claim filed after applicable Bar Date.
547	03.20.2024	FedEx Corporate Services, Inc	Cyxtera Technologies, Inc.	\$7,659.38	Claim filed after applicable Bar Date.
486	08.29.2023	Goldberg, Joel N.	Cyxtera Technologies, Inc.	\$102,500.00	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
507	10.03.2023	Gordon, Stephen L.	Cyxtera Technologies, Inc.	\$9,905.08	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
465	08.20.2023	Hein Steunenber	Cyxtera Technologies, Inc.	\$11,263.79	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
503	09.20.2023	Holland and Knight LLP	Cyxtera Technologies, Inc.	\$64,448.95	Claim filed after applicable Bar Date.
470	08.22.2023	Horton, JC Thomas	Cyxtera Technologies, Inc.	\$10,665.48	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
526	11.27.2023	Houghton and Associates, Inc	Cyxtera Communications, LLC	\$5,778.72	Claim filed after applicable Bar Date.
545	03.13.2024	Huh, John	Cyxtera Technologies, Inc.	\$116.42	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
466	08.20.2023	Jobs, Anita	Cyxtera Technologies, Inc.	Unliquidated	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
510	10.10.2023	JOHNSON EQUIPMENT CO	Cyxtera Communications, LLC	\$1,986.40	Claim filed after applicable Bar Date.
496	09.01.2023	LIBERTY ELEVATOR CORP	Cyxtera Communications, LLC	\$6,354.85	Claim filed after applicable Bar Date.
516	10.26.2023	Logan Pass Construction LLC	Cyxtera Communications, LLC	\$2,529.32	Claim filed after applicable Bar Date.
539	01.20.2024	Longerich, Simonne	Cyxtera Technologies, Inc.	\$1,010.50	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
482	08.31.2023	NorthStar Construction Services Corp.	Cyxtera Communications, LLC	\$1,245.60	Claim filed after applicable Bar Date.
458	08.17.2023	Pawlowski, David	Cyxtera Technologies, Inc.	\$4,500.00	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
505	09.28.2023	Q4 Inc.	Cyxtera Management, Inc.	\$32,289.82	Claim filed after applicable Bar Date.
502	09.20.2023	Standard and Poors Financial Services LLC	Cyxtera Technologies, Inc.	\$355,300.00	Claim filed after applicable Bar Date.
543	03.05.2024	Tan, Wei Han	Cyxtera Technologies, Inc.	\$14,855.00	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code, and that it is duplicative of Claim 459, filed against the same debtor in the same amount.
459	08.18.2023	Tan, Wei Han	Cyxtera Technologies, Inc.	\$14,855.00	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
473	08.22.2023	Thua Phuc Loc Nguyen	Cyxtera Technologies, Inc.	\$13,406.33	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
495	09.01.2023	Thunder Consulting, Inc.	Cyxtera Technologies, Inc.	\$40,500.00	Claim filed after applicable Bar Date.
468	08.21.2023	Trapezoid, Inc.	Cyxtera Federal Group, Inc.	\$15,600.00	Claim filed after applicable Bar Date.
501	09.18.2023	Unrau, Derek	Cyxtera Technologies, Inc.	Unliquidated	Claim was filed after the applicable Bar Date. The GUC Trust reserves all rights to further object to this claim on the grounds that it was filed on account of an equity interest, which does not constitute a "claim" within the meaning of Section 101(5) of the Bankruptcy Code.
457	08.17.2023	Weichert, Nancy	Cyxtera Technologies, Inc.	Unliquidated	Claim was filed after the applicable Bar Date. In addition, claim attaches insufficient documentation to enable the GUC Trust to evaluate the validity of the claim and is separately listed as an "insufficient documentation claim" on Schedule 3 to the Omnibus Objection.
504	09.22.2023	West-Star Environmental, Inc	Cyxtera Technologies, Inc.	\$13,900.00	Claim filed after applicable Bar Date.

SCHEDULE 5

Claim #	Claimant	Debtor	Asserted General Unsecured Amount	Reason for Disallowance
76	365 Mechanical, LLC	Cytera Technologies, Inc.	\$4,503.52	Claim 76 was filed in the same amount and on account of the same invoices attached to Claim 166, the latter of which was filed against Cytera Technologies, LLC. The schedules of Cytera Technologies, LLC evidence a claim in the amount of \$4,503.52. No justification has been articulated for separate liability of Cytera Technologies, Inc.
69	Biggs Cardosa Associates, Inc.	Cytera Technologies, Inc.	\$16,082.16	Claim 69 is filed on account of the same invoices attached to and in the same amount as Claim 130 filed against Cytera Communications LLC. The invoices attached to Claim 69 were issued to Cytera Communications LLC and claimant is listed on the schedules of Cytera Communications LLC. No justification has been articulated for asserting the same liability against two different debtor entities.
498	Hartford Fire Insurance Company	Cytera Technologies, Inc.	Unliquidated	Pursuant to Section V.E. of the Plan, all insurance policies were assumed, such that there can be no valid unsecured claim for which the GUC Trust is responsible. The Trust reserves all rights to the extent that this claim was filed after the applicable Bar Date.
49	HCI Systems, Inc.	Cytera Technologies, Inc.	\$10,000.00	The invoices attached to Claim 49 add up to \$8,119.59, which is the same amount on account of the same invoices attached to Claim 168 filed against Cytera Communications LLC; the schedules of Cytera Communications LLC evidence a claim in the amount of \$8,119.59. No justification has been articulated for the additional \$1,880.41 asserted in Claim 49; as to the balance, no justification has been articulated for asserting the same \$8,119.59 against two different debtor entities.
292	Liberty Mutual Insurance Company	Cytera Technologies, Inc.	\$1,518,492.00	Pursuant to paragraph 97 of the Confirmation Order, the Surety Bond Program and all Surety Bond Obligations (each, as defined in the Confirmation Order) related thereto are to be treated by the Post-Effective Date Debtors and claimant in the ordinary course of business as if these chapter 11 cases had not been commenced. Further, Section V.E. of the Plan provides for all insurance policies to be assumed. In light of the Plan treatment and related Confirmation Order provision, there can be no valid unsecured claim remaining for which the GUC Trust is responsible.
295	Liberty Mutual Insurance Company	Cytera Communications, LLC	\$1,518,492.00	Pursuant to paragraph 97 of the Confirmation Order, the Surety Bond Program and all Surety Bond Obligations (each, as defined in the Confirmation Order) related thereto are to be treated by the Post-Effective Date Debtors and claimant in the ordinary course of business as if these chapter 11 cases had not been commenced. Further, Section V.E. of the Plan provides for all insurance policies to be assumed. In light of the Plan treatment and related Confirmation Order provision, there can be no valid unsecured claim remaining for which the GUC Trust is responsible.
506	Peterson CAT	Cytera Communications, LLC	\$7,882.63	Although filed as a general unsecured claim, the invoices attached to claim 506 all relate to post-petition period for which the GUC Trust has no responsibility under the plan. Upon information and belief, this claim was satisfied post-petition by the Debtors and/or the purchaser of the Debtors' assets.
342	Proofpoint, Inc.	Cytera Communications Canada, ULC	Unliquidated	Claimant states, among other things, that (i) Claim 342 is asserted on account of a Master Services Agreement between claimant and SAAVIS Communications Corporation; and (ii) Cytera Communications Canada, ULC is a related entity to the successor to SAAVIS Communications Corporation. Claimant filed substantially the same unliquidated claim (Claim 338) against Cytera Communications, LLC, to which the GUC Trust has not yet objected (but reserves all rights to do so), alleging therein that Cytera Communications, LLC is the successor to SAAVIS Communications Corporation. Claimant has articulated no basis for asserting a claim against a debtor entity related to the alleged successor to the contract counterparty.
44	Siemens Canada Limited	Cytera Technologies, Inc.	CDN \$12,451.47	Claim 44 asserts liability on account of the same invoice, and in the same amount, as Claim 480, the latter of which was filed against Cytera Communications Canada, ULC. The invoice attached to the claim was issued to Cytera Communications Canada, ULC. Claimant has not articulated a basis for a claim against both entities.
176	Thermoscan Inc.	Cytera Technologies, Inc.	\$9,000.00	Claim 176 was filed in the same amount, and on account of the same invoice, as Claim 91, the latter of which was filed against Cytera Communications, LLC. The underlying invoices were issued to Cytera Communications, LLC. No justification has been articulated for a separate claim against Cytera Technologies, Inc. on account of the same liability.
534	Zurich American Insurance Company	Cytera Technologies, Inc.	\$1.00	Pursuant to Section V.E. of the Plan, all insurance policies were assumed, such that there can be no valid unsecured claim for which the GUC Trust is responsible. The Trust reserves all rights to the extent that this claim was filed after the applicable Bar Date.