Claim #1116 Date Filed: 8/6/2020

Fill in this information to identify the case:

Debtor 1   Hermes Datacommunications International Limited, et al.,

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Southern District of Texas

Case number   20-32261 _____

Official Form 410

Proof of Claim

04/16

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?

Apache Corporation
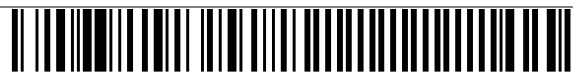Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

☑ No
☐ Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Adams and Reese LLP, Robin B. Cheatham
Name

701 Poydras Street, Suite 4500
Number   Street

New Orleans   LA   70139
City   State   ZIP Code

Contact phone   504-581-3234

Contact email   robin.cheatham@arlaw.com

Where should payments to the creditor be sent? (if different)

Apache Corporation
Name

PO Box 840133
Number   Street

Dallas   Tx   75284
City   State   ZIP Code

Contact phone _____

Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

__ __

4. Does this claim amend one already filed?

☑ No
☐ 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?

☑ No
☐ Yes. Who made the earlier filing? _____

20322612008060000000000002

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

6.	**Do you have any number you use to identify the debtor?**	☐ No ☑ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ___ ___ ___ ___

7. **How much is the claim?** $_____0.00. **Does this amount include interest or other charges?**

☑ No

☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. **What is the basis of the claim?**

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 health care information.

Contractual interest
_____

9. **Is all or part of the claim secured?**

☑ No
☐ Yes.   The claim is secured by a lien on property.

Nature of property:

☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim.*
☐ Motor vehicle
☐ Other. Describe: _____

Basis for perfection: _____
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.)

Value of property: $_____
Amount of the claim that is secured: $_____

Amount of the claim that is unsecured: $_____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: $_____

Annual Interest Rate (when case was filed)_____%
☐ Fixed
☐ Variable

10. **Is this claim based on a lease?**

☑ No

☐ Yes. **Amount necessary to cure any default as of the date of the petition.** $_____

11. **Is this claim subject to a right of setoff?**

☑ No

☐ Yes. Identify the property: _____

12. **Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?** A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	☑ No ☐ Yes. *Check one:*	**Amount entitled to priority**
	☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	$_____
	☐ Up to $2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	$_____
	☐ Wages, salaries, or commissions (up to $12,850*) 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).	$_____
	☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	$_____
	☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	$_____
	☐ Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies.	$_____
	* Amounts are subject to adjustment on 4/01/19 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   08/06/2020
          MM / DD / YYYY

/s/ Robin B. Cheatham
_____
Signature

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

Name	Robin	B	Cheatham
	First name	Middle name	Last name

Title _____

Company   Adams and Reese LLP
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address   701 Poydras Street, Suite 4500
Number   Street

New Orleans   LA   70139
City   State   ZIP Code

Contact phone   504-581-3234   Email   robin.cheatham@arlaw.com

SCHEDULE "A"
TO APACHE PROOF OF CLAIM IN HERMES DATACOMMUNICATIONS
INTERNATIONAL LIMITED, *et al*.

Apache Corporation, ("Apache") is a party to various agreements and/or contracts with the Debtor(s) and as a result of same has claims against the Debtor(s) under various laws including but not limited to statutory, contractual, regulatory and jurisprudential.

By filing this proof of claim, Apache does not intend or mean to waive, defer, and/or forgive any and all such claims, obligations, duties and those legal rights contained in the agreements and/or contracts, the determination and/or classification of the agreements and/or contracts as executory or otherwise and/or classification of the claims, rights, duties and obligations contained therein, arising in or under the agreements and/or contracts.

*Apache has including but not limited to the following claims, to wit:

Apache is also a party to various agreements with the Debtors including but not limited to the following:
Lease Agreement
Any and all communication agreements

Any and all other agreements that are standard and customary in the oil and gas industry. Apache is of the opinion that any and all agreements and/or contracts are executory in nature. The determination of the classification of same being executory or not having yet to be determined, in connection with various relationships with each other. Such contracts and/or agreements give rise to varied, numerous and diverse claims, obligations, rights and duties.

These claims, causes, rights and duties may be considered part and parcel of same and may be considered contingent, unliquidated, liquidated, secured, unsecured, administrative and/or priority claims. The filing of this proof of claim is not meant to waive, defer and/or classify any of the claims of Apache.

Apache reserves the right to include any and all of those claims, rights, duties and obligations arising in connection with any and all contracts and/or agreements.

By filing this proof of claim, Apache does not intend or mean to waive, defer, and/or forgive any and all such claims, obligations, duties and rights contained in those contracts and/or agreements.

Apache reserves the right to amend, supplement, modify, withdraw and/or dismiss any proof of claim filed in this proceeding.