LATHAM & WATKINS LLP
Robert J Rosenberg (RR-9585)
885 Third Avenue
New York, NY 10022-4802
(212) 906-1200
Email *robert rosenberg@lw com*

Attorneys for the Special Committee of Board of Directors

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	)	Chapter 11 Case No
	)	03-13057 (RDD)
Allegiance Telecom, Inc , et al ,	)	
	)	Jointly Administered
Debtors	)	
	)	
	)	

NOTICE OF WITHDRAWAL OF CLAIMS

PLEASE TAKE NOTICE that James N Perry Jr , Reed E Hundt, Andrew D Lipman, Jacob J Goldberg, Paul J Finnegan, and James E Crawford III, hereby withdraw those proofs of claim filed on November 26, 2004, and designated as claim nos 02375, 02376, 02377, 02380, 02381, and 02384

Dated New York, New York
September 22, 2004

LATHAM & WATKINS LLP

By /s/ Robert J Rosenberg
Robert J Rosenberg (RR-9585)
885 Third Avenue, Suite 1000
New York, New York 10022
(212) 906-1200

Attorneys for the Special Committee
of Board of Directors

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Withdrawal of Claims was served upon the parties on the annexed Service List in the manner indicated thereon this 22nd day of September, 2004

/s/ Leslie Salcedo
Leslie Salcedo

Sworn to before me this
22nd day of September, 2004

/s/ John W Weiss
John W Weiss
Notary Public, State of New York
No 02WE6113201
Qualified in New York County
Commission Expires 7/26/08

SERVICE LIST

VIA FIRST CLASS MAIL

AKIN GUMP STRAUSS HAUER & FELD LLP ATTN PHILIP C DUBLIN, ESQ ATTN IRA S DIZENGOFF, ESQ ATTN COLIN M ADAMS, ESQ 590 MADISON AVENUE NEW YORK, NY 10022	UNITED STATES TRUSTEE PAMELA JEAN LUSTRIN 33 WHITEHALL STREET 21ST FLOOR NEW YORK, NY 10004

FORM B10 (Official Form 10) (4/01)

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

PROOF OF CLAIM

Name of Debtor	Case Number
Allegiance Telecom Inc	**03 13057(RDD)**

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U S C § 503

Name of Creditor (The person or other entity to whom the debtor owes money or property)

Jacob J Goldberg

Name and address where notices should be sent

Latham & Watkins
Attn Robert Rosenberg
c/o Jacob J Goldberg
885 Third Avenue
New York New York 10022

Telephone number **N/A**

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ Check box if you have not received any notices from the bankruptcy court in this case

☐ Check box if the address differs from the address on the envelope sent to you by the court

FILED
U S B C SOUTHERN DISTRICT OF NEW YORK
ALLEGIANCE TELECOM, INC
03-13057 (RRD)
2201

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor

Check here if this claim ☐ replaces ☐ amends a previously filed claim dated _____

1 Basis for Claim

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☒ Other **Corporate Documents/Indemnification**

☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages, salaries, and compensation (fill out below)
Your SS # _____ _____ _____
Unpaid compensation for services performed
from _____ (date) to _____ (date)

RECD
DEC 03 2003
BMC

2 Date debt was incurred N/A

3 If court judgment, date obtained N/A

4 Total Amount of Claim at Time Case Filed **$ Unknown (See Attachment A)**
If all or part of your claim is secured or entitled to priority also complete Item 5 or 6 below
☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 Secured Claim
☐ Check this box if your claim is secured by collateral (including a right of setoff)
Brief Description of Collateral
☐ Real Estate ☐ Motor Vehicle
☐ Other _____

Value of Collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim if any $_____

6 Unsecured Priority Claim
☐ Check this box if you have an unsecured priority claim
Amount entitled to priority $_____
Specify the priority of the claim
☐ Wages salaries or commissions (up to $4 650)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor s business whichever is earlier 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)
☐ Up to $2 100* of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)
☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)
☐ Other Specify applicable paragraph of 11 U S C § 507(a)(____)
*Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 Credits The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 Supporting Documents *Attach copies of supporting documents*, such as promissory notes, purchase orders invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available, explain If the documents are voluminous, attach a summary

9 Date-Stamped Copy To receive an acknowledgement of the filing of your claim, enclose a stamped self-addressed envelope and copy of this proof of claim

THIS SPACE IS FOR COURT USE ONLY

Date	Sign and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)
11/25/03	**See attached signature page**

Penalty for presenting fraudulent claim Fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C §§ 152 and 3571

Allegiance Claim
02380

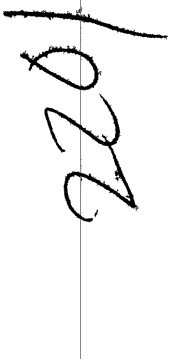
In re Allegiance Telecom, Inc
Case No 03-13057 (RDD)
Proof of Claim - Signature Page

Dated November 25, 2003

By _____

Name Jacob J Goldberg

Title Director / Allegiance Telecom, Inc



ATTACHMENT A

Name of Claim Holder Jacob J Goldberg **("Claimant")**

1 By filing this proof of claim, Claimant does not waive, release or relinquish any rights it has or may have against any of the Debtors and Claimant reserves the right to amend this proof of claim

2 Claimant's proof of claim is for any and all claims, causes of action, liabilities, damages, remedies and amounts that are related to or that may arise under any agreement, articles of incorporation, bylaws, corporate resolution and/or common law, including but not limited to a claim for indemnification, if any

3 The filing of this proof of claim does not take into consideration the assumption and assignment of any such agreement, articles of incorporation, bylaws, and/or corporate resolution, which may be an executory contract under the provisions of 11 U S C § 365, and Claimant specifically reserves the right to amend this proof of claim, if necessary

4 The Claimant may hold claims against each of or several of the Debtors Pursuant to that certain Stipulation and Order Permitting Certain Claimants to File Consolidated Claims, entered into by the Debtors and Claimant and approved by the Court on November 25, 2003, filing of this proof of claim in the chapter 11 case of Allegiance Telecom, Inc (Case No 03-13057(RDD)) will be deemed to constitute the filing of proofs of claims in each of the Debtors' chapter 11 cases However, Claimant only seeks recovery of its claim from a Debtor if such Debtor is eventually determined to be the appropriate Debtor party