

**REED SMITH LLP**

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in the State of Delaware  
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Hearing Date & Time: April 20, 2004 @ 10:00 a.m.  
Objection Deadline: April 17, 2004

-and-

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*Attorneys for Arthur H. Fierman, Jr.*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

ALLEGIANCE TELECOM, INC., *et al.*

Debtors.

Chapter 11

Case No. 03-13057 (RDD)  
(Jointly Administered)

**NOTICE OF ADJOURNED HEARING ON MOTION OF ARTHUR H. FIERMAN, JR.  
FOR AN ORDER, PURSUANT TO 11 U.S.C. § 362(d), (I) GRANTING RELIEF FROM  
THE AUTOMATIC STAY TO PERMIT THE COMMENCEMENT AND  
PROSECUTION, THROUGH JUDGMENT, OF AN EMPLOYMENT  
DISCRIMINATION ACTION AGAINST DEBTOR ALLEGIANCE TELECOM, INC.,  
AND THE ENFORCEMENT OF ANY JUDGMENT ENTERED IN SUCH  
EMPLOYMENT DISCRIMINATION ACTION TO THE EXTENT SUCH JUDGMENT  
IS COVERED BY THE DEBTORS' INSURANCE POLICIES; AND (II) FOR OTHER  
RELATED RELIEF**

**PLEASE TAKE NOTICE** that the hearing to consider the verified motion (the "**Motion**")  
of Arthur H. Fierman, Jr. ("Fierman"), seeking the entry of an order, pursuant to 11 U.S.C. § 362(d),

(a) granting Fierman relief from the automatic stay to permit him to (i) commence and prosecute through judgment, in the state or federal courts of Florida, or any other court of competent jurisdiction, an employment discrimination action (the “**Discrimination Action**”) against chapter 11 debtor and debtor-in-possession herein, Allegiance Telecom, Inc. (“**ATI**”), (ii) execute on any judgment entered in the Discrimination Action to the extent such judgment is covered by one or more of ATI’s insurance policies (collectively, the “**Insurance Policies**”) and (iii) amend his Proof of Claim filed herein to reflect the amount of any judgment, plus fees, costs and interest, entered in the Discrimination Action, less all amounts paid under the Insurance Policies; and (b) authorizing and directing the insurers under the Insurance Policies to pay the proceeds thereof to Fierman to satisfy any judgment obtained by him against ATI in the Discrimination Action, which was scheduled for March 25, 2004 at 10:00 a.m., shall be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, in Courtroom 610 of the United States Bankruptcy Court for the Southern District of New York (the “**Court**”), One Bowling Green, New York, New York, on April 20, 2004 at 10:00 a.m. (New York Time), or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE**, that the deadline to file and serve any responses or objections to the relief sought by Fierman by way of the Motion has been extended to April 17, 2004 at 4:00 p.m. (New York City Time). Responses or objections must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court electronically in accordance with General Order M-242 (General Order M-242 and the User's Manual for the Electronic Case Filing System can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Bankruptcy Court), by registered users of the Bankruptcy Court's case filing system and, by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect or any other Windows-based word processing format (with a hard-copy delivered directly to Chambers), and shall be served in accordance with General Order M-242, upon (i) Reed Smith,

LLP , One Riverfront Plaza, First Floor, Newark, New Jersey 07102-5401 (Attn: Deborah A. Reperowitz, Esq. and Charles N. Panzer, Esq.), the attorneys for Arthur H. Fierman, Jr.; (ii) Kirkland & Ellis LLP, 153 East 53<sup>rd</sup> Street, New York, New York 10022 (Attn: Jonathan S. Henes, Esq.), the attorneys for ATI; (iii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21<sup>st</sup> floor, New York, New York 10004 (Attn: Pamela J. Lustrin, Esq.); (iv) Akin Gump Strauss Hauer Feld LLP, 590 Madison Avenue, New York, New York 10022 (Attn: Ira S. Dizingoff, Esq.), the attorneys for the statutory committee of unsecured creditors appointed in these chapter 11 cases; and (viii) those parties entitled to notice pursuant to this Court's order dated May 15, 2003, and subsequently modified on May 16, 2003, establishing notice procedures in these chapter 11 cases, so as to be received no later than April 17, 2004 at 4:00 p.m. (New York Time).

Dated: New York, New York  
March 22, 2004

REED SMITH LLP  
Attorneys for Arthur H. Fierman, Jr.

By: /s/ Charles N. Panzer  
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