

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re	:	Chapter 11
	:	Case No. 13-10176-jmp
ATARI, INC., et al.	:	
	:	
Debtors¹.	:	

CERTIFICATE OF SUPPLEMENTAL SERVICE RE:

Docket No. 296 **NOTICE OF ATTEMPT TO ASSUME AND ASSIGN CERTAIN EXECUTORY CONTRACTS [Re: Docket Nos. 222, 247 and 260]**

Exhibit 1 **[CUSTOM] NOTICE OF ATTEMPT TO ASSUME AND ASSIGN CERTAIN EXECUTORY CONTRACTS [sample attached hereto]**

I, Mireya Carranza, state as follows:

1. I am over eighteen years of age and I believe the statements contained herein are true based on my personal knowledge. My business address is c/o BMC Group, Inc., 300 N. Continental Boulevard, Ste. 570, El Segundo, California 90245.

2. On July 16, 2013, At the direction of Akin Gump Straus Hauer & Feld LLP, counsel for the Debtors and Debtors in Possession, copies of the documents identified above by docket and exhibit number were served on the parties as set forth below in Exhibit A at the addresses shown thereon and via the mode of service indicated.

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¹ The other Debtors are Atari Interactive, Inc., Humongous, Inc., and California U.S. Holdings, Inc.

Exhibit A The Affected Parties Address List regarding Docket No 296 [Exhibit 1
thereto only] and Exhibit 1 attached hereto

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on the 17 day of July 2013 at Paramount, California.

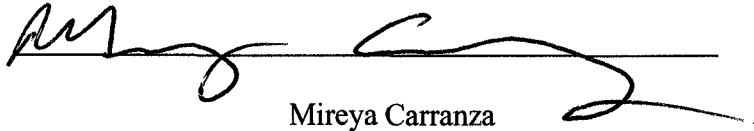

Mireya Carranza

EXHIBIT 1

AKIN GUMP STRAUSS HAUER & FELD LLP
One Bryant Park
New York, New York 10036
Telephone: (212) 872-1000
Facsimile: (212) 872-1002
Ira S. Dizengoff
Kristine G. Manoukian

Robert S. Strauss Building
1333 New Hampshire Avenue, N.W.
Washington, DC 20036-1564
Telephone: (202) 887-4000
Facsimile: (202) 887-4288
Scott L. Alberino (*Admitted Pro Hac Vice*)

Counsel to the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Chapter 11
)
ATARI, INC., *et al.*,) Case No. 13-10176 (JMP)
) Debtors) (Jointly Administered)
)

**NOTICE OF ATTEMPT TO ASSUME AND ASSIGN
CERTAIN EXECUTORY CONTRACTS**

TO: RECIPIENT NAME

PLEASE TAKE NOTICE that, on May 22, 2013, the above-captioned debtors and debtors in possession (collectively, the *Debtors*) filed a motion (the *Sale Motion*) to, among other things, (a) establish auction and bid procedures (the *Bid Procedures*) with respect to the sale(s) (collectively, the *Sale Transaction*) of substantially all of their assets (the *Assets*), (b)

¹ The Debtors are Atari, Inc., Atari Interactive, Inc., Humongous, Inc., and California U.S. Holdings, Inc.

schedule an auction and sale hearing (the "**Sale Hearing**") with respect to the Sale Transaction, and (c) approve the sale(s) of the Assets and the assumption and assignment of certain contracts related thereto free and clear of all liens, claims, encumbrances and other interests.

PLEASE TAKE FURTHER NOTICE that, on June 14, 2013, the Court entered an order (the "**Bid Procedures Order**") [Docket No. 260] approving the Bid Procedures and setting a date for the Sale Hearing. The Sale Hearing is currently scheduled to be held on July 24, 2013 at 10:00 a.m. (prevailing Eastern time) at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, before the Honorable James M. Peck, United States Bankruptcy Court Judge, to consider the Debtors' selection of the highest or otherwise best bid(s) and the approval of the Sale Transaction. The Sale Hearing may be adjourned or rescheduled without notice.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Sale Motion, the Debtors may seek authorization to assume and assign certain executory contracts (the "**Executory Contracts**") relating to the Assets upon consummation of the Sale Transaction. Such Executory Contracts are listed on Exhibit 1 hereto and available at the website maintained by the Debtors' claims and noticing agent, BMC Group, at <http://www.bmcgroup.com/atari> or upon requested to the same at: (888) 909-0100.

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE A PARTY (OR REPRESENT SUCH PARTY) TO ONE OR MORE EXECUTORY CONTRACTS WHICH MAY BE ASSUMED AND ASSIGNED BY THE DEBTORS IN CONNECTION WITH THE SALE TRANSACTION.

PLEASE TAKE FURTHER NOTICE that, Bankruptcy Code section 365(b)(1) requires a chapter 11 debtor to cure, or provide adequate assurance that it will promptly cure, any defaults under executory contracts at the time of assumption. The required cure amount (the "**Cure Amount**"), if any, for each Executory Contract is listed on Exhibit 1 hereto. Please note

that if no amount is stated for a particular contract, the Debtors believe that there is no Cure Amount outstanding for such contract.

PLEASE TAKE FURTHER NOTICE that, should you object to the proposed assumption and assignment of an Executory Contract(s) to which you are a party (or represent such a party) as part of the Sale Transaction, or, if applicable, the proposed Cure Amount, you must file and serve an objection on: (i) counsel to the Debtors, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, New York 10036 (Attn.: Ira S. Dizengoff, Esq. and Kristine G. Manoukian, Esq.), 1333 New Hampshire Avenue, N.W., Washington, D.C. 20036 (Attn.: Scott L. Alberino, Esq.); (ii) the Office of the United States Trustee for the Southern District of New York, 201 Varick Street, Room 1006, New York, New York 10014 (Attn.: Richard C. Morrissey, Esq.); and (iii) parties in interest who have filed a notices of appearance in these cases pursuant to Bankruptcy Rule 2002, **not later than July 19, 2013 at 4:00 p.m. (prevailing Eastern time)**. Any objection to the proposed assumption and assignment must state with specificity the legal and factual basis on which such objection is premised. Any objection to the proposed Cure Amount must state with specificity what other Cure Amount is required and provide appropriate documentation in support thereof.

PLEASE TAKE FURTHER NOTICE that, should the successful bidder(s) of the Assets not designate an Executory Contract to be assumed and assigned, such contract shall be deemed rejected by the Debtors and notice of such rejection shall be served on the relevant parties as soon as reasonably practicable.

PLEASE TAKE FURTHER NOTICE THAT THE APPROVED ASSUMPTION OF ANY DESIGNATED CONTRACT SHALL RESULT IN THE FULL RELEASE AND SATISFACTION OF ANY CLAIMS OR DEFAULTS, WHETHER MONETARY OR

NONMONETARY, INCLUDING DEFAULTS OF PROVISIONS RESTRICTING THE CHANGE IN CONTROL OR OWNERSHIP INTEREST COMPOSITION OR OTHER BANKRUPTCY RELATED DEFAULTS, ARISING UNDER ANY ASSUMED EXECUTORY CONTRACT AT ANY TIME BEFORE THE DEBTORS ASSUME SUCH EXECUTORY CONTRACT. ANY PROOFS OF CLAIM FILED WITH RESPECT TO AN EXECUTORY CONTRACT THAT HAS BEEN ASSUMED SHALL BE DEEMED DISALLOWED AND EXPUNGED, WITHOUT FURTHER NOTICE TO OR ACTION, ORDER OR APPROVAL OF THE BANKRUPTCY COURT.

New York, New York
Dated: July 11, 2013

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Ira S. Dizengoff

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Counsel to the Debtors and Debtors in Possession

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SAMPLE

 31652434001336

NAME
S ADDRESS
CITY, STATE ZIP

SAMPLE

EXHIBIT A

Atari

Total number of parties: 2

Exhibit A - Atari

Svc Lst	Name and Address of Served Party	Mode of Service
52514	ATARI GAMES CORPORATION, G LILLEY CNSL LGL & BUS AFFAIRS, WARNER BROS. HOME ENTERTAINMENT, 4000 WARNER BLVD , BURBANK, CA, 91522	Federal Express Overnight
52514	IVES MARTIN, GAYGLE BROOK COTTAGE,BICESTER ROAD, MIDDLETON STONEY, OXFORDSHIRE, OX25 4TD UNITED KINGDOM	Federal Express Overnight

Subtotal for this group: 2