

Objection Deadline: September 10, 2013 at 4:00 p.m. (ET)
Hearing Date: September 17, 2013 at 10:00 a.m. (ET)

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

In re:)	Chapter 11
ATARI, INC., <i>et al.</i> ,)	Case No. 13-10176 (JMP)
Debtors. ¹)	(Jointly Administered)

**NOTICE OF HEARING ON FIRST AND FINAL APPLICATION OF ALLEN
CHAPELL, CONSUMER PRIVACY OMBUDSMAN, APPOINTED PURSUANT TO
SECTION 332 OF THE BANKRUPTCY CODE FOR APPROVAL AND ALLOWANCE
OF COMPENSATION FOR SERVICES RENDERED DURING THE PERIOD FROM
JULY 22, 2013 THROUGH AND INCLUDING JULY 29, 2013**

PLEASE TAKE NOTICE on August 13, 2013, Allen Chapell, Consumer Privacy
Ombudsman appointed by the United States Trustee pursuant to 11 U.S.C. § 332 (the
“*Ombudsman*”), filed the *First and Final Application of Allen Chapell, Consumer Privacy
Ombudsman, Appointed Pursuant to Section 332 of the Bankruptcy Code for Approval and*

¹ The “*Debtors*” are: Atari, Inc.; Atari Interactive, Inc.; Humongous, Inc.; and California U.S. Holdings, Inc.

Allowance of Compensation for Services Rendered During the Period from July 22, 2013 through and including July 29, 2013 [Docket No. 340] (the “Fee Application”):

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Fee Application shall be held before the Honorable James M. Peck, United States Bankruptcy Judge, at the United States Courthouse, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, **on September 17, 2013 at 10:00 a.m. (prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that responses, if any, to the relief requested in the Fee Application (i) must be in writing; (ii) shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York; (iii) be filed in accordance with General Order M-399 of the Bankruptcy Court, which can be found at www.nysb.uscourts.gov; (iv) shall set forth the name of the objecting party and the basis for the objection and the specific grounds therefore; (v) shall be filed with the Clerk of the Bankruptcy Court (with a courtesy copy delivered directly to the Chambers of the Honorable James M. Peck), together with the proof of service thereof; and (vi) shall be served in a manner so as to actually be received by (a) the Debtors, Atari, Inc., 475 Park Avenue South, Twelfth Floor, New York, New York 10016 (Attn.: Robert A. Mattes, CFO); (b) counsel to Debtors, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, New York 10036 (Attn.: Ira S. Dizengoff, Esq. and Kristine Manoukian Esq.) and Robert S. Strauss Building, 1333 New Hampshire Avenue, N.W., Washington, District of Columbia 20036 (Attn.: Scott L. Alberino, Esq.); (c) counsel to the DIP lender, Alden Global Value Recovery Master Fund, L.P., Bracewell & Giuliani LLP, 1251 Avenue of the Americas, 49th Floor, New York, New York 10020 (Attn.: Robert G. Burns, Esq. and Andrew J. Schouler, Esq.); (d) counsel to the Committee, Cooley LLP, 1114 Avenue of the Americas, New York, New York 10036 (Attn.: Cathy Hershcopf, Esq.

and Jeffrey Cohen, Esq.); (e) 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 (f) Allen Chapell & Associates, LLC, 692 Greenwich Street, #5, New York, New York 10014, in each case so as to be received **no later than September 10, 2013 at 4:00 p.m. (prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that if you fail to file and serve a timely response to the Fee Application in accordance with the above requirements, the Bankruptcy Court may grant the relief requested in the Fee Application without further notice or hearing.

PLEASE TAKE FURTHER NOTICE that copies of the Fee Application may be obtained from the Debtors' claims and noticing agent, BMC Group, Inc., by visiting the website <http://www.bmcgroup.com/atari>. Copies of the Application also may be obtained by accessing the Bankruptcy Court's website at www.nysb.uscourts.gov through an account obtained from Pacer Service Center at 1-800-676-6856.

New York, New York
Dated: August 26, 2013

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Ira S. Dizengoff

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