

**Presentment Date: December 19, 2013 at noon (prevailing Eastern Time)**  
**Objection Deadline: December 19, 2013 at 11:30 a.m. (prevailing Eastern Time)**

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

In re:

ATARI, INC. *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 13-10176 (JMP)

Jointly Administered

**NOTICE OF PRESENTMENT OF POST-CONFIRMATION ORDER AND NOTICE**

PLEASE TAKE NOTICE that the undersigned counsel for the above-captioned debtors and debtors in possession (collectively, the “*Debtors*”) intend to present to the Honorable James M. Peck, United States Bankruptcy Judge, for signature on **December 19, 2013 at noon (prevailing Eastern time)**, the *Post-Confirmation Order and Notice* (the “*Order*”), attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE that responses or objections, if any, to the Order (i) must be in writing; (ii) shall conform to the Federal Rules of Bankruptcy Procedure and the

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<sup>1</sup> The Debtors are Atari, Inc., Atari Interactive, Humongous, Inc., and California U.S. Holdings, Inc.

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](http://www.nysb.uscourts.gov); (iv) shall set forth the name of the responding or objecting party and the basis for the response or objection and the specific grounds therefore; (v) shall be filed with the Clerk of the 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) Akin Gump Strauss Hauer & Feld LLP, counsel to the Debtors, 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.); (b) 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.); (c) counsel to the Official Committee of Unsecured Creditors, Cooley LLP, 1114 Avenue of the Americas, New York, New York 10036 (Attn.: Cathy Hershcopf, Esq. and Jeffrey Cohen, Esq.); (d) counsel to Alden Global Value Recovery Master Fund, L.P., Bracewell & Giuliani, 1251 Avenue of the Americas, 49th Floor, New York, New York 10020 (Attn.: Robert G. Burns, Esq. and Andrew J. Schouder, Esq.); (e) counsel to Atari, S.A., Allen & Overy LLP, 1221 Avenue of the Americas, New York, New York 10020 (Attn.: Ken Coleman, Esq.); and (f) the Debtors' claims and noticing agent, BMC Group, Inc. ("**BMC**"), P.O. Box 3020, Chanhassen, MN 55317-3020 (Attn.: Atari, Inc. Claims Processing) no later than **December 19, 2013 at 11:30 a.m. (prevailing Eastern time)** (the "**Response Deadline**"). **Unless objections are received by the Response Deadline, the Order may be signed.**

PLEASE TAKE FURTHER NOTICE that copies of the Order may be obtained from BMC by visiting the Debtors' case information website at <http://www.bmcgroup.com/atari> or by

accessing the Court's website at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) through an account obtained from the  
Pacer Service Center at 1-800-676-6856.

New York, New York  
Dated: December 13, 2013

AKIN GUMP STRAUSS HAUER & FELD LLP

*/s/ Ira S. Dizengoff*

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*Counsel the Debtors and Debtors in Possession*

**EXHIBIT A**

**Post-Confirmation Order and Notice**

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

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

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**POST-CONFIRMATION ORDER AND NOTICE**

WHEREAS, on December 5, 2013, the Court entered an order [Docket No. 497] (the “*Confirmation Order*”) in the chapter 11 cases of Atari, Inc., Atari Interactive, Inc., Humongous, Inc. and California U.S. Holdings, Inc. (collectively, the “*Debtors*”) confirming the *Debtors’ Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code* [Docket No. 379] annexed to the Confirmation Order as Exhibit A (as confirmed, the “*Plan*”)<sup>2</sup>; and

WHEREAS, the Debtors expect the Plan to become effective within several weeks of the date of this Order; and

WHEREAS, it is the Debtors’ responsibility to inform the Court of the progress made toward (i) entry of a final decree under Bankruptcy Rule 3022 and (ii) the closing of these chapter 11 cases under Bankruptcy Code section 350.

IT IS HEREBY ORDERED THAT:

1. The Debtors, Reorganized Debtors or such other party as the Court may direct (each a “*Responsible Party*”) shall comply with the following, except to the extent that the Court orders otherwise:

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<sup>1</sup> The “*Debtors*” are Atari, Inc., Atari Interactive, Inc., Humongous, Inc., and California U.S. Holdings, Inc.  
<sup>2</sup> Unless otherwise defined herein, capitalized terms shall have the meanings that are ascribed to such terms in the Plan.

a. Notices. On the Effective Date, the Responsible Party shall serve (by email or other means) a copy of this Order, the Confirmation Order, and a notice advising of the occurrence of the Effective Date to each party on the Master Service List (as defined in the *Order Establishing Notice and Service Procedures* [Docket No. 38]).

b. Closing Report and Final Decree. Within thirty (30) days following the later of (x) the Administrative Claims Objection Deadline and (y) the date in which all claims become Allowed, the Responsible Party shall file an application for a final decree and, if and when requested by the Court, a closing report in accordance with Local Bankruptcy Rule 3022-1.

c. Case Closing. The Responsible Party shall submit information in accordance with the immediately preceding subparagraph b., including a final decree closing the Cases. If the Responsible Party fails to comply with this Order, the Clerk shall so advise the Court and an order to show cause may be issued.

2. The Reorganized Debtors shall serve as the Disbursing Agent.
3. The terms and conditions of this Order shall be immediately enforceable upon its

entry.

4. The Court shall retain jurisdiction to hear and decide any dispute related to or arising from this Order.

New York, New York  
Dated: December \_\_\_\_, 2013

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THE HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE