


JAN 14 2014

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
THE DATE OF ENTRY IS
ON THE COURTS DOCKET
TAWANA C. MARSHALL, CLERK


D. Michael Lynn
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re: § Chapter 11
§
FIBERTOWER NETWORK SERVICES § Case No. 12-44027-DML-11
CORP., *et al.*, §
§ Jointly Administered
Debtors. §

**ORDER GRANTING DEBTORS' MOTION TO FILE UNDER SEAL (I)
MEMORANDUM OF LAW IN SUPPORT OF CONFIRMATION OF DEBTORS'
JOINT CHAPTER 11 PLAN AND (II) DECLARATION OF THOMAS SCOTT IN
SUPPORT OF CONFIRMATION OF DEBTORS' JOINT CHAPTER 11 PLAN**

Upon the Motion (the "Motion")¹ of the above-captioned debtors and debtors in possession (collectively, the "Debtors")² to File Under Seal (i) Memorandum of Law in Support of Confirmation of Debtors' Third Amended Joint Chapter 11 Plan (the "Memorandum of Law") and (ii) Declaration of Thomas Scott in Support of Confirmation of the Debtors' Third Amended Joint Chapter 11 Plan ("Scott Declaration"); and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A); and the Court being satisfied that the relief requested in the Motion is

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Motion.

² The Debtors in these chapter 11 cases are: (i) FiberTower Network Services Corp.; (ii) FiberTower Corporation; (iii) FiberTower Licensing Corp.; and (iv) FiberTower Spectrum Holdings LLC.

appropriate and in the best interests of the Debtors and their respective estates and creditors; and it appearing that sufficient notice of the Motion has been given, and that no other or further notice is required; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED AS FOLLOWS:

1. The Motion is hereby granted, to the extent set forth herein.
2. The Debtors are hereby authorized to file (i) a redacted version of the Memorandum of Law and (ii) the Scott Declaration under seal.
3. The Clerk is hereby directed to file the Memorandum of Law and Scott Declaration under seal, and keep the same under seal until such time as the Court enters an order unsealing such documents.
4. The Debtors shall follow the procedures in the Court's ECF User Manual under the heading "Procedure for submission of a document [not previously provided] upon entry of order sealing document" and shall also provide copies of the Memorandum of Law and Scott Declaration, by hand delivery, to Chambers.

END OF ORDER