

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

MAR 25 2014



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 REGARDING PENDING FCC LICENSES

Upon the Supplement (the “Supplement”)¹ to Motion for Authority to (i) Make Post-Confirmation Amendment to Debtors’ Fourth Amended Joint Chapter 11 Plan [Docket No. 1057] (as amended, modified and supplemented, the “Plan”) Pursuant to 11 U.S.C. § 1127(b) and (ii) Enter into Trust Agreement with Respect to Certain FCC Licenses [Docket No. 1078] (the “Motion”) filed by the above-captioned debtors and debtors in possession (collectively, the “Debtors”);² and the Court being satisfied that the relief requested in the Supplement is necessary and is in the best interests of the Debtors and their respective estates and creditors; and it appearing that sufficient notice of the Supplement has been given, and that no other or further

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Supplement or Plan, as the context dictates.

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.

notice is required; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED AS FOLLOWS:

1. Notwithstanding the terms of the Plan and the Confirmation Order the Pending Licenses shall remain property of the Debtors' pre-Effective Date Estates upon the occurrence of the Effective Date of the Plan.

2. The Bankruptcy Court shall in all respects retain jurisdiction with respect to any and all matters relating to the Pending Licenses until such time as the FCC makes a determination with respect to the proposed transfer of the Pending Licenses from FiberTower Spectrum Holdings, LLC to Reorganized FiberTower Spectrum Holdings, LLC.

3. The Bankruptcy Court shall retain jurisdiction with respect to any and all matters relating to the interpretation and enforcement of this Order.

4. The Debtors shall serve a copy of this Order on the parties appearing on the Limited Service List within five (5) days from the date this Order is entered on the docket.

END OF ORDER