

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:)
) Chapter 11
)
PEGASUS SATELLITE TELEVISION, INC., et al.,) Case No. 04-20878 (JBH)
)
Debtors.) (Jointly Administered)
)

**MOTION OF GATELIX CORP. TO EXPUNGE AND REPLACE SUPPORTING
DOCUMENTATION TO CERTAIN PROOFS OF CLAIM
PURSUANT TO FEDERAL BANKRUPTCY RULE 9018,
AND INCORPORATED MEMORANDUM OF LAW**

I. INTRODUCTION

1. Pursuant to Fed. R. Bankr. P. 9018, Gatelinx Corp. (“Gatelinx”) requests that the Court enter an order in the above referenced cases authorizing The Trumbull Group, LLC (“Trumbull”) to (a) expunge supporting documentation to certain proofs of claim filed by Gatelinx in each of the cases, and (b) replace the supporting documentation with new supporting documentation. In support of this Motion, Gatelinx states as follows:

II. JURISDICTIONAL STATEMENT

2. On June 2, 2004 (the "Petition Date"), each of the Debtors¹ filed with this Court a voluntary petition (the "Petition") for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.* (the "Bankruptcy Code").

¹ The Debtors are: Argos Support Services Company, Bride Communications, Inc., B.T. Satellite, Inc., Carr Rural TV, Inc., DBS Tele-Venture, Inc., Digital Television Services of Indiana, LLC, DTS Management, LLC, Golden Sky DBS, Inc., Golden Sky Holdings, Inc. Golden Sky Systems, Inc., Henry County MRTV, Inc., HMW, Inc., Pegasus Broadcast Associates, L.P., Pegasus Broadcast Television, Inc. Pegasus Broadcast Towers, Inc., Pegasus Media & Communications, Inc., Pegasus Satellite Communications, Inc., Pegasus Satellite Television of Illinois, Inc., Pegasus Satellite Television, Inc., Portland Broadcasting, Inc., Primewatch, Inc., PST Holdings, Inc., South Plains DBS, LP., Telecast of Florida, Inc., WDSI License Corp., WILF, Inc., WOLF License Corp., and WTLH License Corp.

3. Since the Petition Date, the Debtors have remained in possession of their respective property and operating their respective businesses as debtors in possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code.

4. This Court has jurisdiction over these cases pursuant to 28 U.S.C. §§ 157(a), 1334(b), 1408(1), and the standing order of the United States District Court for the District of Maine dated August 1, 1984, pursuant to which all cases filed in Maine under Title 11 are automatically referred to this Court. This is a core proceeding. The Court has jurisdiction to enter a final order on this Motion pursuant to 28 U.S.C. § 157(b)(2)(A).

III. GENERAL ALLEGATIONS

5. On October 11, 2004, pursuant to Fed. R. Bankr. P. 3003(c)(3) and the Order Pursuant to Bankruptcy Rule 3003(c)(3) Establishing Procedures for Filing Proofs of Claim And Approving the Form and Manner of Notice Thereof, dated September 1, 2004, Gatelinx filed with Trumbull Proofs of Claim numbers 612 through 639 respectively in each of the above referenced cases (each referred to as the “POC” and collectively the “POCs”).

6. Gatelinx attached to each POC a CD-ROM (the “CD”) containing voluminous supporting documentation.

7. Gatelinx inadvertently included certain confidential and proprietary information on the CDs.

8. Pursuant to Fed. R. Bankr. P 9018, the Court may make any order “to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information”

9. Gatelinx requests that the Court enter an order (a) authorizing and directing Trumbull to remove and expunge the supporting documentation contained on the CDs from the

POCs from its files and internet website; (b) authorizing and directing Trumbull to return all CDs to Gatelinx; (c) authorizing and directing Trumbull to replace the supporting documentation for each POC with new supporting documentation (the “New Documentation”) submitted by Gatelinx within ten (10) days of the date an order approving this Motion; and (d) deeming the New Documentation filed on the same date as the respective POC was filed with Trumbull.

10. The Debtors and Trumbull consent to this Motion.

IV. SERVICE OF THIS MOTION

11. On November 22, 2004, Gatelinx served, either electronically or by First Class U.S. mail, postage prepaid, copies of this Motion and a proposed order granting the same (the “Proposed Order”) on counsel for the Debtors, the Office of the U.S. Trustee, counsel for the Official Committee of Unsecured Creditors, and on each person who filed a notice of appearance in the case and a request for service of papers. Gatelinx respectfully requests that this Court find such service to be adequate notice to all parties in interest under the circumstances of the above-captioned cases.

V. CONCLUSION

12. For the foregoing reasons, Gatelinx respectfully requests that this Court enter an order:

- A. Finding and determining that service as set forth above was adequate notice to all parties in interest under the circumstances of the cases;
- B. Authorizing and directing Trumbull to remove and expunge all CDs and information contained on the CDs from its files and its Internet website;
- C. Authorizing and directing Trumbull to return all CDs to Gatelinx;
- D. Authorizing and directing Trumbull to replace the supporting documentation for

each POC that is contained on the CDs with the New Documentation submitted by Gatelinx within ten (10) days of the date of an order approving this Motion;

- E. Deeming the New Documentation filed on the same date as the respective POC was filed with Trumbull; and
- F. Granting Gatelinx such other and further relief as this Court deems just and equitable.

Dated: November 22, 2004

/s/ Regan M. Hornney
Regan M. Hornney, Esq.
Brann & Isaacson
184 Main Street
P.O. Box 3070
Lewiston, Maine 04243-3070
Telephone (207) 786-3566
Facsimile (207) 783-9325
rhornney@brannlaw.com
Attorney for Gatelinx Corp.

CERTIFICATE OF SERVICE

I, Regan M. Hornney, Esq., hereby certify that I served a true and correct copy of the above Motion of Gatelinx Corp. to Expunge and Replace Supporting Documentation to Certain Proofs of Claim Pursuant to Federal Bankruptcy Rule 9018, dated November 22, 2004, on each of the parties set forth on this Service List via U.S. Mail, postage prepaid, on November 22, 2004.

/s/ Regan M. Hornney
Regan M. Hornney

Service List

Kenneth E. Aaron
Weir & Partners LLP
842 Market Street Mall, Suite 1001
Wilmington, DE 19801

Angelo, Gordon & Co.

Attn: Leigh Walzer
245 Park Avenue, 26th Floor
New York, NY 10167

Stephen M. Baldini

Akin, Gump, Strauss, Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022

Michael E. Baumann

Kirkland & Ellis LLP
777 South Figueroa Street
Los Angeles, CA 90017

David H. Botter

Akin, Gump Strauss Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022

CRT Capital Group LLC

Attn: Nadav Braun
262 Harbor Drive
Stamford, CT 06902

Lori E. Chasen

Paul, Weiss, Rifkind, Wharton & Garrison
1285 Avenue of the Americas
New York, NY 10019-6064

Lisa A. Chiapetta

Proskauer Rose LLP
1585 Broadway
New York, NY 10036-8299

Cohanzick Management, LLC

427 Bedford Road, Suite 260
Pleasantville, NY 10570

Daily Insights

Attn: Bill Angelowitz
JAF Box 3127
New York, NY 10116

John P. Dillman

Linebarger Goggan Blair & Sampson, LLP
P.O. Box 3064
Houston, TX 77253-3064

Philip C. Dublin

Akin, Gump, Strauss, Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022

Barbara Ellis-Munro

Smith, Gambrell & Russell, LLP
1230 Peachtree Street N.E.
Suite 3100
Atlanta, GA 30309

Gabriel Capital, L.P.

450 Park Ave., Suite 3201
New York, NY 10022

Daniel M. Glosband

Goodwin Proctor, LLP
Exchange Place
Boston, MA 02109

Daniel H. Golden

Akin, Gump, Strauss Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022

John L. Graham

King & Spalding
1185 Avenue of the Americas
New York, NY 10036

Eric W. Hagen

Kirkland & Ellis, LLP
777 South Figueroa Street
Los Angeles, CA 90017-5800

Richard F. Hahn

Debevoise & Plimpton, LLP
919 Third Avenue
New York, NY 10022

Gerald Huffaker

Huffaker, Green & Huffaker
P.O. Box 419
Tahoka, TX 79373

John G. Hutchinson

Sidley, Austin, Brown & Wood, LLP
787 Seventh Avenue
New York, NY 10019

IKON Financial Services

Bankruptcy Administration
IOS Capital LLC
1738 Bass Road
P.O. Box 13708
Macon, GA `31208-370

IKON Office Solutions, Inc.

Recovery and Bankruptcy
5400 Bowman Road
Macon, GA 31210

Richard P. Krasnow

Weil, Gotshal & Mages, LLP
767 Fifth Avenue
New York, NY 10153

Madison Capital Management

Attn: Craig Klein
6143 South Willow Drive, Suite 200
Greenwood Village, CO 80111

Basil Marceaux

810 Hyatte Road
Soddy Daisy, TN 37379-4020

Mark E. Mazzei

2000 Corporative Drive
Canonsburg, PA 15317

John P. McNicholas

Piper, Rudnick, LLP
1251 Avenue of the Americas
New York, NY 10020-1104

Diane Meyers

Paul, Weiss, Rifkind, Wharton & Garrison,
1285 Avenue of the Americas
New York, NY 10019-6064

C. MacNeil Mitchell

Winston & Strawn, LLP
Attn: Denise Cunsolo, Legal Asst.
200 Park Avenue
New York, NY 10166

Larry J. Nyhan

Sidley Austin Brown & Wood LLP
Bank One Plaza
10 South Dearborn Street
Chicago, IL 60603

Rosetta B. Packer

McCarter & English, LLP
Mellon Bank Center
1735 Market Street, Suite 700
Philadelphia, PA 19103

Joan E. Pilver

Assistant Attorney General
55 Elm Street, Fifth Floor
Hartford, CT 06106

Abid Qureshi

Akin, Gump, Strauss, Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022

Michael Reed

McCreary, Veselka, Bragg, & Allen, PC
P.O. Box 26990
Austin, TX 78755

Andrew N. Rosenberg

Paul, Weiss, Rifkind, Wharton & Garrison
1285 Avenue of the Americas
New York, NY 10019-6064

Diane W. Sanders

Linebarger, Goggan, Blair & Sampso, LLP
1949 South I.H. 35 (78741)
P.O. Box 17428
Austin, TX 78760

Edward J. Schultz

Jenkins & Jenkins Attorneys, PLLC
800 South Gay Street, Suite 2121
Knoxville, TN 37929-2121

Alexander Simon

Weil, Gotshal & Manges, LLP
767 Fifth Avenue
New York, NY 10153

Wayne M. Smith

4000 Warner Blvd.
Bldg. 156, Room 5158
Burbank, CA 91522

Mark Somerstein

Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178

Gregg Spath

Property Management Dept.
Omnipoint Holdings, Inc.
4 Sylvan Way
Parsippany, NJ 07054

Eric D. Statman

Lovells
900 Third Avenue
New York, NY 10022

Debra SuDock

Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178

Tejas Securities Group, Inc.

2700 Via Fortuna
Suite 400
Austin, TX 78746

Macken Toussaint

Goodwin, Proctor LLP
Exchange Place
Boston, MA 02109

Michael L. Tuchin

Klee, Tuchin, Bogdanoff & Stern, LLP
Fox Plaza
2121 Avenue of the Stars, 33rd Floor
Los Angeles, CA 90067

John T. Vian

Smith, Gambrell & Russell, LLP
1230 Peachtree Street N.E.
Suite 3100
Atlanta, GA 30309

Edward S. Weisfelner

Brown, Rudnick, Berlack, Israels LLP
120 West 45th Street
New York, NY 10036