



**IT IS ORDERED as set forth below:**

**Date: July 24, 2008**

*Mary Grace Diehl*

Mary Grace Diehl  
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
	)	
PIKE NURSERY HOLDING LLC,	)	CASE NUMBER: 07-79129-mgd
	)	
Debtor.	)	
_____	)	

ORDER GRANTING THIRD OMNIBUS MOTION TO REJECT EXECUTORY  
CONTRACTS

On June 30, 2008, Marcus A. Watson, Chapter 7 Trustee, filed a Third Omnibus Motion to Reject Executory Contracts ("Motion"). The matter was called for hearing on July 24, 2008 after notice. There being no opposition to the Motion and for good cause shown in the Motion, it is hereby:

ORDERED that the executory contracts listed on the attached **Exhibit A** between the Debtor and Bellsouth Telecommunications, Inc., Bellsouth Business Systems, Inc., Bellsouth Communication Systems, LLC and/or Bellsouth Long Distance, Inc. are rejected as of June 30, 2008.

[end of document]

Prepared and presented by:

/s/ J. Carole Thompson Hord

John A. Christy, Esq.

Georgia Bar 125518

J. Carole Thompson Hord

Georgia Bar No. 291473

Attorneys for Marcus A. Watson,

Interim Chapter 7 Trustee

SCHREEDER, WHEELER & FLINT, LLP

1100 Peachtree Street, N.E.

Suite 800

Atlanta, Georgia 30309-4516

(404) 681-3450

K:\7031\1\Pleadings\order reject bellsouth third omnibus.doc

## **EXHIBIT A**

### **A. *Contracts with Bellsouth Business Systems, Inc.***

- Bellsouth Business Services Master Agreement with Bellsouth Business Systems, Inc. and Bellsouth Telecommunications, Inc. – Master Contract BLS JB0261 dated December 29, 2003

### **B. *Contracts with Bellsouth Communications Systems, LLC***

- Bellsouth Business Master Agreement for Purchase of Equipment and/or Services with Bellsouth Communications Systems, LLC

### **C. *Contracts with Bellsouth Long Distance, Inc.***

- Customized Pricing Arrangement (CPA) with Bellsouth Long Distance, Inc. – Contract No. BSLD-0404-175 dated April 30, 2004
- Bellsouth Business Class Family of Services Customized Pricing Arrangement (“CPA”) with Bellsouth Long Distance, Inc. – Contract No. BSLD-0902-148 and 1<sup>st</sup> Amendment

### **D. *Contracts with Bellsouth Telecommunications, Inc.***

- Contract Service Arrangement Agreement with Bellsouth Telecommunications, Inc. – Case No. GA02-B410-04 dated July 19, 2002
- Addendum Agreement with Bellsouth Telecommunications, Inc. – Case No. GA04-1934-03 dated July 16, 2004
- Contract Service Arrangement Agreement with Bellsouth Telecommunications, Inc. – Case No. GA99-3158-04 dated June 23, 1999

- Bellsouth Business Services Master Agreement with Bellsouth Business Systems, Inc. and Bellsouth Telecommunications, Inc. – Master Contract BLS JB0261 dated December 29, 2003
- Letter of Election dated July 26, 2004 with Bellsouth Telecommunications, Inc.

DISTRIBUTION LIST

John A. Christy  
Schreeder, Wheeler & Flint, LLP  
1100 Peachtree Street, N.E.  
Suite 800  
Atlanta, Georgia 30309-4516

Leroy Culton  
Office of the United States Trustee  
362 United States Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303

Marcus A. Watson  
Finley, Colmer and Company  
3091 Governors Lake Drive  
Suite 450  
Norcross, GA 30071  
Chapter 7 Trustee

Bellsouth Communication Systems, LLC  
1936 Blue Hills Drive  
Roanoke, VA 24102

Bellsouth Communication Systems, LLC  
c/o Prentice Hall  
40 Technology Parkway South, #300  
Norcross, GA 30092

Bellsouth Long Distance, Inc.  
400 Perimeter Center Terrace  
Suite 4E  
Atlanta, GA 30346

Bellsouth Long Distance, Inc.  
c/o Prentice Hall  
40 Technology Parkway South, #300  
Norcross, GA 30092

Bellsouth Telecommunications, Inc.  
575 Morosgo Drive  
Atlanta, GA 30324

Bellsouth Telecommunications, Inc.  
2180 Lake Blvd.  
7<sup>th</sup> Floor  
Atlanta, GA 30319

Bellsouth Telecommunications, Inc.  
Assistant Vice President  
1800 Century Blvd., Suite 1600  
Atlanta, GA 30345

Bellsouth Telecommunications, Inc.  
c/o CSC of Gwinnett County, inc.  
40 Technology Parkway South, #300  
Norcross, GA 30092

Bellsouth Telecommunications, Inc.  
675 West Peachtree Street, NE  
Suite 4300  
Atlanta, GA 30375

Bellsouth Business Systems, Inc.  
c/o Prentice Hall  
100 Peachtree Street  
Atlanta, Georgia 30303

Bankruptcy Noticing Center  
2525 Network Place, 3rd Floor  
Herndon, Virginia 20171-3514

# CERTIFICATE OF SERVICE

District/off: 113E-9  
Case: 07-79129

User: benningto  
Form ID: pdf464

Page 1 of 1  
Total Served: 17

Date Rcvd: Jul 24, 2008

The following entities were served by first class mail on Jul 26, 2008.

db +Pike Nursery Holding LLC, 4020 Steve Reynolds Blvd., Norcross, GA 30093-3067  
aty J. Carole Thompson Hord, Schreeder, Wheeler & Flint, LLP, 1100 Peachtree Street, NE,  
Suite 800, Atlanta, GA 30309-4516  
aty +J. Robert Williamson, Scroggins and Williamson, 1500 Candler Building,  
127 Peachtree Street, N.E., Atlanta, GA 30303-1810  
aty John A. Christy, Schreeder, Wheeler & Flint, LLP, 1100 Peachtree Street, Suite 800,  
Atlanta, GA 30309-4516  
aty +Leroy Culton, U.S. Trustee, 362 Richard Russell Bldg., 75 Spring Street, SW,  
Atlanta, GA 30303-3315  
aty +Paul E. Vranicar, Schreeder, Wheeler & Flint, LLP, Suite 800, 1100 Peachtree St., NE,  
Atlanta, GA 30309-4516  
aty +Robert M.D. Mercer, Powell Goldstein LLP, One Atlantic Center - 14th Floor,  
1201 W. Peachtree Street, NW, Atlanta, GA 30309-3449  
tr +Marcus A. Watson, Finley, Colmer and Company, Suite 450, 3091 Governors Lake Drive,  
Norcross, GA 30071-1135  
+Bellsouth Business Systems, Inc., c/o Prentice Hall, 100 Peachtree Street,  
Atlanta, GA 30303-1906  
+Bellsouth Communication Systems, LLC, c/o Prentice Hall, 40 Technology Parkway South, #300,  
Norcross, GA 30092-2924  
+Bellsouth Communication Systems, LLC, 1936 Blue Hills Drive, Roanoke, VA 24012-8608  
+Bellsouth Long Distance, Inc., c/o Prentice Hall, 40 Technology Parkway South, #300,  
Norcross, GA 30092-2924  
+Bellsouth Long Distance, Inc., 400 Perimeter Center Terrace, Suite 4E,  
Atlanta, GA 30346-1227  
+Bellsouth Telecommunications, Inc, c/o CSC of Gwinnett County, Inc.,  
40 Technology Parkway South, #300, Norcross, GA 30092-2924  
+Bellsouth Telecommunications, Inc., 675 West Peachtree Street, NE, Suite 4300,  
Atlanta, GA 30375-0001  
+Bellsouth Telecommunications, Inc., 2180 Lake Blvd, 7th Floor, Atlanta, GA 30319-6004  
+Bellsouth Telecommunications, Inc., 575 Morosgo Drive, Atlanta, GA 30324-3300

The following entities were served by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 26, 2008

Signature:

