Joseph M. Coleman, SBT #04566100 Michael L. Scanlon, SBT #17707500

KANE RUSSELL COLEMAN & LOGAN, P.C.

3700 Thanksgiving Tower 1601 Elm Street Dallas, Texas 75201

Tel: 214-777-4200 Fax: 214-777-4299

#### SPECIAL COUNSEL TO THE DEBTORS

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

IN RE:	§	
	§	
VARTEC TELECOM, INC., et al.,	§	CASE NO. 04-81694-SAF-11
	§	
DEBTORS.	§	(Chapter 11)
	§	(Jointly Administered)

# MOTION FOR SETTING AND REQUEST FOR EXPEDITED HEARING

- 1. The above-referenced debtors and debtors in possession (collectively, the "Debtors")¹ request that a hearing be set on the Expedited Motion to Continue Hearing on the Motion to Shorten Time Period for the Debtors to Assume or Reject the SBC Telcos Executory Contracts (and Brief in Support) [Docket No. 1504] (the "Continuance Motion)² for July 22, 2005 at 1:30 p.m. or at such other time as the Court's docket may accommodate. In the Continuance Motion, the Debtors seek a continuance of SBC's motion to compel assumption or rejection of executory contracts [Docket No. 1454] (the "SBC Motion") until the Final Closing Date for the reasons set forth therein. An expedited hearing on the Continuance Motion is necessary and proper because the hearing on the SBC Motion is set for July 25, 2005 at 1:30 p.m. Thus, the Debtors seek to have the Continuance Motion heard prior to the actual hearing on the SBC Motion, or the relief sought will be rendered moot.
- 2. Notice of the proposed expedited hearing and the Continuance Motion will be provided as follows: (a) by electronic service through the Court's ECF service in compliance with the United States Bankruptcy Court for the Northern District of Texas General Order

\_

<sup>&</sup>lt;sup>1</sup> The Debtors include VarTec Telecom, Inc., Excel Communications Marketing, Inc., Excel Management Service, Inc., Excel Products, Inc., Excel Telecommunications, Inc., Excel Telecommunications of Virginia, Inc., Excel Teleservices, Inc., Excelcom, Inc., Telco Communications Group, Inc., Telco Network Services, Inc., VarTec Business Trust, VarTec Properties, Inc., VarTec Resource Services, Inc., VarTec Solutions, Inc., VarTec Telecom Holding Company, VarTec Telecom International Holding Company, and VarTec Telecom of Virginia, Inc.

<sup>&</sup>lt;sup>2</sup> Capitalized terms not defined herein shall have the meaning given to them in the Continuance Motion.

2004-06; and (b) by First Class United States Mail, postage prepaid, upon the parties listed on the Master Service List that do not receive electronic service.

Dated: July 14, 2005.

Respectfully submitted,

KANE, RUSSELL, COLEMAN & LOGAN, P. C.

3700 Thanksgiving Tower 1601 Elm Street Dallas, Texas 75201 Tel: 214-777-4200

Fax: 214-777-4299

By: /s/ Michael L. Scanlon

Joseph M. Coleman, SBT #04566100 Michael L. Scanlon, SBT #17707500

### SPECIAL COUNSEL TO THE DEBTORS

### **CERTIFICATE OF SERVICE**

This is to certify that on July 14, 2005, a copy of the foregoing document was served via the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ Michael L. Scanlon
Michael L. Scanlon