

**ENTERED**TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the order of the Court.

Signed August 4, 2005

Harlin DeWayne Hale
United States Bankruptcy Judge

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)
§

**ORDER DENYING MOTIONS OF QWEST COMMUNICATIONS,
QWEST CORPORATION, VALOR TELECOMMUNICATIONS, INC. AND
KERRVILLE TELECOMMUNICATIONS TO COMPEL
ASSUMPTION OR REJECTION OF EXECUTORY CONTRACTS**

On July 27, 2005, the Court considered the Motion for Order Compelling Immediate Assumption or Rejection of Executory Contracts [Docket No. 1459] filed by Qwest Communications Corporation and Qwest Corporation, and the Motion to Compel Assumption or Rejection of Executory Contracts and Joinder in Motions [Docket No. 1510, 1512] filed by Valor Telecommunications, Inc. and Kerrville Telecommunications (collectively, the "Motions"). The Court finds that because Qwest Communications Corporation, Qwest Corporation, Valor Telecommunications, Inc. and Kerrville

Telecommunications (collectively, the "Carriers"), have not met their burden of proof under 11 U.S.C. § 365 and have not established sufficient cause for the Court to grant the relief requested, the Motions should be denied, without prejudice to the Carriers to re-file motions to compel the Debtors to assume or reject executory contracts and unexpired leases pursuant to 11 U.S.C. § 365 provided, however, that no such motions shall be filed until after November 1, 2005. Therefore, it is

ORDERED that the Motions are **DENIED**, without prejudice. It is further

ORDERED that the Carriers shall not file any motions to compel the Debtors to assume or reject executory contracts or unexpired leases under 11 U.S.C. § 365 until after November 1, 2005.

END OF ORDER

After entry, return copy to:

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