



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:

Richard H. London, SBT #24032678

VINSON & ELKINS L.L.P.

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ATTORNEYS FOR THE DEBTORS

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Enterprise Systems Incorporated
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CERTIFICATE OF SERVICE

District/off: 0539-3
Case: 04-81694

User: bsimpson
Form ID: pdf012

Page 1 of 1
Total Served: 1

Date Rcvd: Aug 05, 2005

The following entities were served by first class mail on Aug 07, 2005.
aty +Richard H. London, Vinson & Elkins, LLP, 3700 Trammell Crow Center, 2001 Ross Ave.,
Dallas, TX 75201-2998

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.

First 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: Aug 07, 2005

Signature:

