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**ORIGINAL**

BTXN 138 (rev. 10/02)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

COURT  
NORTHERN DISTRICT OF TEXAS

**FILED**

SEP 9 2005

In Re:  
VarTec Telecom, Inc.

Case No.: 04-81694-ndm  
Chapter No.: 11 By                       
Civil Case No.:                       
CLERK, U.S. DISTRICT COURT  
Deputy                     

Debtor(s)

Aerotel, Ltd.

Movant(s)

**3-05 CV-1812M**

vs.

VarTec Telecom, Inc. et. al.

Respondent(s)

**NOTICE OF TRANSMITTAL REGARDING WITHDRAWAL OF REFERENCE**

I am transmitting:

- Two copies of the Motion to Withdraw Reference (USDC Civil Action No. – DNC Case)  
NOTE : A Status Conference has been set for September 29, 2005 at 2:30 p.m., in Courtroom #1428 before U.S. Bankruptcy Judge Harlin D. Hale. The movant, respondents or other affected parties are required to attend the Status Conference.
- Two copies of:

**TO ALL ATTORNEYS:** F.R.C.P. 5011(a) A motion for withdrawal of a case or proceeding shall be heard by a district judge, [*implied*] that any responses or related papers be filed likewise.

DATED: 9/9/05

FOR THE COURT:  
Tawana C. Marshall, Clerk of Court  
*Elaine Jones*  
by: /s/Elaine Jones, Deputy Clerk

I hereby certify that the foregoing is a true copy of the original thereof now in my office this the 9th day of September 2005 at Dallas, Texas

Tawana C. Marshall, Clerk  
United States Bankruptcy Court  
Northern District of Texas

By *Elaine Jones* Deputy

BTXN 116 (rev. 09/04)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**WITHDRAWAL OF REFERENCE SERVICE LIST**

**Transmission of the Record**

BK Case No.: 04-81694-hdh11

Received in District Court by: NT

Date: 9-9-05

Volume Number(s): 2cc of Motion to Withdraw Reference

cc: Harlin DeWayne Hale  
Rob Colwell, Law Clerk  
ncrdepo@aol.com  
Attorney(s) for Appellant  
US Trustee

**Movant** Aerotel, Ltd.

Kevin M. Lippman, Esq.  
Munsch Hardt Kopf & Harr, P.C.  
4000 Fountain Place  
1445 Ross Avenue  
Dallas, TX 75202-2790  
214-855-7553

**Movant** Aerotel, Ltd.

Lawrence P. Eigel  
Brager Wexler Eigel & Morgenstern, PC 885 Third Avenue, Suite 3040  
New York, NY 10022  
212-308-5858

**Respondent** VarTec Telecom, Inc. et. al.

Abigail B. Willie  
Vinson & Elkins, LLP 3700  
Trammell Crow Center  
2001 Ross Ave.  
Dallas, TX 75201-2975  
214-220-7817

Daniel C. Stewart  
Vinson & Elkins, L.L.P.  
2001 Ross Avenue  
Dallas, TX 75201  
214-220-7761

Holly J. Warrington

Vinson & Elkins, L.L.P.  
2001 Ross Ave., Suite 3700  
Dallas, TX 75201  
214-220-7814

James Jay Lee  
Vinson & Elkins L.L.P.  
3700 Trammell Crow Center  
2001 Ross Avenue  
Dallas, TX 75201-2975  
214-220-7744

Joseph M. Coleman  
Kane, Russell, Coleman & Logan  
3700 Thanksgiving Tower  
1601 Elm St.  
Dallas, TX 75201-7207  
(214)777-4200

Joseph A. Friedman  
Kane, Russell, Coleman & Logan  
1601 Elm St., Suite 3700  
Dallas, TX 75201-7207  
(214)777-4200

Michael L. Scanlon  
Kane, Russell, Coleman & Logan, P.C. 1601 Elm St., Suite 3700  
Dallas, TX 75201  
214-777-4200

Richard H. London  
Vinson & Elkins, LLP  
3700 Trammell Crow Center  
2001 Ross Ave.  
Dallas, TX 75201-2975  
214-220-7823

Robert James Taylor  
Kane, Russell, Coleman, Logan, PC  
1601 Elm Street, Suite 3700  
Dallas, TX 75201  
214-777-4200

Thomas W. Paxton  
Hughes & Luce  
1717 Main St., Suite 2800  
Dallas, TX 75201  
214-939-555798

William Louis Wallander  
Vinson & Elkins, LLP  
3700 Trammell Crow Center  
2001 Ross Avenue  
Dallas, TX 75201  
214-220-7905

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BTXN 150 (rev. 1/05)

CIVIL COVER SHEET 3-05 CV-1812M

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

I. (a) MOVANT
Aerotel, Ltd.

RESPONDANT
VarTec Telecom, Inc.

(b) County of Residence of First Listed Party:
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Party:
(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorney's (Firm Name, Address and Telephone Number)
Kevin M. Lippman, Esq.
Munsch Hardt Kopf & Harr, P.C.
4000 Fountain Place
1445 Ross Avenue
Dallas, TX 75202-2790
214-855-7500

Attorney's (If Known)
Abigail B. Willie
Vinson & Elkins, LLP
3700 Trammell Crow Center 2001 Ross Ave.
Dallas, TX 75201-2975
214-220-7817

RECEIVED
SEP 9 2005
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

II. BASIS OF JURISDICTION

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. NATURE OF SUIT

- 422 Appeal 28 USC 158
423 Withdrawal 28 USC 157
890 Other Statutory Actions

V. ORIGIN

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Remanded or Reopened
5 Transferred from another district
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 158

Brief description of cause:
Motion to Withdraw Reference

VII. REQUESTED IN COMPLAINT:

- CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND \$
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

Judge:
Docket Number:

DATED: 9/9/05

Signature of Elaine Jones
FOR THE COURT:
Tawana C. Marshall, Clerk of Court
by: /s/Elaine Jones, Deputy Clerk

**CERTIFICATE OF SERVICE**District/off: 0539-3  
Case: 04-81694User: mmcvey  
Form ID: pdf012Page 1 of 1  
Total Served: 5

Date Rcvd: Sep 13, 2005

The following entities were served by first class mail on Sep 15, 2005.

aty +James Jay Lee, Vinson & Elkins L.L.P., 3700 Trammell Crow Center, 2001 Ross Avenue,  
Dallas, TX 75201-2998

aty +Lawrence P. Egel, Brager Wexler Egel & Morgenstern, PC, 885 Third Avenue, Suite 3040,  
New York, NY 10022-4834

aty +Michael L. Scanlon, Kane, Russell, Coleman & Logan, P.C., 1601 Elm St., Suite 3700,  
Dallas, TX 75201-7207

aty +Richard H. London, Vinson & Elkins, LLP, 3700 Trammell Crow Center, 2001 Ross Ave.,  
Dallas, TX 75201-2998

aty +Robert James Taylor, Kane, Russell, Coleman, Logan, PC, 1601 Elm Street, Suite 3700,  
Dallas, TX 75201-7207

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: Sep 15, 2005

Signature: 