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## BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Alma Communications Company d/b/a Alma Telephone Company, Chariton Valley Telephone Corporation, Chariton Valley Telecom Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, a corporate division of Otelco, Inc., and MoKAN DIAL, Inc.  Complainants, vs. Halo Wireless, Inc.  Respondent.	)	Case No. IC-2011-0385
AND		
BPS Telephone Company, Citizens Telephone Company of Higginsville, Mo., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Fidelity Communications Services I, Inc., Fidelity Communications Services II, Inc., Fidelity Telephone Company, Goodman Telephone Company, Granby Telephone Company, Grand River Mutual Telephone Corporation Green Hills Telephone Corporation, Green Hills Telecommunications Services, Holway Telephone Company, Iamo Telephone Company, Kingdom Telephone Company, K.L.M. Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, Mark Twain Communications Company, McDonald County Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Northeast Missouri Rural Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Peace Valley Telephone Company, Inc., Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company, Complainants, v.  Halo Wireless, Inc., Respondent.		Case No. TC-2011-0404

### AMENDED CERTIFICATE OF SERVICE REGARDING SUGGESTION OF BANKRUPTCY

Defendant Halo Wireless, Inc. ("Halo") hereby files its Amended Certificate of Service Regarding its Suggestion of Bankruptcy. Defendant inadvertently failed to serve the Suggestion of Bankruptcy attached hereto as Exhibit "1" upon opposing counsel on August 10, 2011 as was reflected in the Certificate of Service contained therein. Thus, a copy of the Suggestion of Bankruptcy attached hereto as Exhibit "1" is being served via certified mail, return receipt requested, on the following counsel of record on this the 12th day of August, 2011:

Craig S. Johnson Johnson & Sporleder, LLP 304 E. High St., Suite 200 P.O. Box 1670 Jefferson City, Missouri 65102

W.R. England, III Brian T. McCartney Brydon, Swearengen & England P.C. 312 East Capitol Avenue P.O. Box 456 Jefferson City, Missouri 65102-0456

Dated this 12<sup>th</sup> day of August, 2011.

Respectfully submitted,

STEVEN H. THOMAS

Texas State Bar No. 19868890

TROY P. MAJOUE

Texas State Bar No. 24067738

McGUIRE, CRADDOCK

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#### W. SCOTT MCCOLLOUGH

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#### LOUIS A. HUBER, III

Missouri Bar No. 28447

SCHLEE, HUBER, MCMULLEN & KRAUSE, P.C.

4050 Pennsylvania, Suite 300

P. O. Box 32430

Kansas City, MO 64171-5430

Telephone: (816) 931-3500

Facsimile: (816) 931-3553

Attorneys for Halo Wireless, Inc.

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Amended Certificate of Service Regarding Suggestion of Bankruptcy was served via regular mail and/or certified mail, return receipt requested, on the following counsel of record on this the 12th day of August, 2011:

#### COUNSEL FOR COMPLAINANT IN CASE NO. IC-2011-0385:

Craig S. Johnson
Johnson & Sporleder, LLP
304 E. High St., Suite 200
P.O. Box 1670
Jefferson City, Missouri 65102
CERTIFIED MAIL #7160 3901 9846 4373 7664
RETURN RECEIPT REQUESTED

#### COUNSEL FOR COMPLAINANT IN CASE NO. TC-2011-0404:

W.R. England, III
Brian T. McCartney
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102-0456
CERTIFIED MAIL #7160 3901 9846 4373 7671
RETURN RECEIPT REQUESTED

Troy P. Majoue

20M\_-

# Exhibit "1"

#### BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Alma Communications Company d/b/a Alma Telephone Company, Chariton Valley Telephone Corporation, Chariton Valley Telecom Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, a corporate division of Otelco, Inc., and MoKAN DIAL, Inc.  Complainants, vs. Halo Wireless, Inc.  Respondent.	)	Case No. IC-2011-0385
AND		
BPS Telephone Company, Citizens Telephone Company of Higginsville, Mo., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Fidelity Communications Services I, Inc., Fidelity Communications Services II, Inc., Fidelity Telephone Company, Goodman Telephone Company, Granby Telephone Company, Grand River Mutual Telephone Corporation Green Hills Telephone Corporation, Green Hills Telecommunications Services, Holway Telephone Company, Iamo Telephone Company, Kingdom Telephone Company, K.L.M. Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, Mark Twain Communications Company, McDonald County Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Northeast Missouri Rural Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Peace Valley Telephone Company, Inc., Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company, Complainants, V.  Halo Wireless, Inc., Respondent.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Case No. TC-2011-0404

#### SUGGESTION OF BANKRUPTCY

Defendant Halo Wireless, Inc. ("Halo") hereby files its Suggestion of Bankruptcy as follows:

- 1. Notice is hereby given that on August 8, 2011, Halo filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the Eastern District of Texas (Sherman Division). A copy of the Petition for Relief is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes.
- 2. Pursuant to Section 362 of the Bankruptcy Code, the filing of the Petition operates as a stay of:
  - a. The commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other proceeding against the Debtor that was or could have been commenced before the commencement of the case under this Title, or to recover a claim against the Debtor that arose before the commencement of the case under this Title;
  - b. The enforcement, against the Debtor or against property of the estate, of a judgment obtained before the commencement of the case under this Title;
  - c. Any act to obtain possession of property of the estate or property from the estate;
  - d. Any act to create, perfect, or enforce any lien against property of the estate;
  - e. Any act to create, perfect, or enforce against property of the Debtor any lien to the extent that such lien secures a claim that arose before the commencement of the case under this Title, except to the extent provided in section 362(b);
  - f. Any act to collect assets, or recover a claim against the Debtor that arose before the commencement of the case under this title:

- g. The set off of any debt owing to the Debtor that arose before the commencement of the case under this Title against any claim against the Debtor; and
- h. The commencement or continuation of a proceeding before the United States Tax Court concerning the Debtor.
- 3. Accordingly, pursuant to the provisions of 11 U.S.C. § 362, the automatic stay prohibits further action against the Debtor in the instant proceeding.

Dated this 10th day of August, 2011.

Respectfully submitted,

STEVEN H. THOMAS

Texas State Bar No. 19868890

TROY P. MAJOUE

Texas State Bar No. 24067738

McGUIRE, CRADDOCK

& STROTHER, P.C.

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#### W. SCOTT MCCOLLOUGH

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Missouri Bar No. 28447

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P. O. Box 32430

Kansas City, MO 64171-5430

Telephone: (816) 931-3500

Facsimile: (816) 931-3553

Attorneys for Halo Wireless, Inc.

#### <u>CERTIFICATE OF SERVICE</u>

The undersigned hereby certifies that a true and correct copy of the foregoing Suggestion of Bankruptcy was served via regular mail and/or certified mail, return receipt requested, on the following counsel of record on this the 10th day of August, 2011:

W.R. England, III Brian T. McCartney Brydon, Swearengen & England P.C. 312 East Capitol Avenue P.O. Box 456 Jefferson City, Missouri 65102-0456 (573) 635-7166 telephone (573) 634-7431 facsimile

Craig S. Johnson Johnson & Sporleder, LLP 304 E. High St., Suite 200 P.O. Box 1670 Jefferson City, Missouri 65102 (573) 659-8734 telephone (573) 761-3587 facsimile

Troy P. Majoue

## Exhibit A

B1 (Official Form 1) (4/10) United States Bankruptcy Court Eastern District of Texas Name of Debtor (If individual, eater Last, Pirst, Middle): Halo Wireless, Inc. Name of Joint Dobtor (Spouse) (Last, First, Middle): All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last fiver digits of Sec. Sec., or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 20-2287342 (if more than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 2351 West Northwest Highway, Suite 1204 Dallas, TX ZIP CODE 75220 ZIP CODE County of Residence or of the Principal Place of Busins County of Residence or of the Principal Place of Busin Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if difficient from street address); ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): 1701 Commerce Street, Tyler, TX 75/02 ZIP CODE Nature of Business Chapter of Bankruptcy Cods Under Which the Patition is Filed (Check one box.) Type of Debtor (Fund of Organization) (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Individual (includes Joint Debtom) Single Asset Real Estate as defined in Chapter 9 Recognition of a Postign. See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) 11 U.S.C. § 101(51B) Chapter 11 Main Proceeding Chapter 15 Petition for Railroad Chapter 12 Parimership
Other (If debtor is not one of the above entities, Stockbroker Chapter 13 Recognition of a Foreign Commodity Broker Notanain Proceeding check this box and state type of entity below.) Clearing Bank Other Nature of Debts (Check one box.) Tax-Exempt Entity (Check box, if applicable.) Debts are primarily consumer Debts are primarily debts, defined in 11 U.S.C. Debtor is a tax-exempt organization \$ 101(8) as "incurred by an under Title 26 of the United States individual primarily for a personal, family, or house-Code (the Internal Revenue Code). hold purpose." Filing Fee (Check one box.) Chapter 11 Debtors Check one bex: Pull Filing For attached. Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing For to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debter is Check if: unable to pay the except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiden or affiliates) are less than \$2,343,300 (amount subject to adjustment Biling Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the count's consideration. See Official Form 3B. on 4/01/13 and every three years thereafter). Check all applicable boxes A plan is being filed with this petition. Acceptances of the plan were solicited proportion from one or more classes of creditors, in secondence with 11 U.S.C. 4 1126(b). Statistical/Administrative Information. THIS SPACE IS TOO COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Dehtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. d Number of Creditors **☑** 50-99 100-199 200-999 1-49 1,000-5.001-10.001-<del>25</del>.001-50.001-Over 5,000 10.000 25,000 50,000 100,000 100,000 Estimated Assets \$100,001 to \$0 to \$50.001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million million Hatimated Lishilities 년 \$1,000,001 \$500,001 \$0 to \$50,001 to \$100,001 to \$10,000,001 \$50,000,001 \$100,000,001 ed \$56/19/1 \$ \$1666 1 of the first \$50,000 \$100000Se \$500,000 CV-@4220-N4410 Downnent 4-2500 F

million

1 (Official Form 1)	(410)	<u> </u>	Page 2		
Voluntary Peti	tion	Name of Debtor(s):			
This page must be	completed and filed in every case.)	Halo Wireless, inc.			
	All Prior Bankruptcy Cases Filed Within Last 8 Y				
Location Where Filed:	<b>;</b>	Case Number:	Date Filed:		
Location	<del></del>	Case Number:	Data Filed:		
Where Piled:					
	Pending Bankruptcy Case Filed by my Spouse, Partner, or Affil				
Name of Debtor:		Case Number:	Data Filed:		
District:	Indiana Tali 4 li 4 li 6 mana	Relationship:	Indge:		
	Lastern District of Texas				
with the Securities	Exhibit A  (debter is required to file periodic reports (e.g., forms 10% and 100) and Exhibits Commission pursuant to Section 13 or 15(d) of the c Act of 1934 and is requesting relief under chapter 11.)	(To be completed if deb whose debts are primaril  I, the attention for the petitioner named in have informed the petitioner that [he or she] or 13 of title 11, United States Code, and he each such chapter. I further certify that 11 required by 11 U.S.C. § 342(b).	or is an individual y consumer debta.) the foregoing petition, declare that I may proceed under chapter 7, 11, 12, we explained the relief available under		
Exhibit A is	attached and made a part of this petition.	X	·		
		Signature of Attorney for Debtor(s)	(Date)		
Does the debtor own or have possession of any property that poses or is alleged to pose a fixest of imminent and identifiable harm to public health or safety?  Yes, and Exhibit C is attached and made a part of this petition.  No.					
Exhibit D					
(To be completed	by every individual debtor. If a joint petition is filed, each spouse nm	t complete and attach a separate Exhibit D.)			
Richibit D completed and signed by the debtor is attached and made a part of this petition.					
مستد ب					
If this is a joint petition:					
Bubilit D also completed and signed by the joint debtor is attached and made a part of this patition.					
Information Regarding the Debtor - Venus					
(Check any applicable box.)  [9] Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this polition or for a longer part of such 180 days than in any other District.					
	There is a benkruptny case concerning debtor's affiliate, general par-	tner, or pertnership pending in this District.			
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief scright in this District.					
Cartification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)					
	Landlord has a judgment against the debtor for possession of debtor's residence. (If hox checked, complete the following.)				
		(Name of landlerd that obtained judgment)			
		(Address of landlord)	<del></del>		
	Debter claims that under applicable nonbankreptcy law, there are entire monetary default that gave rise to the judgment for possess	e circumstances mader which the debtor would sion, after the judgment for possession was en	be permitted to cure the tested, and		
	Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.				
	Debter certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).				

Case 2:11-cv-04220-NKL Document 4-25 Filed 08/19/11

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B1 (Official Form) 1 (4/10)				
Voluntary Petition	Name of Debtor(s): Halo Wireless, Inc.			
(This page must be completed and filed in every case.)				
Signature(s) of Debtor(s) (Individual/Joint)				
• • • • • • • • • • • • • • • • • • • •	Signature of a Foreign Representative			
I declare under penalty of perjusy that the information provided in this patition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has characte to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X  Signature of Debtor  Telephone Number (if not represented by strorney)	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debter in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.)  I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.  Purposent to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.  X  (Signature of Foreign Representative)			
Date	1			
Signature of Atterney*  X /s/ E. P. Keiffer  Signature of Atterney for Debtor(s) E. P. Keiffer (1181/00)  Printed Name of Atterney for Debtor(s) Wright Girlsberg Brusilow P.C.  Firm Name  325 N. St. Paul Street, Suite 4150  Delles, TX 75264  Adverse (214) 651-6500  Telephone Number (2008/2011)  Date  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the atterney has no knowledge after an inquiry that the information in the schedules is incorrect.  Signature of Debtor (Corporation/Partnership)	Signature of Non-Attorney Bankruptcy Petition Preparer  I decisie under pensity of perjury that: (I) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have psychied the debter with a copy of this document and the notices and information required under 11 U.S.C. § 3.10(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a taximum file for services chargeable by bankruptcy petition preparer; I have given the debter notice of the maximum amount before preparing any document for filing for a debter or accepting any fee from the debter, as required in that section. Official Form 19 is attached.  Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the efficer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)			
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X /a/ Russell Wiseman  Signature of Authorized Individual  Pointed Name of Authorized Individual  Utto 6 Authorized Individual  Date  Date				

# Open New Bankruptcy Case (External)

#### **United States Bankruptcy Court**

#### **Eastern District of Texas**

#### Notice of Bankruptcy Case Filing

The following transaction was received from E. P. Keiffer entered on 8/8/2011 at 2:09 PM CDT and filed on 8/8/2011

Case Name: Halo Wireless, Inc.

**Case Number:** <u>11-42464</u>

Document Number: 1

#### **Docket Text:**

Chapter 11 Voluntary Petition. Without Schedules, Statements and Other Required Documents. Filed by Halo Wireless, Inc. Document Due 08/15/2011. (Keiffer, E.)

The following document(s) are associated with this transaction:

**Document description:** Main Document

Original filename: C:\fakepath\Voluntary Petition.pdf

Electronic document Stamp:

[STAMP bkecfStamp\_ID=995489823 [Date=8/8/2011] [FileNumber=11553079-0] [c14e38f33b5338b5921774cff3f6c24fe73771d7cdd84465ed77155bad8212f287fd 2b70ab8df4dc37ade167868d62472e69c26e48a5bb9146b32ce03537d0bf[]

#### 11-42464 Notice will be electronically mailed to:

E. P. Keiffer on behalf of Debtor Halo Wireless, Inc. pkeiffer@wgblawfirm.com

**US Trustee** 

USTPRegion06.TY.ECF@USDOJ.GOV

11-42464 Notice will not be electronically mailed to:

Your submission to TC-2011-0404 has been successfully submitted



1 of 1 8/12/2011 2:39 PM