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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 Telephone Corporation;)
)
Choctaw Telephone Company; Mid-Missouri	?
Telephone Company, a corporate division of Otelco,)
Inc.,; and MoKAN DIAL, Inc.,) Case No. TO-2012-0035
Complainants,)
•)
vs.)
)
Halo Wireless, Inc., and)
Southwestern Bell Telephone Company, d/b/a)
AT&T Missouri,)
Respondents.)

SUGGESTION OF BANKRUPTCY, NOTICE OF STAY, AND NOTICE OF EXTENSIONS UNDER 11 U.S.C. §108

Plaintiff Halo Wireless, Inc. ("Halo") hereby files its Suggestion of Bankruptcy.

- 1. 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. Pursuant to 11 U.S.C. § 362, the automatic stay is now in place. The complainants in the above referenced judicial proceeding seek rejection of portions of an interconnection agreement between the Debtor and Southwestern Bell Telephone Company, dba AT&T Missouri ("AT&T"). The Complainants' claims for relief against the Debtor and AT&T are inherently related and inextricably intertwined because all of the claims seek to reject the provisions of the same contract between the Debtor and AT&T and relate to the same traffic passing through Halo and AT&T. Thus, any attempt to proceed in the instant matter to reach a determination or adjudication of facts regarding any of the complainants' claims for relief constitutes a proceeding against the Debtor in violation of 11 U.S.C. § 362. Accordingly, pursuant to the provisions of 11 U.S.C. § 362, the automatic stay prohibits further action against both the Debtor and AT&T in the instant proceeding.

4. In addition, pursuant to Section 108 of the Bankruptcy Code, the filing of the Petition operates to extend the period within which the Debtor may, among other things, file any pleading, commence an action, cure a default, or perform any other similar act fixed by non-bankruptcy law, an order entered in a non-bankruptcy proceeding, or an agreement, if such deadline has not expired prior to the filing of the Petition.

Dated this 12th day of August, 2011.

Respectfully submitted,

STEVEN H. THOMAS (TX Bar No. 19868890)

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BANKRUPTCY COUNSEL FOR HALO

WIRELESS, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing SUGGESTION OF BANKRUPTCY, NOTICE OF STAY AND NOTICE OF EXTENSIONS UNDER 11 U.S.C §108 has been served on the following by directing same to the office address listed below through certified mail, return receipt requested, on this the 12th day of August, 2011:

COUNSEL FOR COMPLAINANTS:

CERTIFIED MAIL #P 7160 3901 9846 4373 7664 RETURN RECEIPT REQUESTED

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

Exhibit A

B1 (Official Form 1) (4/10)	·-				era jugakerina eraparamangan a	e vada edas ze kontanti	
United States Bankruptcy Court							
Eastern District of Texas			3.7	7	N	ddla)	in New York Carlot Carlot Control
Name of Debtor (if individual, enter Last, First, Middle): Halo Wireless, Inc.			Name of Joint Debtor (Spouse) (Last, First, Middle):				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 20-2287342			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (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 Busine	SS;		County of Residence or of the Principal Place of Business:				
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):				
	ZIP CODI		ZIP CODE				
Location of Principal Assets of Business Debtor (if diffi 1701 Commerce Street, Tyler, TX 7570	gent from street a 2	address above):				Zn	CODE
Type of Debtor (Form of Organization)	Na	ature of Busines Check one box.)		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.)			
(Check one box.) ☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Health Care Business Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker Clearing Bank Other		as defined in	Chapte Chapte Chapte Chapte Chapte	er 9 er 11 er 12	Chapter 15 Pe Recognition of Main Proceed Chapter 15 Pe Recognition of Nonmain Proc	of a Foreign ing stition for of a Foreign
check this box and state type of chinty below.				Nature of Debts (Check one box.)			
	Tax-Exempt Entity (Check box, if applicable.) Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).			debts, de § 101(8) individu	e primarily consu- fined in 11 U.S.C as "incurred by a al primarily for a , family, or house pose."	C. bus	ets are primarily iness debts.
Filing Fee (Check one bo	х.)		Check one h	∩¥•	Chapter 11 D	ebtors	
✓ Full Filing Fee attached.				Check one box: 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 Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding de insiders or affiliates) are less than \$2,343,300 (amount subject to on 4/01/13 and every three years thereafter).							
arrach signed application for the court's consideration. See Official Point 3B. Check all applicable boxes: A plan is being filled with this petition. Acceptances of the plan were solicited prepetition of creditors, in accordance with 11 U.S.C. § 1126					prepetition from .C. § 1126(b).	one or more classes	
Statistical/Administrative Information	·				,	V (-).	THIS SPACE IS FOR
Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.							
Estimated Number of Creditors	1,000-	5,001- 1	0,001-	25,001- 50,000	50,001- 100,000	Over 100,000	
Estimated Assets	\$1,000,001 : to \$10	\$10,000,001 \$ to \$50 t	50,000,001 5 o \$100 1	100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than	
Estimated Liabilities	\$1,000,001	\$10,000,001 to \$50	50,000,001	100,000,001 \$100,000,001 \$500 \$1168/19/1	\$500,000,001 \$500,000,001 10 \$1 hillion 11 Page	More than 7 Of 12	

B1 (Official Form 1) (4/10)		Page 2	
Voluntary Pet		Name of Debtor(s):		
	e completed and filed in every case.)	Halo Wireless, Inc.		
	All Prior Bankruptcy Cases Filed Within Last 8 X	ears (If more than two, attach additional sheet	Date Filed:	
Location Where Filed:		Cast Atamora.		
Location		Case Number:	Date Filed:	
Where Filed:	Pending Bankruptcy Case Filed by any Spouse, Partner, or Affi	Note of this Debtor /If more than one attach a	additional sheet	
Name of Debtor:	rending Bankrupicy Case Filed by any Spouse, Partner, or Affi	Case Number:	Date Filed:	
. THE OF LOCUSE.				
District:	Eastern District of Texas	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that have informed the petitioner that [he or she] may proceed under chapter 7, 11, 1 or 13 of title 11, United States Code, and have explained the relief available under chapter. I further certify that I have delivered to the debtor the notion required by 11 U.S.C. § 342(b).				
Exhibit A i	s attached and made a part of this petition.	X Signature of Attorney for Debtor(s)	(Date)	
	· · · · · · · · · · · · · · · · · · ·	<u> </u>	,	
	Exhibi	ŧC		
Does the debter of	wn or have possession of any property that poses or is alleged to pose a	threat of imminent and identifiable harm to pr	iblic health or safety?	
		· · · · · · · · · · · · · · · · · · ·		
Yes, and E	xhibit C is attached and made a part of this petition.			
☑ No.				
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.				
Information Regarding the Debtor - Venue (Check any applicable box.) 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 petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership 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				
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 sought in this District.				
Certification 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 box checked, complete the following.)				
(Name of landlord that obtained judgment)				
(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, 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.			
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)). Case 2:11 cv 04221 NKL Document 1 3 Filed 08/19/11 Page 8 of 12				
Case 2:11 cv 04221 NKL Decument 1-3 Filed 08/19/11 Page 8 of 12				

B1 (Official Form) 1 (4/10)	Page 3
Voluntary Petition	Name of Debtor(s): Halo Wireless, Inc.
(This page must be completed and filed in every case.)	
Signs	
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen 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	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 debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.)
chapter, and choose to proceed under chapter 7.	☐ I request relief in accordance with chapter 15 of title 11, United States Code.
[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).	Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant 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	X
Signature of Debtor	(Signature of Foreign Representative)
X Signature of Joint Debtor Telephone Number (if not represented by attorney)	(Printed Name of Foreign Representative)
Date	
Signature of Attorney* X /s/ E. P. Keiffer Signature of Attorney for Debtor(s) E. P. Keiffer (1181/00) Printed Name of Attorney for Debtor(s) Wright Ginsberg Brusilow P.C. Firm Name 325 N. St. Paul Street, Suite 4150	Signature of Non-Attorney Bankruptcy Petition Preparer I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(b), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(b) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing
Address (214) 651-6500 Telephone Number 08/08/2011 Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	for a debtor or accepting any fee from the debtor, 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 officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
Signature of Debtor (Corporation/Partnership)	
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.	Address X
The debtor requests the relief in accordance with the chapter of title 11, United State Code, specified in this petition.	Date
X /s/ Russell Wiseman Signature of Authorized Individual Russell Wiseman	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.
Printed Name of Authorized Individual President Title of Authorized Individual U8/08/2011	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.
08/08/2011 Date	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110: 18 U.S.C. § 156.

Open New Bankruptcy Case (External)

United States Bankruptcy Court

Eastern District of Texas

Notice of Bankruptey 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 TO-2012-0035 has been successfully submitted



Your submission to TO-2012-0035 has been successfully submitted

