

# JENNER & BLOCK

December 7, 2004

Jenner & Block LLP  
One IBM Plaza  
Chicago, IL 60611-7603  
Tel 312 222-9350  
www.jenner.com  
Chicago  
Dallas  
Washington, DC

David A. Meyer  
Associate General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Jeremy T. Stillings  
Tel 312 840-8677  
Fax 312 840-8777  
jstillings@jenner.com

Re: In re Delta Phones, Inc. et al. (Bankr. N.D. Ill 2004)

Dear David:

I am an attorney for Ronald R. Peterson, chapter 7 trustee (the "Trustee") for the bankruptcy estates of **Delta Phones, Inc.** and **EZ Talk Communications LLC** (the "Debtors") in the above-referenced cases.

I am writing you this letter to request that the state of Missouri cancel the Debtors' certificates of service authority in that state.

The Debtors filed for bankruptcy in January, 2004. As of February 25, 2004, the date of the Trustee's appointment, the Debtors have ceased all operations. Furthermore, on March 5, 2004, the United States Bankruptcy Court for the Northern District of Illinois entered an order converting the Debtors' cases to cases under chapter 7 of the Bankruptcy Code. Accordingly, I am in the process of liquidating the Debtors' estates.

For your reference, I have enclosed copies of the following documents: (1) the Debtors' petitions for chapter 11 relief; (2) the orders appointing the Trustee in these cases; and (3) the order converting the cases to proceedings under chapter 7 of the Bankruptcy Code.

Very truly yours,



Jeremy T. Stillings

JTS:  
Enclosures

cc: Ronald R. Peterson

FORM B1

**United States Bankruptcy Court**  
**Northern District of Illinois, Eastern Division Division**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Delta Phones Inc.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): <b>72-1143810</b>	Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>1245 E. Diehl Rd. St. 300 Naperville, IL 60563</b>	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
County of Residence or of the Principal Place of Business: <b>DuPage</b>	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):

Location of Principal Assets of Business Debtor  
(if different from street address above):

**Information Regarding the Debtor (Check the Applicable Boxes)**

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.

**Type of Debtor (Check all boxes that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Individual(s)          | <input type="checkbox"/> Railroad         |
| <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> Stockbroker      |
| <input type="checkbox"/> Partnership            | <input type="checkbox"/> Commodity Broker |
| <input type="checkbox"/> Other                  | <input type="checkbox"/> Clearing Bank    |

**Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check on box)**

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Chapter 7                                       | <input checked="" type="checkbox"/> Chapter 11 | <input type="checkbox"/> Chapter 13 |
| <input type="checkbox"/> Chapter 9                                       | <input type="checkbox"/> Chapter 12            |                                     |
| <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding |  |                                     |

**Nature of Debts (Check one box)**

- ☐ Consumer/Non-Business ☒ Business

**Chapter 11 Small Business (Check all boxes that apply)**

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101
- ☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

**Filing Fee (Check one box)**

- ☒ Full Filing Fee attached
- ☐ 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 No. 3.

**Statistical/Administrative Information (Estimates only)**

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
- Debtor estimates that, after any exempt property is excluded and administrative paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors

1-15	16-49	50-99	100-199	200-999
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Assets

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Debts

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THIS SPACE IS FOR COURT USE ONLY

**U.S. Bankruptcy Court**  
**Northern District of Illinois**

Filed: 01/08/2004

Time: 15:35:38

Debtor: DELTA PHONES INC.

Case: 04-00823

Fee: 838

Chapter: 11 Rec. #: 3055171

Judge: John Squires



1:04BK00823-BK001

VOLUNTARY PETITION

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

Delta Phones Inc.

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location

Where Filed: None

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

EZ Talk Communications LLC

Case Number:

Date Filed:

1/8/03

District:

Northern District Of Illinois, Eastern Division

Relationship:

Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

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 chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

**Signature of Attorney**

X

Signature of Attorney for Debtor(s)

Michael J. Davis

Printed Name of Attorney for Debtor(s)

Kofkin, Springer, Scheinbaum &amp; Davis, P.C.

Firm Name

811 S. Addison Road

Address

Addison, IL 60101

(630) 830-8999

Telephone Number

Date

**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.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Falleen Mintz

Printed Name of Authorized Individual

Chief Executive Officer

Title of Authorized Individual

1/8/03

Date

**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)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. § 110(a))

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

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.

FORM B1

**United States Bankruptcy Court**  
**Northern District of Illinois, Eastern Division**
**Voluntary Petition**

<b>Name of Debtor (if individual, enter Last, First, Middle):</b> EZ Talk Communications, LLC	<b>Name of Joint Debtor (Spouse) (Last, First, Middle):</b>
<b>All Other Names used by the Debtor in the last 6 years</b> (include married, maiden, and trade names):	<b>All Other Names used by the Joint Debtor in the last 6 years</b> (include married, maiden, and trade names):
<b>Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all):</b> 76-0620632	<b>Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all):</b>
<b>Street Address of Debtor (No. &amp; Street, City, State &amp; Zip Code):</b> 1245 East Diehl Rd. Suite 300 Naperville, IL 60653	<b>Street Address of Joint Debtor (No. &amp; Street, City, State &amp; Zip Code):</b>
<b>County of Residence or of the Principal Place of Business:</b> DuPage	<b>County of Residence or of the Principal Place of Business:</b>
<b>Mailing Address of Debtor (if different from street address):</b>	<b>Mailing Address of Joint Debtor (if different from street address):</b>

**Location of Principal Assets of Business Debtor**  
 (if different from street address above):
**Information Regarding the Debtor (Check the Applicable Boxes)****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.

**Type of Debtor (Check all boxes that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Individual(s)        | <input type="checkbox"/> Railroad         |
| <input type="checkbox"/> Corporation          | <input type="checkbox"/> Stockbroker      |
| <input type="checkbox"/> Partnership          | <input type="checkbox"/> Commodity Broker |
| <input checked="" type="checkbox"/> Other LLC | <input type="checkbox"/> Clearing Bank    |

**Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check on box)**

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Chapter 7                                       | <input checked="" type="checkbox"/> Chapter 11 | <input type="checkbox"/> Chapter 13 |
| <input type="checkbox"/> Chapter 9                                       | <input type="checkbox"/> Chapter 12            |                                     |
| <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding |  |                                     |

**Nature of Debts (Check one box)**

- ☐ Consumer/Non-Business ☒ Business

**Chapter 11 Small Business (Check all boxes that apply)**

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101
- ☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

**Filing Fee (Check one box)**

- ☒ Full Filing Fee attached
- ☐ 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), Sec Official Form No. 3.

**Statistical/Administrative Information (Estimates only)**

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors
- ☐ Debtor estimates that, after any exempt property is excluded and administrative fees paid, there will be no funds available for distribution to unsecured creditors.

**Estimated Number of Creditors**

1-15	16-49	50-99	100-199	200-999
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Estimated Assets**

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Estimated Debts**

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**U.S. Bankruptcy Court**  
**Northern District of Illinois**

Filed: 01/08/2004

Time: 15:43:30

Debtor: EZ TALK COMMUNICATIONS,

Case: 04-00828

Fee: 839

Chapter: 11 Rec. #: 3055177

Judge: John Squires



1:04BK00828-BK001

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

EZ Talk Communications, LLC

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location

Where Filed: None

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

Delta Phones, Inc.

Case Number:

Date Filed:

1/8/03

District:

Northern District Of Illinois, Eastern Division

Relationship:

Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

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 chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

**Signature of Attorney**

X

Signature of Attorney for Debtor(s)

Michael Davis

Printed Name of Attorney for Debtor(s)

Kofkin, Springer, Scheinbaum &amp; Davis, P.C.

Firm Name

811 S. Addison Road

Address

Addison, IL 60101

(630) 530-9999

Telephone Number

Date

**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.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Eileen Mintz

Printed Name of Authorized Individual

Managers

Title of Authorized Individual

1/8/03

Date

**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)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. § 110(a))

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

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.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE:	)	CHAPTER 11 PROCEEDING
	)	
DELTA PHONES, INC.,	)	CASE NO. 04 B 00823
	)	
DEBTOR.	)	JUDGE JOHN H. SQUIRES

ORDER

Upon the United States Trustee's Application for an Order Approving the Appointment of a Trustee, it is ORDERED that notice is shortened to that given, the Application is GRANTED and that the appointment of Ronald Peterson as Trustee is APPROVED.

DATED: 2/25/04

FEB 25 2004

  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE:

EZ TALK COMMUNICATIONS, INC.

DEBTOR.

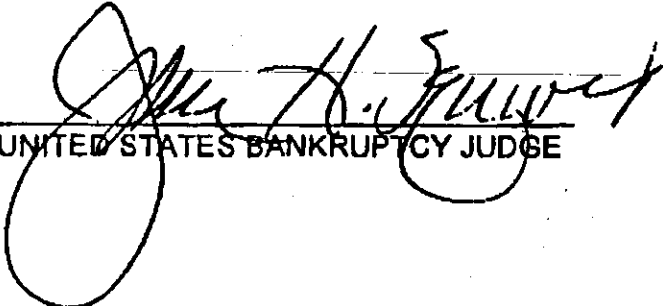
) CHAPTER 11 PROCEEDING  
)  
)  
) CASE NO. 04 B 00828  
)  
) JUDGE JOHN H. SQUIRES

ORDER

Upon the United States Trustee's Application for an Order Approving the Appointment of a Trustee, it is ORDERED that notice is shortened to that given, that the Application is GRANTED and that the appointment of Ronald Peterson as Trustee is APPROVED.

DATED: 2/25/04

FEB 25 2004

  
UNITED STATES BANKRUPTCY JUDGE

**IN RE:**

**DEBTORS.**

**CASE NO. 04 B 00823**  
**(Jointly Administered)**

**JUDGE JOHN H. SQUIRES**

*The U.S. Trustee shall serve copies of this order on the Designated Person named in paragraph 3 below, and all professionals known to him who performed services in connection with the Chapter 11 cases and shall file a proof of such service.*

These cases come before the Court on the Chapter 11 Trustee's Motion to Convert Chapter 11 Cases to Chapter 7 under 11 U.S.C. § 1112(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 et seq. After notice limited to that given and a hearing, the Court orders as follows:

1. These cases are converted to cases under Chapter 7.
2. The Debtors shall,
  - a. Forthwith account for and turn over to the Chapter 7 Trustee all records and property of the estates under their custody and control as required by Fed. R. Bankr. P. 1019(4);
  - b. On or before March 11, 2004 file schedules of all unpaid debts incurred after the commencement of the Chapter 11 cases (including the names and addresses of all creditors) as required by Fed. R. Bankr. P. 1019(5);
  - c. On or before March 26, 2004, file final reports and accounts as required by Fed. R. Bankr. P. 1019(5); and
  - d. Within 15 days after the entry of this order, file the statements and schedules required by Fed. R. Bankr. P. 1019(1) and 1007(b), if such documents have not already been filed.
3. Pursuant to Fed. R. Bankr. P. 9001(5), the court designates Falleen Mintz ("Designated Person") to perform the acts of the Debtors.



4. This matter is set for a status hearing on 4/1, 2004 at 9:30 AM in Courtroom No. 680 of the Everett McKinley Dirksen Federal Court House, 219 South Dearborn Street, Chicago, Illinois. At that hearing, the court will determine whether the Designated Person has complied with this order and, if not, consider such requests for further relief as may be required to secure compliance with this order.

DATED: 3/4/4

ENTERED: [Signature]

UNITED STATES BANKRUPTCY JUDGE

MAR - 4 2004