

**ORIGINAL**  
**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF TEXAS**  
**HOUSTON DIVISION**

FILED 11908

IN RE:

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CASE NO. 00-34799-H1-7

NOV 24 AM 9:51

**TWISTER COMMUNICATIONS  
 NETWORK, INC.**

(Chapter 7)

COMMISSION  
 CLERK

**DEBTOR.**

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**NOTICE OF HEARING ON FINAL FEE APPLICATION FOR  
 COMPENSATION BY SPECIAL COUNSEL FOR TRUSTEE  
 IN MCI WORLDCOM NETWORK SERVICES, INC. MATTER**

Notice is hereby given that a hearing will be held in the U.S. Bankruptcy Court, 515 Rusk Avenue, Houston, Texas 77002, Courtroom No. 600, on the 10<sup>th</sup> day of December, 2003, at 9:30 a.m. to consider and act upon the Final Application for Compensation by Special Counsel for Trustee in the MCI WorldCom Network Services, Inc. Matter filed by Cage, Hill & Niehaus, L.L.P., as special counsel for Trustee in this matter, for compensation for the period August 7, 2000 through October 15, 2003 in the above-captioned proceeding, seeking payment of fees for legal services rendered equal to forty percent (40%) of \$1,924,904.63 which sum equals \$769,961.85, plus forty percent of the estate's recovery on its \$19,000,000 unsecured claim held against the bankruptcy case of WorldCom, Inc., *et.al.* pending in the United States Bankruptcy Court for the Southern District of New York, Chapter 11 Case No. 02-13533 (AJG)(Jointly Administered), as such recovery is received by this estate and for actual expenses in the amount of \$123,181.20.

Trustee is a partner in Cage, Hill & Niehaus, L.L.P., and his employment of Applicant as his attorney was heretofore approved by Court order.

A copy of said application is on file in the United States Bankruptcy Court for the Southern District of Texas, Houston Division, and may be reviewed during the Court's normal business hours. If you wish to respond, you must do so before the hearing date.

Respectfully submitted,

Joseph M. Hill

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 JOSEPH M. HILL  
 SBN 09645500

OF COUNSEL:

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 ATTORNEYS FOR  
 JOSEPH M. HILL, TRUSTEE

AUS \_\_\_\_\_  
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 CMP \_\_\_\_\_  
 COM \_\_\_\_\_  
 CTR \_\_\_\_\_  
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DOCUMENT NUMBER 11908

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FPSC-COMMISSIONER'S OFFICE

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>IN RE:</b>	*	<b>CASE NO. 00-34799-H1-7</b>
	*	
<b>TWISTER COMMUNICATIONS NETWORK, INC.,</b>	*	<b>(Chapter 7)</b>
	*	
	*	
<b>DEBTOR</b>	*	

**TRUSTEE'S EXPEDITED MOTION TO SELL PROPERTY OF THE ESTATE  
FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES**

NOTICE PURSUANT TO LOCAL RULE 9013

IF YOU WANT A HEARING, YOU MUST REQUEST ONE IN WRITING AND YOU MUST RESPOND SPECIFICALLY TO EACH PARAGRAPH OF THIS PLEADING. YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY (20) DAYS FROM THE DATE YOU WERE SERVED AND GIVE A COPY TO THE PERSON WHO SENT YOU THE NOTICE; OTHERWISE THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF.

IF A PARTY REQUESTS EMERGENCY CONSIDERATION, THE COURT MAY ACT EXPEDITIOUSLY ON THE MATTER. IF THE COURT ALLOWS A SHORTER RESPONSE TIME THAN TWENTY (20) DAYS, YOU MUST RESPOND WITHIN THAT TIME. IF THE COURT SETS AN EMERGENCY HEARING BEFORE THE RESPONSE TIME WILL EXPIRE, ONLY ATTENDANCE AT THE HEARING IS NECESSARY TO PRESERVE YOUR RIGHTS. IF AN EMERGENCY HEARING IS NOT SET, YOU MUST RESPOND BEFORE THE RESPONSE TIME EXPIRES.

**PLEASE BE ADVISED THAT THE TRUSTEE HAS REQUESTED EXPEDITED CONSIDERATION OF THIS MOTION, AND HAS REQUESTED THE COURT TO REDUCE THE NOTICE PERIOD TO TEN (10) DAYS. IF EXPEDITED CONSIDERATION IS GRANTED, YOU MUST FILE YOUR RESPONSE TO THIS MOTION WITHIN TEN (10) DAYS AFTER YOU WERE SERVED WITH THE MOTION.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Joseph M. Hill, Trustee ("Trustee"), and moves this Court for authority to sell property of the estate pursuant to 11 U.S.C. 363(b) and Bankruptcy Rule 6004 and 2002 and respectfully

represents as follows:

1. Property of this estate includes the right to be issued 135,660 shares of the following stock:

New Common Stock of Reorganized WorldCom

2. This stock is presently publicly traded in the "Pink Sheets" and the WorldCom Confirmed Plan of Reorganization states Reorganized WorldCom ("MCI") will use "reasonable efforts to file and have declared effective within 180 days after the Effective Date a shelf registration statement causing the resale of the registrable New Common Stock" [Supplement to Debtors Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code, Dated May 23, 2003 at page 24, paragraph 6.09(a)] on the New York Stock Exchange. The value of the stock, based upon the market price at the time of the filing of this motion, is approximately \$3,391,500.00.

3. Trustee intends to utilize UBS Financial Services, Inc., 4400 Post Oak Parkway, Suite 900, Houston, Texas 77027-3173 to assist the Trustee in selling the stock. Trustee intends to pay a standard broker's commission for selling the stock, which is calculated based upon the type and value of stock to be sold. Trustee estimates that the commission to be paid to UBS PaineWebber shall be in the approximate amount of \$0.06/share or less.

4. This stock is unencumbered. It is property of the estate as a result of this Court's Order Authorizing Compromise Between Trustee and MCI WorldCom Network Services, Inc. (Docket No. 326). Trustee seeks authority to sell the stock free and clear of liens, claims and encumbrances, with any valid liens to attach to the proceeds received upon sale.

5. Accordingly, Trustee requests authority to sell the 135,660 shares of Reorganized WorldCom ("MCI") for its market value at the time of the transaction, and that he be authorized to pay a stock broker's commission in connection with the sale in the approximate amount of not more than

\$8,139.60.

6. The stock price of these shares is subject to market fluctuation. The Trustee believes it would be in the best interest of the estate to sell the shares before any decline in value may occur. As of the close of business on November 18, 2003, the stock was trading at \$23.70. It has traded as high as \$27 and as low as \$23.64. Therefore, the Trustee has filed contemporaneously herewith a motion to shorten the time for objection to the motion to 10 days from service.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that an order be entered authorizing him to sell the above-referenced stock; that all valid liens, claims and encumbrances, if any, attach to the proceeds received upon sale; that he be authorized to execute such documents as are necessary to convey the property and close the sales transaction; that he be authorized to pay to UBS PaineWebber a commission in connection with sale of the stock in the approximate amount of not more than \$8,139.60; and that he be granted such other and further relief as he may be entitled.

Respectfully submitted,

Joseph M. Hill

By:

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JOSEPH M. HILL  
State Bar No. 09645500

OF COUNSEL:

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