

# ORIGINAL

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

In re:	)	
	)	Chapter 11
PATHNET TELECOMMUNICATIONS	)	
INC., et al.,	)	Case Nos. 01-12264-SSM;
	)	01-12265-SSM
Debtors.	)	Jointly Administered

**NOTICE OF JOINT MOTION OF THE CHAPTER 11 DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR ORDER IN AID OF PLAN CONSUMMATION AND TO SET SUPPLEMENTAL ADMINISTRATIVE-CLAIM BAR DATE FOR CERTAIN TAXING AUTHORITIES AND NOTICE OF HEARING THEREON**

Pathnet Telecommunications, Inc. ("PTI"), Pathnet, Inc. ("PNI") and the Official Committee of Unsecured Creditors have filed a Joint Motion for Order in Aid of Plan Consummation and to Set Supplemental Administrative-Claim Bar Date for Certain Taxing Authorities ("Motion"), a copy of which has been served on you.

A hearing on the Motion will be held at:

Place of Hearing: Courtroom I, 2nd Floor United States Bankruptcy Court 200 South Washington Street Alexandria, VA 22314	Date and Time of Hearing:  December 17, 2002 at 2:00 p.m.
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- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- GMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC I
- OTH NAME

Michael St. Patrick Baxter  
Dennis B. Auerbach  
COVINGTON & BURLING  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
(202) 662-6000  
*Counsel for Debtors and Debtors in Possession*

H. Jason Gold, Va. Bar No. 19117  
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7925 Jones Branch Drive, Suite 6200  
McLean, Virginia 22102  
703.905.2800  
*Local Counsel for the Debtors and Debtors in Possession*

DOCUMENT NUMBER DATE

13098 DEC-28

FPSC-COMMISSION CLERK

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to approve the Motion, either in whole or in part, or if you want the Court to consider your views on the Motion, then on or before December 10, 2002, you or your attorney must:

1. File with the Court, at the address shown below, a written response with supporting memorandum as required by Local Bankruptcy Rule 3007-1. **UNLESS A WRITTEN RESPONSE AND SUPPORTING MEMORANDUM ARE FILED AND SERVED BY THE DATE SPECIFIED, THE COURT MAY DEEM ANY OPPOSITION WAIVED, TREAT THE MATTER AS CONCEDED, AND ISSUE AN ORDER GRANTING THE REQUESTED RELIEF WITHOUT FURTHER NOTICE OR HEARING.** If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. The address of the Clerk's Office is:

Clerk of Court  
United States Bankruptcy Court  
200 South Washington Street  
P.O. Box 19247  
Alexandria, Virginia 22320

You must also mail a copy of your response with supporting memorandum to the persons listed below:

Michael St. Patrick Baxter  
Dennis B. Auerbach  
COVINGTON & BURLING  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
(202) 662-6000  
(202) 662-6291 (Facsimile)

Michael B. Hopkins  
Charles H. Jeanfreau  
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1330 Avenue of the Americas  
New York, NY 10019-5400  
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Malcolm M. Mitchell, Jr.  
VORYS SATER SEYMOUR AND PEASE LLP  
277 South Washington Street, Suite 310  
Alexandria, Virginia 22314  
(703) 837-6970  
(703) 518-2754 (Facsimile)

Lawrence Handelsman  
STROOCK & STROOCK & LAVAN LLP  
180 Maiden Lane  
New York, New York 10038  
(212) 806-5426  
(212) 806-5402 (Facsimile)

and to:

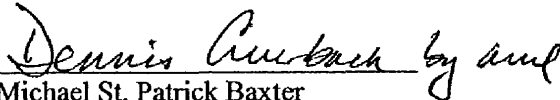
United States Trustee, Region 4  
115 South Union Street, Suite 210  
Alexandria, Virginia 22314  
(703) 557-7279 (Facsimile)

2. You (or your attorney if you have one) must also attend the hearing at the place and on the date shown above if any objections are filed to the Motion.

If no timely response is filed opposing the approval of the Motion, the Court may approve the Motion without holding a hearing. If you or your attorneys do not take these steps, the Court may decide that you do not oppose approval of the Debtors' Motion and may enter an order approving it.

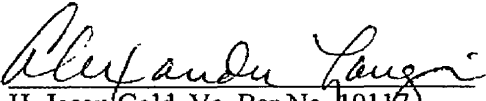
Dated: November 27, 2002

Respectfully submitted,

  
Michael St. Patrick Baxter  
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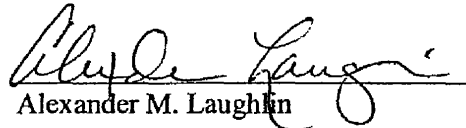
**Counsel for the Debtors and Debtors in Possession**

  
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703.905.2800  
703.905.2820 (Facsimile)

**Local Counsel for the Debtors and Debtors in Possession**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27th day of November 2002, the foregoing Notice of Joint Motion of the Chapter 11 Debtors and the Official Committee of Unsecured Creditors for Order in Aid of Plan Consummation and to Set Supplemental Administrative-Claim Bar Date for Certain Taxing Authorities and Notice of Hearing Thereon will be sent via first class mail, postage prepaid, to all creditors and parties in interest as set forth on the attached service lists by Robert L. Berger & Associates, LLC, balloting agent for the Debtors.\*

  
Alexander M. Laughlin

\* Pursuant to Local Rule 5005-1(C)(8), the attached service list is not being served on each of the parties, but is attached to the original Certificate of Service filed with the Court.