

ORIGINAL

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

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<b>In re:</b>  <b>PATHNET TELECOMMUNICATIONS INC., et al.</b>  <b>Debtors.</b>	) ) ) ) ) )	<b>Chapter 11</b>  <b>Case Nos. 01-12264 - SSM</b> <b>Jointly Administered</b>
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**ORDER APPROVING STIPULATION SETTling  
PREFERENCE CLAIM OF PSINET LIQUIDATING LLC**

Upon consideration of the motion to approve stipulation settling preference claim of PSINet Liquidating LLC (the "Motion") filed by Pathnet, Inc. ("Pathnet"); and

IT APPEARING TO THE COURT THAT the relief requested in the Motion is in the best interests of the estate; and it further

APPEARING TO THE COURT that proper and sufficient notice of the Motion has been provided and that no objection to the Motion has been filed; it is hereby

Ordered that the Motion is hereby Granted in its entirety; and it is further

Ordered that the PSINet preference action is dismissed with prejudice in consideration for a payment by PNI to PSINet LLC in the amount of \$58,937.69.

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Jan 08, 2004

Dated: \_\_\_\_\_, 2004

/s/ Stephen S. Mitchell

\_\_\_\_\_  
Stephen S. Mitchell  
United States Bankruptcy Judge

PREPARED BY:

/s/ Michael St. Patrick Baxter

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**CERTIFICATION PURSUANT TO JUNE 22, 2001 ADMINISTRATIVE ORDER**

I HEREBY CERTIFY that on this 6<sup>th</sup> day of January, 2004 copies of the foregoing Order was sent via first class mail postage pre-paid to:

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in accordance with the Administrative Order Regulating Notice of Entry of Certain Orders dated June 22, 2001.

ON BEHALF OF THE CLERK OF COURT, I FURTHER CERTIFY that copies of the entered Order will be mailed via first class mail postage pre-paid within two days of entry of the Order to the parties required to receive notice of the entry of the Order and to all creditors and parties in interest as set forth on the attached service lists.\*

/s/ Alexander M. Laughlin  
Alexander M. Laughlin

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

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