

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

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IN RE: §
UPH HOLDINGS, INC. § CASE NO. 13-10570
PAC-WEST TELECOMM, INC. § CASE NO. 13-10571
TEX-LINK COMMUNICATIONS, INC. § CASE NO. 13-10572
UNIPOINT HOLDINGS, INC. § CASE NO. 13-10573
UNIPOINT ENHANCED SERVICES, § CASE NO. 13-10574
INC. §
UNIPOINT SERVICES, INC. § CASE NO. 13-10575
NWIRE, LLC § CASE NO. 13-10576
PEERING PARTNERS § CASE NO. 13-10577
COMMUNICATIONS, LLC §

DEBTORS. § CHAPTER 11

EIN: 45-1144038; 68-0383568; 74-
2729541; 20-3399903; 74-3023729; 38-
3659257; 37-1441383; 27-2200110; 27-
4254637

6500 RIVER PL. BLVD., BLDG. 2, # 200 § JOINTLY ADMINISTERED
AUSTIN, TEXAS 78730 §

**MOTION FOR EXPEDITED HEARING ON DEBTORS' EMERGENCY MOTION FOR
ORDER AUTHORIZING DEBTORS TO HONOR CREDIT-CARD CHARGEBACKS
AND TO COMPLY WITH OBLIGATIONS UNDER PROCESSING AGREEMENT**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE TONY M. DAVIS:

COMES NOW UPH Holdings, Inc., ("UPH"), Pac-West Telecomm, Inc., ("Pac-West"),
Tex-Link Communications, Inc. ("Tex-Link") UniPoint Holdings, Inc. ("UniPoint Holdings"),
UniPoint Enhanced Services, Inc. ("UniPoint Enhanced Services"), UniPoint Services, Inc.,
("UniPoint Services"), nWire, LLC ("nWire"), and Peering Partners Communications, LLC
("Peering Partners") (collectively the "Debtors"), the Debtors-In-Possession in this case, and file
this their Motion for Expedited Hearing on the Debtors' Emergency Motion for Order
Authorizing Debtors to Honor Credit-Card Chargebacks and Comply with Obligations under
Processing Agreement ("Motion"). In support thereof, the Debtors would respectfully show as

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follows:

1. On March 28, 2013, the Debtors filed their voluntary Chapter 11 petitions (the "Petition Date") in the above-styled and numbered bankruptcy cases (the "Bankruptcy Cases"). On April 2, 2013, the Court entered an order authorizing joint administration of the reorganization cases. The Debtors continue in possession of their property and management of their business as debtors-in-possession pursuant to Bankruptcy Code §§ 1107 and 1108.

2. On May 17, 2013 the Debtors filed their Motion [Dckt. No. 193].

3. An expedited hearing is necessary on the Motion because to otherwise delay will result in further processing issues in connection with the Debtors' credit card processing account with UMS Banking and Global Payments, Inc. (as defined in the Motion, "Credit Card Processor"). The Credit Card Processor has represented that the billing cycles for the Debtors operate on a monthly basis and that the next billing cycle for the Debtors begins on June 1, 2013. Accordingly, delay in resolution of the issues presented in the Motion into the month of June or into later months will translate into the processing issues continuing into the next billing cycle, thus exasperating the problem. Resolution of these issues prior to the end of the month of May will bring some level of certainty and stability to the issues encountered with the Credit Card Processor, and create the potential of enabling the Debtors' account with the Credit Card Processor to be functioning properly for the month of June, thus preventing any future processing issues of credit card payments made to the Debtors.

4. Accordingly, the Debtors thus respectfully request a hearing date prior to June 1, 2013.

WHEREFORE, PREMISES CONSIDERED the Debtors respectfully request that the Court set a hearing on the Debtors' Emergency Motion for Order Authorizing Debtors to Honor Credit Card

Chargebacks and to Comply with Obligations under Processing Agreement (herein "Motion") on an expedited basis as requested herein, prior to June 1, 2013, and that the Court grant such other and further relief as is just and equitable

Dated: May 17, 2013.

Respectfully submitted,

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**COUNSEL FOR DEBTORS-IN-
POSSESSION**

CERTIFICATE OF CONFERENCE

I hereby certify that on the 16th day of May 2013, I conferred with counsel for the Office of the United States Trustee, Valerie L. Wenger, via email correspondence, and she stated that she had no objection to the request for expedited consideration of the Debtors' Emergency Motion for Entry of an Order Authorizing Debtors to Honor Credit Card Chargebacks and to Comply with Obligations under Processing Agreement (as herein defined "Motion").

/s/ Jennifer F. Wertz
Jennifer F. Wertz

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of May 2013, a true and correct copy of the foregoing was served via the Court's CM/ECF electronic notification system on all parties requesting same, and via US first class mail, post prepaid to the parties listed below, and on the attached service list.

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Tex-Link Communications, Inc.
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UniPoint Services, Inc.
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