

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:)
) Chapter 11
)
INTERNAP TECHNOLOGY SOLUTIONS INC.,)
) Case No. 20-22393 (RDD)
)
et al.)
) Jointly Administered
)
)
Debtors.¹)

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**NOTICE OF ASSUMPTION OF EXECUTORY CONTRACTS AND
UNEXPIRED LEASES OF DEBTORS AND RELATED PROCEDURES**

NOTICE IS HEREBY GIVEN as follows:

On March 16, 2020, the above-captioned debtors in possession (the “Debtors”) filed with the United States Bankruptcy Court for the Southern District of New York (the “Court”) the *Debtors’ Joint Prepackaged Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 19] (as amended at Docket No. 122, and as further amended, supplemented, or otherwise modified from time to time, the “Plan”) and related disclosure statement [Docket No. 18] (as amended, supplemented, or otherwise modified from time to time, the “Disclosure Statement”).² Copies of the Plan and the Disclosure Statement may be obtained free of charge by (i) visiting the website maintained by the Debtors’ solicitation agent, Prime Clerk LLC (the “Solicitation Agent”), at <https://cases.primeclerk.com/inap>, (ii) calling the Solicitation Agent at (877) 720-6575 (US Toll-Free) or (646) 214-8809 (International), or (iii) sending an electronic mail message to: inapinfo@primeclerk.com.

PLEASE TAKE FURTHER NOTICE that a hearing on the adequacy of the Disclosure Statement and the confirmation of the Plan was held before Judge Robert D. Drain, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, NY, on May 4, 2020, at 2:00 p.m. (ET).

PLEASE TAKE FURTHER NOTICE on May 5, 2020, the Court entered an order approving the adequacy of the Disclosure Statement and confirming the Plan.

PLEASE TAKE FURTHER NOTICE that, except as set forth in Article VI of the Plan, all Executory Contracts and Unexpired Leases of the Debtors shall be deemed assumed (or amended and assumed, as applicable) by the applicable Debtor counterparty in accordance with

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Internap Technology Solutions Inc. (8343); Internap Corporation (5721); Ubersmith, Inc. (7677); SingleHop, LLC (4340); Internap Connectivity LLC (7920); Hosting Intellect, LLC (8435); and DataGram, LLC (3170). The location of the Debtors’ service address for purposes of these Chapter 11 Cases is: 50 Main Street, Suite 1000, White Plains, New York 10606.

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Plan or the Disclosure Statement, as applicable.

the provisions and requirements of sections 365 and 1123 of the Bankruptcy Code and in accordance with Article VI of the Plan.

PLEASE TAKE FURTHER NOTICE that any monetary defaults under each Executory Contract and Unexpired Lease to be assumed pursuant to the Plan shall be satisfied, pursuant to section 365(b)(1) of the Bankruptcy Code, by payment of the default amount in cash on the Effective Date or in the ordinary course of business, subject to the limitation described in Article VI, or on such other terms as the parties to such Executory Contracts or Unexpired Leases may otherwise agree without further order of the Bankruptcy Court. **The Debtors propose that the amount of cure payments to be paid to with respect to each Executory Contract and Unexpired Lease that is assumed under the Plan shall be \$0.00.**

PLEASE TAKE FURTHER NOTICE that Article VI.B. of the Plan provides that, unless otherwise agreed in writing by the parties to the applicable Executory Contract or Unexpired Lease, **all requests for payment of Cure that differ from the amount set forth above must be filed with the Bankruptcy Court on or before 30 days after the Effective Date. In addition, any objection to the assumption of an Executory Contract or Unexpired Lease under the Plan must be filed with the Bankruptcy Court on or before 30 days after the Effective Date.**

PLEASE TAKE FURTHER NOTICE that if no objection is timely filed, assumption of any Executory Contract or Unexpired Lease pursuant to the Plan or otherwise, and payment of the applicable cure amount, shall result in the full release and satisfaction of any Claims or defaults, whether monetary or nonmonetary, including defaults of provisions restricting the change in control or ownership interest composition or other bankruptcy-related defaults, arising under any assumed Executory Contract or Unexpired Lease at any time prior to the effective date of assumption. **Any proof of claim filed with respect to an Executory Contract or Unexpired Lease that is assumed shall be deemed disallowed and expunged, without further notice to or action, order or approval of the Bankruptcy Court.**

PLEASE TAKE FURTHER NOTICE that the Debtors request that, before filing an objection, you contact the Debtors to attempt to resolve such dispute consensually. The Debtors' contact for such matters is Dennis F. Dunne, Esq. (ddunne@milbank.com), Abhilash M. Raval, Esq. (araval@milbank.com), and Tyson Lomazow, Esq. (tlomazow@milbank.com), Milbank LLP, at 212-530-5000. If such dispute cannot be resolved consensually prior to the objection deadline (as the same may be extended by agreement of the Debtors), you must file and serve an objection as set forth in the Plan to preserve your right to object.

PLEASE TAKE FURTHER NOTICE that if a timely objection is filed and served in accordance with this notice pertaining to assumption of an Executory Contract or Unexpired Lease, and cannot be otherwise resolved by the parties, the Bankruptcy Court may hear such objection at a date set by the Bankruptcy Court.

**UNLESS AN OBJECTION IS TIMELY FILED IN ACCORDANCE WITH THIS NOTICE,
IT MAY NOT BE CONSIDERED BY THE BANKRUPTCY COURT.**

New York, New York
Dated: May 6, 2020

/s/ Tyson Lomazow

Dennis F. Dunne

Abhilash M. Raval

Tyson Lomazow

MILBANK LLP

55 Hudson Yards

New York, NY 10001

(212) 530-5000

Email: ddunne@milbank.com

araval@milbank.com

tlomazow@milbank.com

Counsel to Debtors and Debtors in Possession