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9
10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13
14 In re
15 PREDIWAVE CORPORATION,
16 Debtor.

CASE NO. 06-40547

CHAPTER 11

**NEW WORLD TMT LIMITED'S
MOTION, PURSUANT TO 11 U.S.C. §§
503(a) and 105(a) (1) TO ESTABLISH AN
IMMEDIATE BAR DATE OF JANUARY
12, 2007 FOR THE FILING OF
ADMINISTRATIVE EXPENSE
REQUESTS AND (2) TO REQUIRE
COMPLIANCE WITH THIS COURT'S
ORDER APPROVING MOTION FOR
AUTHORITY TO ESTABLISH
PROCEDURES FOR INTERIM PAYMENT
OF FEES AND REIMBURSEMENT OF
EXPENSES**

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27 New World TMT Limited ("New World"), the acknowledged largest
28 creditor in the above-captioned bankruptcy case, hereby moves this Court for entry of an order,

1 pursuant to sections 503(a) and 105(a) of the Bankruptcy Code, establishing a January 12, 2007
2 bar date by when all requests for payment of administrative expenses must be filed. New World
3 further seeks an order requiring timely and immediate compliance by Latham & Watkins LLP
4 (“Latham”) and Allen & Overy LLP (“A & O”) with this Court’s *Order Approving Motion For*
5 *Authority To Establish Procedures For Interim Payment of Fees and Reimbursement of Expenses*
6 (the “Interim Procedures Order”).

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8 The Motion is supported by the Memorandum of Points and Authorities in Support
9 thereof, the Declaration of Joshua G. Hamilton in Support thereof, the previously filed pleadings
10 in this case, and any evidence presented at or prior to the hearing to consider this Motion.

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12 **RELIEF REQUESTED**

13 New World is this estate’s largest creditor and the beneficiary of terminating sanctions in
14 the Santa Clara Action.¹ New World expects, as do all the parties to the Santa Clara Action, entry
15 of a joint and several default judgment in the immediate future. With the liquidation of its claim,
16 New World seeks to resolve this bankruptcy proceeding shortly either by consensual dismissal or
17 the immediate filing of a plan. New World does not want any further resources expended
18 unnecessarily in connection with this estate as each dollar spent impairs New World’s recovery
19 from the Debtor.
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22 At least two professional firms have been retained by Court Orders, Latham and A & O,
23 who have both for whatever reason failed to file any fee applications, monthly or otherwise, as
24 expected by this Court’s Interim Procedures Order. This failure appears to be intentional to delay
25 resolution of this bankruptcy estate and payment to New World and quite possibly to deprive this
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27 ¹ That certain action styled New World TMT Limited v. PrediWave Corporation et al., Case No.
28 1-04-CV-020369 in the Superior Court of the State of California, County of Santa Clara. In
additional to the Debtor, several non-Debtor affiliates and the Debtor’s chief executive officer,
Jianping “Tony” Qu were named as defendants.

1 Court of jurisdiction because of the parties' consideration of a consensual dismissal of this case.
2 It is New World's desire to complete these proceedings with the lowest administrative costs
3 possible. However, in connection with the resolution of this case, New World requires this
4 Court's review of fees and costs incurred by all professions retained by the estate, including but
5 not limited to, Latham and A & O. In addition to setting an expedited administrative bar date of
6 January 12, 2007, New World seeks an order requiring Latham and A & O to immediately file
7 and serve monthly and quarterly fee applications as contemplated by this Court's Interim
8 Procedures Order. As prior New World pleadings have indicated, New World anticipates
9 material objections to fees and costs incurred by these professionals and desires to address these
10 objections in a timely and cost effective manner.
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13 WHEREFORE, New World requests that the Court grant this Motion to establish a
14 January 12, 2007 bar date by which all requests for payment of administrative expenses must be
15 filed and issue of an order requiring prompt compliance with its Interim Procedures Order.
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17 DATED: December 22, 2006

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20 By: /S/ Karol K. Denniston

KAROL K. DENNISTON

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22 Attorneys for Creditor
New World TMT Limited
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