

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)
) Chapter 11
PLASTIQ INC., *et al.*,¹)
) Case No. 23-10671 (BLS)
Debtors.)
) (Jointly Administered)
)
) **Re: Docket No. 12**

**ORDER AUTHORIZING (I) REJECTION OF (A) CERTAIN UNEXPIRED
LEASES OF NONRESIDENTIAL REAL PROPERTY AND (B) CERTAIN
EXECUTORY CONTRACTS, IN EACH CASE, EFFECTIVE AS OF THE
PETITION DATE, AND (II) ABANDONMENT OF ANY REMAINING
PERSONAL PROPERTY LOCATED AT THE LEASED PREMISES**

Upon consideration of the motion (the “**Motion**”)² of the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) for the entry of an order (a) authorizing the Debtors to reject, effective as of the Petition Date, certain unexpired leases of nonresidential real property, (b) authorizing the Debtors to abandon, effective as of the Petition Date, any Personal Property located at the Premises, and (c) authorizing the Debtors to reject, effective as of the Petition Date, certain executory contracts, all as more fully set forth in the Motion; and this Court having reviewed the Motion and the First Day Declaration; and this Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated as of February 29, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: PlastiQ Inc. (6125), PLV Inc. d/b/a/ PLV TX Branch Inc. (5084), and Nearside Business Corp. (N/A). The corporate headquarters and the mailing address for the Debtors is 1475 Folsom Street, Suite 400, San Francisco, California 94103.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.



with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and this Court having determined that there is good and sufficient cause for the relief granted in this Order, therefore, **IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED as set forth herein.
2. Pursuant to sections 105(a) and 365(a) of the Bankruptcy Code and Bankruptcy Rule 6006, the Rejected Agreements are hereby rejected by the Debtors, with such rejection being effective as of the Petition Date.
3. Pursuant to sections 105(a) and 554(a) of the Bankruptcy Code and Bankruptcy Rule 6007, any Personal Property remaining, as of the Petition Date, on the Premises is hereby abandoned by the Debtors, with such abandonment being effective as of the Petition Date.
4. Nothing herein shall impair, prejudice, waive or otherwise affect the rights of the Debtors to: (a) assert that the Rejected Agreements (i) were terminated prior to the Petition Date, or (ii) are not executory contracts or unexpired leases under 365 of the Bankruptcy Code; (b) assert that any claim for damages arising from the rejection of the Rejected Agreements is limited to the remedies available under any applicable termination provisions of the Rejected Agreements; (c) assert that any such claim is an obligation of a third party, and not that of the Debtors or their estates; or (d) otherwise contest any claims that may be asserted in connection with the Rejected Agreements. All rights, claims, defenses and causes of action that the Debtors and their estates may have against the counterparties to the Rejected Agreements, whether or not

such claims arise under, are related to the rejection of, or are independent of the Rejected Agreements, are reserved, and nothing herein is intended or shall be deemed to impair, prejudice, waive or otherwise affect such rights, claims, defenses and causes of action.

5. Claims arising out of the rejection of the Rejected Agreements must be filed on or before the later of (a) the deadline for filing proofs of claim based on prepetition claims against any of the Debtors as set by an order of this Court or (b) thirty (30) days after entry of this Order.

6. The requirements of Bankruptcy Rule 6006 are satisfied.

7. The Debtors are authorized to take any and all actions necessary to effectuate the relief granted herein.

8. Notwithstanding any applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Order shall be effective and enforceable immediately upon its entry.

9. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: June 16th, 2023
Wilmington, Delaware


BRENDAN L. SHANNON
UNITED STATES BANKRUPTCY JUDGE

Schedule 1**Rejected Leases¹**

<u>Debtor(s)</u>	<u>Counterparty</u>	<u>Counterparty's Address</u>	<u>Rejected Agreement</u>
Plastiq Inc.	Cianfru LLC	720 Clementina Street San Francisco, CA 94103	Office lease for space located at 360 Ninth Street, San Francisco, CA 94103 between Plastiq Inc. and Cianfru LLC, dated December 19, 2018, as amended by Amendment No. 1 to Lease dated May 26, 2020
Plastiq Inc.	Watershed Technology, Inc.	360 Ninth Street San Francisco, CA 94103	Sublease for office space located at 360 Ninth Street, San Francisco, CA 94103 between Plastiq Inc. and Watershed Technology, Inc., dated December 17, 2021
Nearside Business Corp. f/k/a Hatch Credit, Inc.	The Court Buddy Company, Inc.	601 California Street, Suite 1210 San Francisco, CA 94108 With a facsimile copy to: Valence Law Group, PC Facsimile #: (415) 358-4570	Sublease for office space located at 601 California Street, San Francisco, CA 94103 between Hatch Credit, Inc. and The Court Buddy Company, Inc., dated February 20, 2020

¹ Each, as may be amended, modified, or supplemented from time to time and together with any schedules thereto.

Schedule 2**Rejected Contracts**

<u>Debtor(s)</u>	<u>Counterparty</u>	<u>Counterparty's Address</u>	<u>Rejected Agreement</u>
Plastiq Inc.	15Five	12 Gallagher Lane San Francisco, CA 94103	Employment engagement
Plastiq Inc.	A Cloud Guru	800 Brazos Street, Suite 340 Austin, TX 78701	Online training classes
Plastiq, Inc.	Aon Radford Surveys	29695 Network Place Chicago, IL 90973	Finance data as a service
Plastiq, Inc.	Arizent	One State Street Plaza New York, NY 10004	Publication library
Plastiq, Inc.	Bravely	115 E 9th Street 15D New York, NY 10003	HR management suites
Plastiq, Inc.	Canva	110 Kippax Street Surry Hills, NSW 2010 Australia	Animation, design suite, photo editing, presentation
Plastiq, Inc.	DataRobot	225 Franklin Street, 13th Floor Boston, MA 02110	Artificial intelligence as a service (AlaaS) and machine learning optimization
Plastiq, Inc.	eFax	700 S Flower Street, Floor 15 Los Angeles, CA 90017	Electronic fax
Plastiq, Inc.	Equifax	1550 Peachtree Street, NW Atlanta, GA 30309	Other HR services
Plastiq, Inc.	Getty Images	605 5 th Avenue South, Suite 400 Seattle, WA 98104	Digital assets
Plastiq, Inc.	GoTo	320 Summer Street Boston, MA 02210	Help desk, remote access, virtual private servers (VPS)

<u>Debtor(s)</u>	<u>Counterparty</u>	<u>Counterparty's Address</u>	<u>Rejected Agreement</u>
Plastiq, Inc.	Grammarly	548 Market Street, No. 35410 San Francisco, CA 94104	Document creation, plagiarism validation
Plastiq, Inc.	GroupGreeting	236 West Portal Avenue, Suite 188 San Francisco, CA 94127	Employee engagement
Plastiq, Inc.	Idology ExpectID	2018 Powers Ferry Road SE, Suite 720 Atlanta, GA 30339	Governance, risk and compliance
Plastiq, Inc.	Knack	759 Woodcrest Avenue Lititz, PA 17543	Data warehouse
Plastiq, Inc.	LeanData	2901 Patrick Henry Drive Santa Clara, CA 95054	Account-based marketing and lead scoring
Plastiq, Inc.	Lever	155 5th Street, 6th Floor San Francisco, CA 94103	Applicant tracking system and recruiting
Plastiq, Inc.	LinkedIn	62228 Collections Center Drive Chicago, Il 60693	General provider
Plastiq, Inc.	LinkedIn Sales Navigator	62228 Collections Center Drive Chicago, Il 60693	Sales intelligence and social networks
Plastiq, Inc.	MuleSoft	77 Geary Street, Suite 400 San Francisco, CA 94108	Cloud data integration
Plastiq, Inc.	PDFfiller	1371 Beacon Street, Suite 301 Brookline, MA 02446	Document management
Plastiq, Inc.	Pragmatic Institute	21001 N. Tatum Boulevard, Suite 1630 Phoenix, AZ 85050	Online training classes
Plastiq, Inc.	Shutterstock	350 5th Avenue New York, NY 10118	Digital assets
Plastiq, Inc.	Signifyd	99 Almaden Boulevard, 4th Floor San Jose, CA 95113	E-commerce tools
Plastiq, Inc.	Slickplan	104 Brown Street Dayton, OH 45402	Development tools and web content management

<u>Debtor(s)</u>	<u>Counterparty</u>	<u>Counterparty's Address</u>	<u>Rejected Agreement</u>
Plastiq, Inc.	SurveyMonkey	One Curiosity Way, San Mateo, CA 94403	Customer engagement, employee engagement, enterprise feedback management, and surveys
Plastiq, Inc.	Tailscale	50 Lynn Williams Street, Unit 401 Toronto, ON M6K 3R9 Canada	VPN client
Plastiq, Inc.	Traffic Think Tank	212 Brown Street 1B Philadelphia, CA 19123	Online training classes
Plastiq, Inc.	Trustpilot	245 Fifth Avenue, 5th Floor New York, NY 10016	Product reviews