



ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the order of the Court.

Signed November 22, 2005

Barbara J. Houser
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:)	Case No.: 05-39020-bjh304
The Poltech Trust, as successor to)	An Ancillary Proceeding Under
Poltech International, Ltd.,)	Section 304 of the Bankruptcy Code
Debtor in Foreign Proceeding.)	
)	
)	
)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER REGARDING THE POLTECH TRUST'S PETITION
FOR ANCILLARY ADMINISTRATION OF A FOREIGN PROCEEDING**

Came on for hearing before the Court the A *Petition for Ancillary Administration of a Foreign Proceeding*” (the “Petition”) filed by George Georges and John Lindholm, as Trustees for The Poltech International, Ltd. Trust, and the Court, after reviewing the (a) *Petition*; (b) “*Answer of American Plastics & Chemicals, Inc. to the Petition Ancillary Administration of a Foreign Proceeding*” (the “APAC Objection”) filed by American Plastics & Chemicals, Inc. (“APAC”); (c) “*Answer of ACS State and Local Solutions, Inc. to the Petition Ancillary Administration of a Foreign Proceeding*” filed by ACS State and Local Solutions, Inc. (“ACS”); (d) “*Defendant American*

Plastics & Chemicals, Inc.’s Memorandum in Support of Challenge to Court’s Jurisdiction Under Section 304 of the Bankruptcy Code” (the “APAC Brief”) and accompanying “*Affidavit of M. Edward Stewart*” filed by APAC; (e) “*Response to American Plastics & Chemicals, Inc.’s Memorandum in Support of Challenge to Court’s Jurisdiction Under Section 304 of the Bankruptcy Code*” filed by ACS; and (e) other pleadings and filings in these cases, and after receiving evidence and hearing arguments of counsel at the hearing on October 25, 2005, makes the following findings of fact and conclusions of law:

A. On November 12, 2003, Poltech International, Ltd. (“Poltech”) initiated a voluntary administration in Australia (the “Voluntary Administration”).

B. The Voluntary Administration is a “foreign proceeding” as that term is defined in 11 U.S.C. § 101(23).

C. George Georges and John Lindholm (the “Poltech Trustees”) are “foreign representatives” as that term is defined in 11 U.S.C. § 101(24).

D. On August 10, 2005 (the “Petition Date”), Poltech filed an ancillary proceeding (the “Ancillary Proceeding”) in this Court under § 304 of title 11 of the United States Code, 11 U.S.C. § 101-1330, as amended (the “Bankruptcy Code”).

E. Also on the Petition Date, ACS removed to this Court, pursuant to Rule 9027 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the lawsuit of American Plastics & Chemicals, Inc. vs. Affiliated Computer Services, Inc., Cause No. V-03-13077-H (the “Removed Action”).

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS
FOLLOWS:**

1. The Voluntary Administration qualifies as a “foreign proceeding,” as that term is defined in 11 U.S.C. § 304.
2. The Poltech Trustees qualify as “foreign representatives,” as that term is defined in 11 U.S.C. § 304.
3. The Ancillary Proceeding qualifies as an “ancillary proceeding,” as that term is defined under 11 U.S.C. § 304.
4. This Court has jurisdiction over this Ancillary Proceeding.
5. Venue in this Court is proper under 28 U.S.C. § 1410(a) and (b).

Order Submitted By:

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