

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

BIRD GLOBAL, INC. *et al.*,

Debtors.

CASE NO.: 23-20514-CLC

Chapter 11

Jointly Administered

**CREDITOR EMKAY, INC.'S NOTICE OF WITHDRAW OBJECTION TO DEBTORS'  
NOTICE OF ASSUMPTION AND CURE COSTS WITH RESPECT TO  
EXECUTORY CONTRACTS OR UNEXPIRED LEASES POTENTIALLY TO BE  
ASSUMED AND ASSIGNED IN CONNECTION WITH SALE OF DEBTORS' ASSETS**

Creditor Emkay, Inc. ("Emkay") files this Notice of Withdrawal of its *Objection to Debtors' Notice of Assumption and Cure Costs with Respect to Executory Contracts or Unexpired Leases Potentially to be Assumed and Assigned in Connection with Sale of Debtors' Assets* (ECF No. 326).

Dated: March 5, 2024.

Respectfully submitted,

By: /s/ D. Brett Marks

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*Attorneys for Creditor Emkay Inc.*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on March 5, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served on this day by transmission of Notices of Electronic Filing generated by CM/ECF

to those parties registered to receive electronic notices of filing in this case. A true and correct copy was also sent on February 16, 2024 by first class U.S. Mail, postage prepaid and by email to the following:

- (i) Mr. Harvey Tepner, Independent Director ([htepner@gmail.com](mailto:htepner@gmail.com)), 329 NE 191st Street, #20388, Miami, FL 33179,
- (ii) *Bankruptcy counsel for the Debtors*, Berger Singerman LLP, 1450 Brickell Avenue, Suite 1900, Miami, FL 33131 (Attn: Paul Steven Singerman, Esq. ([singerman@bergersingerman.com](mailto:singerman@bergersingerman.com)) and Jordi Guso, Esq. ([jguso@bergersingerman.com](mailto:jguso@bergersingerman.com)));
- (iii) *Counsel for the Senior Agent*, Latham & Watkins, LLP, 1271 Avenue of the Americas, New York, NY 10020 (Attn: Hugh Murtagh, Esq. ([hugh.murtagh@lw.com](mailto:hugh.murtagh@lw.com)));
- (iv) *The Stalking Horse Bidder*, Venable, LLP, 200 S.E. Second Street, Suite 4400, Miami, FL 33131 (Attn: Paul J. Battista ([pbattista@venable.com](mailto:pbattista@venable.com)));
- (v) *Counsel for the official committee of unsecured creditors*, Fox Rothschild LLP, 2 S. Biscayne Boulevard, Suite 2750, Miami, FL 33131 (Attn: Robert F. Elgidely, Esq. ([relgidely@foxrothschild.com](mailto:relgidely@foxrothschild.com)) and 321 N. Clark Street, Suite 1600, Chicago, IL 60654 (Attn: Gordon Goveia, Esq. ([ggouveia@foxrothschild.com](mailto:ggouveia@foxrothschild.com))); and
- (vi) *The Office of the United States Trustee*, 51 SW First Avenue, Room 1204, Miami, Florida 33130 (Attn: Martin P. Ochs, Esq. ([martin.p.ochs@usdoj.gov](mailto:martin.p.ochs@usdoj.gov))).

/s/ D. Brett Marks

D. Brett Marks, Esq.