

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

*In re*

**AN GLOBAL LLC, et al.,<sup>1</sup>**

**Debtors.**

Chapter 11

Case No. 23-11294 (JKS)

(Jointly Administered)

**Obj. Deadline: March 1, 2024 at 4:00 p.m. (ET)**

**FOURTH SUPPLEMENTAL NOTICE OF POSSIBLE ASSUMPTION AND  
ASSIGNMENT WITH RESPECT TO EXECUTORY CONTRACTS AND  
UNEXPIRED LEASES OF THE DEBTORS**

**PLEASE TAKE NOTICE THAT:**

The above-captioned debtors and debtors-in-possession (the “Debtors”) each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), on August 28, August 29, September 1, October 6, and December 28, 2023 (as applicable) with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). The Debtors are seeking to assume and assign certain of their executory contracts and unexpired leases in connection with the sale (the “Sale”) of all or substantially all of their assets (the “Assets”), free and clear of all liens, claims, interests, and encumbrances other than assumed liabilities and permitted encumbrances.

1 The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number or registration number in the applicable jurisdiction, are: AN Global LLC (5504); AgileThought, Inc. (2509); 4th Source Holding Corp. (9629); 4th Source Mexico, LLC (7552); 4th Source, LLC (7626); AgileThought Brasil-Consultoria Em Tecnologia LTDA (01-42); AgileThought Brasil Servicos de Consultoria Em Software (01-20); AgileThought Costa Rica S.A. (6822); AgileThought Digital Solutions, S.A.P.I. de C.V. (3KR0); AgileThought México S.A. de C.V. (7E46); AgileThought, LLC (7076); AgileThought Servicios Administrativos, S.A. de C.V. (4AG1); AgileThought Servicios México S.A. de C.V. (8MY5); AgileThought, S.A.P.I. de C.V. (No Tax ID); AGS Alpama Global Services USA, LLC (0487); AN Data Intelligence, S.A. de C.V. (8173); AN Extend, S.A. de C.V. (1D80); AN Evolution, S. de R.L. de C.V. (7973); AN USA (5502); AN UX, S.A. de C.V. (7A42); Cuarto Origen, S. de R.L. de C.V. (0IQ9); Entrepids México, S.A. de C.V. (OCYA); Entrepids Technology Inc. (No Tax ID); Facultas Analytics, S.A.P.I. de C.V. (6G37); Faktos Inc., S.A.P.I. de C.V. (3LLA); IT Global Holding LLC (8776); QMX Investment Holdings USA, Inc. (9707); AgileThought Argentina, S.A. (No Tax ID); AGS Alpama Global Services México, S.A. de C.V. (No Tax ID); Tarnow Investment, S.L. (No Tax ID); Anzen Soluciones, S.A. de C.V. (No Tax ID); and AgileThought Latam LLC (No Tax ID). The Debtors’ headquarters are located at 222 W. Las Colinas Boulevard, Suite 1650E, Irving, Texas 75039.



By order, dated September 25, 2023 [Docket No. 132] (the “Bidding Procedures Order”),<sup>2</sup> the Bankruptcy Court approved certain relief requested in the related motion [Docket No. 72] (the “Bidding Procedures Motion”), and certain “Bidding Procedures” that govern the Sale of the Assets to the highest or otherwise best bidders. On December 28, 2023, the Bankruptcy Court entered an order [Docket No. 590] (the “Sale Order”) approving, among other things, (i) the Sale of the Assets to AT Holdings Corp. (the “Stalking Horse Bidder”) and (ii) the Debtors’ entry into the Asset Purchase Agreement, dated as of October 4, 2023, with the Stalking Horse Bidder (the “Stalking Horse APA”). Copies of the Bidding Procedures Motion, the Bidding Procedures Order, the Bidding Procedures, the Sale Order, and the Stalking Horse APA are available for download at <http://www.kccllc.net/AgileThought> (the “Case Website”).

**You are receiving this Notice because you or one of your affiliates may be a party to an unexpired lease or an executory contract that *may* be assumed and assigned (collectively, the “Contracts”) in connection with such Sale. A list of the Contracts is attached hereto as Exhibit A.**

**To the extent that a Counterparty to a Contract objects to the assumption and assignment of the Contract by the Stalking Horse Bidder in connection with the Sale, the Counterparty must file and serve an objection (an “Objection”). Any Objection shall: (i) be in writing; (ii) comply with the Bankruptcy Rules and the Local Rules; (iii) be filed with the Clerk of the Court, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801 by March 1, 2024 at 4:00 p.m. (ET) (the “Objection Deadline”), and proof of service of such Objection upon the Objection Notice Parties (as defined below) shall be filed with the Court as and when required by the Local Rules; (iv) be served upon the Objection Notice Parties; and (v) state with specificity the grounds for such objection.**

The “Objection Notice Parties” are:

Counsel to the Debtors	The United States Trustee
<p>Hughes Hubbard &amp; Reed LLP                      One Battery Park Plaza, 16<sup>th</sup> Floor                      New York, NY 10004                      Attn: Kathryn A. Coleman, Christopher Gartman &amp;                      Elizabeth A. Beitler                      katie.coleman@hugheshubbard.com,                      chris.gartman@hugheshubbard.com &amp;                      elizabeth.beitler@hugheshubbard.com</p> <p>Potter Anderson &amp; Corroon LLP                      1313 North Market Street, Sixth Floor                      P.O. Box 951                      Wilmington, DE 19801-6108                      Attn: Jeremy W. Ryan                      jryan@potteranderson.com</p>	<p>Office of the United States Trustee                      for the District of Delaware                      844 King Street, Suite 2207, Lockbox 35                      Wilmington, DE, 19801                      Attn: Benjamin Hackman                      benjamin.a.hackman@usdoj.gov</p>

2. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Bidding Procedures Order.

Counsel to the Agent and Stalking Horse Bidder	Counsel to the Committee
<p>Ropes &amp; Gray LLP                      1211 Avenue of the Americas                      New York, NY 10036-8704                      Attn: Gregg M. Galardi, Robb Tretter &amp;                      Leonard Klingbaum                      Gregg.Galardi@ropesgray.com,                      Robb.Tretter@ropesgray.com &amp;                      Leonard.Klingbaum@ropesgray.com</p> <p>Chipman Brown Cicero &amp; Cole, LLP                      1313 N. Market Street, Suite 5400                      Wilmington, DE 19801                      Attn: Mark L. Desgrosseilliers                      desgross@chipmanbrown.com</p>	<p>Pachulski Stang Ziehl &amp; Jones LLP                      919 N. Market Street, 17th Floor                      P.O. Box 8705                      Wilmington, DE 19899-8705                      Attn: Robert J. Feinstein, Bradford J. Sandler, Colin R.                      Robinson, Cia H. Mackle, &amp; Edward C. Corma                      rfeinstein@pszjlaw.com                      bsandler@pszjlaw.com                      crobinson@pszjlaw.com                      cmackle@pszjlaw.com                      ecorma@pszjlaw.com</p>

**If no timely objection is received with respect to a Contract, the non-Debtor party to such Contract shall be deemed to have consented to the Court determining that adequate assurance of future performance has been sufficiently demonstrated and shall be forever barred and estopped from asserting or claiming that the requirement of adequate assurance of future performance is not satisfied or demonstrated.**

Pursuant to the terms of the Bidding Procedures Order, the auction for the Assets, including the Contracts, contemplated to occur on November 15, 2023 at 11:00 a.m. (prevailing Eastern Time), was **cancelled** because the Debtors received only one Qualified Bid. A notice that identifies the Stalking Horse Bidder as the Successful Bidder for the Assets, including any Contracts, was filed and served on November 15, 2023 [Docket No. 432].

Nothing contained herein shall obligate the Debtors or the Successful Bidder to assume any Contracts, and all rights of the Debtors and the Successful Bidder with respect to such Contracts are reserved. Moreover, the Debtors explicitly reserve their rights, in their reasonable discretion, to seek to reject or assume each Contract pursuant to section 365(a) of the Bankruptcy Code and in accordance with the procedures allowing the Debtors or the Successful Bidder, as applicable, to designate any Contract as either rejected or assumed on a post-closing basis.

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Dated: February 23, 2024  
Wilmington, Delaware

Respectfully submitted,

/s/ Gregory J. Flasser

Jeremy W. Ryan (No. 4057)

Gregory J. Flasser (No. 6154)

Sameen Rizvi (No. 6902)

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*Counsel for the Debtors and Debtors-in-Possession*

**EXHIBIT A TO FOURTH SUPPLEMENTAL ASSUMPTION NOTICE**

# In re AN Global LLC et al., Case No. 23-11294 (JKS)

## Fourth Supplemental Cure List

[1] Includes Amendments, Renewals and SOWs

Count	Counterparty	Cure Amount (\$)	Debtor Entity	Description <sup>1</sup>	Execution Date
1	Detecno SA de CV	-	AgileThought Digital Solutions SAPI de CV	Software Licensing Agreement	5/21/2021