

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

-----X
In re : Chapter 11
AEROCENTURY CORP., *et al.*, :
Debtors.¹ : Case No. 21-10636 (JTD)
: (Jointly Administered)
: Re: Docket No. 319
-----X

**ORDER (A) AUTHORIZING THE DEBTORS TO
REJECT THAT CERTAIN UNEXPIRED LEASE EFFECTIVE
AS OF SEPTEMBER 30, 2021 AND (B) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)² of the Debtors for the entry of an order, pursuant to sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, authorizing the Debtors to (a) reject the Rejected Lease effective as of September 30, 2021, and (b) abandon the Remaining Property remaining at the Premises as of the Rejection Date; and upon consideration of the First Day Declaration and the record of these Chapter 11 Cases; and having determined that this Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 1334 and 157, and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012; and having determined that this is a core matter pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and having determined that venue of these Chapter 11 Cases and of the Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and having determined that due and adequate notice of the Motion has been given under the circumstances, and that no other or further notice need be given; and having determined that the relief requested in the Motion is in the best interests

¹ The Debtors in these chapter 11 cases, along with the last four digits of their federal employer identification number, are: AeroCentury Corp. (3974); JetFleet Holding Corp. (5342); and JetFleet Management Corp. (0929). The Debtors’ mailing address is 1440 Chapin Avenue, Suite 310, Burlingame, CA 94010.

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



of the Debtors, their estate, its creditors, and other parties in interest; and after due deliberation and sufficient cause appearing therefor;

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 Lease, to the extent not already terminated in accordance with its applicable terms, is hereby rejected by the Debtors, with such rejection being effective as of September 30, 2021.
3. The Debtors are authorized, but not directed, to abandon the Remaining Property that is owned by the Debtors and located on the Premises. Any furniture, fixtures, and equipment, or other personal property remaining on the Premises as of the Rejection Date is deemed abandoned effective as of the Rejection Date without further order of this Court.
4. Any person or entity that holds a claim that arises from the Rejected Lease must file a proof of claim based on such rejection **on or before November 1, 2021**.
5. Nothing in this Order shall impair, prejudice, waive, or otherwise affect any rights of the Debtors or their estates to assert that any claims for damages arising from the Debtors' rejection of the Rejected Lease are limited to any remedies available under any applicable termination provisions of such Rejected Lease, or that any such claims are obligations of a third party, and not those of the Debtors or their estates.
6. The Debtors are authorized to execute and deliver all instruments and documents, and take such other actions as may be necessary or appropriate, to implement and effectuate the relief granted by this Order.

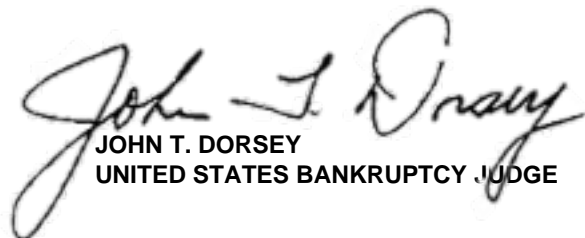
7. The rights of the Debtors and their estates to assert that Rejected Lease was terminated prior to the date hereof are fully preserved, and the Debtors and their estates do not waive any claims that they may have against the Landlord, whether or not such claims arise under, are related to the rejection of, or are independent of the Rejected Lease.

8. This Order is immediately effective and enforceable, notwithstanding the possible applicability of Bankruptcy Rule 6004(h) or otherwise.

9. The requirements in Bankruptcy Rules 6006 and 6007 is satisfied.

10. This Court retains jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: October 19th, 2021
Wilmington, Delaware


JOHN T. DORSEY
UNITED STATES BANKRUPTCY JUDGE