

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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:  
In re: : Chapter 11  
:  
AVIANCA HOLDINGS S.A., *et al.*,<sup>1</sup> : Case No. 20-11133 (MG)  
:  
Debtors. : (Jointly Administered)  
:  
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**DECLARATION AND DISCLOSURE STATEMENT OF Hector Hernández Botero  
ON BEHALF OF Philippi Prietocarrizosa Ferrero DU & Uría S.A.S.**

STATE OF \_\_\_\_\_)  
 ) s.s.:  
COUNTY OF \_\_\_\_\_)

Hector Hernández Botero, declares, pursuant to 28. U.S.C. § 1746, as follows:

1. I am a legal representative of Philippi Prietocarrizosa Ferrero DU & Uría S.A.S., located at  
Carrera 9 No. 74-08 Of. 105 Bogotá, Colombia (the "Firm").
2. Avianca Holdings S.A. and certain of its above-captioned affiliates, as debtors and  
debtors in possession (collectively, the "Debtors") have requested that the Firm provide

<sup>1</sup> The Debtors in these Chapter 11 Cases, and each Debtor's federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A); Aero Transporte de Carga Unión, S.A. de C.V. (N/A); Aeroinversiones de Honduras, S.A. (N/A); Aerovías del Continente Americano S.A. Avianca (N/A); Airlease Holdings One Ltd. (N/A); America Central (Canada) Corp. (00-1071563); America Central Corp. (65-0444665); AV International Holdco S.A. (N/A); AV International Holdings S.A. (N/A); AV International Investments S.A. (N/A); AV International Ventures S.A. (N/A); AV Investments One Colombia S.A.S. (N/A); AV Investments Two Colombia S.A.S. (N/A); AV Taca International Holdco S.A. (N/A); Avianca Costa Rica S.A. (N/A); Avianca Leasing, LLC (47-2628716); Avianca, Inc. (13-1868573); Avianca-Ecuador S.A. (N/A); Aviaservicios, S.A. (N/A); Aviateca, S.A. (N/A); Avifreight Holding Mexico, S.A.P.I. de C.V. (N/A); C.R. Int'l Enterprises, Inc. (59-2240957); Grupo Taca Holdings Limited (N/A); International Trade Marks Agency Inc. (N/A); Inversiones del Caribe, S.A. (N/A); Isleña de Inversiones, S.A. de C.V. (N/A); Latin Airways Corp. (N/A); Latin Logistics, LLC (41-2187926); Nicaraguense de Aviación, Sociedad Anónima (Nica, S.A.) (N/A); Regional Express Américas S.A.S. (N/A); Ronair N.V. (N/A); Servicio Terrestre, Aereo y Rampa S.A. (N/A); Servicios Aeroportuarios Integrados SAI S.A.S. (92-4006439); Taca de Honduras, S.A. de C.V. (N/A); Taca de México, S.A. (N/A); Taca International Airlines S.A. (N/A); Taca S.A. (N/A); Tampa Cargo S.A.S. (N/A); Technical and Training Services, S.A. de C.V. (N/A). The Debtors' principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.



environmental legal advice in Colombia services to the Debtors, and the Firm  
has consented to provide such services (the “Services”).

3. The Services include, but are not limited to, the following:

Advising the company on environmental legal issues related to the application of environmental Colombian law on their operations;  
Reviewing and analyzing the environmental studies and contracts undersigned by the company in Colombia;  
Verifying the environmental legal compliance in Bogotá and Rionegro's facilities;  
Giving legal counsel on environmental procedures, licensing applications and/or permitting before the different environmental Colombian authorities;  
Providing trainings to the Avianca's staff and employees regarding environmental legal matters under Colombian law; and  
Carring out field visits, in order to establish possible risks or contingencies that may arise from the legal environmental point of view under Colombian law.

4. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these cases, for persons that are parties in interest in the Debtors' cases. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these cases. The Firm does not perform services for any such person in connection with these cases. In addition, the Firm does not have any relationship with any such person, such person's attorneys, or such person's accountants that would be adverse to the Debtors or their estates with respect to the matters on which the Firm is to be retained.

5. Neither I, nor any principal of, or professional employed by the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than principals and regular employees of the Firm.

6. Neither I nor any principal of, or professional employed by the Firm, insofar as I have been able to ascertain, holds or represents any interest materially adverse to the Debtors or their estates with respect to the matters on which the Firm is to be retained.

7. As of the commencement of these cases, the Debtors owed the Firm \$ COP34,204,056 (including VAT)  
approx. USD8,890  
USD1 = COP3,846.64 as of 08/27/2020  
in respect of prepetition services rendered to the Debtors.

8. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of this inquiry, or at any time during the period of its

employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Declaration.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration and Disclosure Statement was executed on August 27, 2020, at Bogotá, Colombia.

\_\_\_\_\_  
Declarant Name

A handwritten signature in blue ink, appearing to read "L. J. ...", is visible within a light gray rectangular box.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11  
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AVIANCA HOLDINGS S.A., *et al.*,<sup>1</sup> : Case No. 20-11133 (MG)  
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Debtors. : (Jointly Administered)  
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**RETENTION QUESTIONNAIRE**

TO BE COMPLETED BY PROFESSIONALS EMPLOYED by Avianca Holdings S.A. and certain of its above-captioned affiliates, as debtors and debtors in possession (collectively, the “Debtors”) in these cases.

All questions **must** be answered. Please use “none,” “not applicable,” or “N/A,” as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and Address of firm:

Philippi Prietocarrizosa Ferrero DU & Uría S.A.S.

Carrera 9 No. 74-08 Of. 105 Bogotá, Colombia

2. Date of retention: September 1, 2018

<sup>1</sup> The Debtors in these Chapter 11 Cases, and each Debtor’s federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A); Aero Transporte de Carga Unión, S.A. de C.V. (N/A); Aeroinversiones de Honduras, S.A. (N/A); Aerovías del Continente Americano S.A. Avianca (N/A); Airlease Holdings One Ltd. (N/A); America Central (Canada) Corp. (00-1071563); America Central Corp. (65-0444665); AV International Holdco S.A. (N/A); AV International Holdings S.A. (N/A); AV International Investments S.A. (N/A); AV International Ventures S.A. (N/A); AV Investments One Colombia S.A.S. (N/A); AV Investments Two Colombia S.A.S. (N/A); AV Taca International Holdco S.A. (N/A); Avianca Costa Rica S.A. (N/A); Avianca Leasing, LLC (47-2628716); Avianca, Inc. (13-1868573); Avianca-Ecuador S.A. (N/A); Aviaservicios, S.A. (N/A); Aviateca, S.A. (N/A); Avifreight Holding Mexico, S.A.P.I. de C.V. (N/A); C.R. Int’l Enterprises, Inc. (59-2240957); Grupo Taca Holdings Limited (N/A); International Trade Marks Agency Inc. (N/A); Inversiones del Caribe, S.A. (N/A); Isleña de Inversiones, S.A. de C.V. (N/A); Latin Airways Corp. (N/A); Latin Logistics, LLC (41-2187926); Nicaraguense de Aviación, Sociedad Anónima (Nica, S.A.) (N/A); Regional Express Américas S.A.S. (N/A); Ronair N.V. (N/A); Servicio Terrestre, Aereo y Rampa S.A. (N/A); Servicios Aeroportuarios Integrados SAI S.A.S. (92-4006439); Taca de Honduras, S.A. de C.V. (N/A); Taca de México, S.A. (N/A); Taca International Airlines S.A. (N/A); Taca S.A. (N/A); Tampa Cargo S.A.S. (N/A); Technical and Training Services, S.A. de C.V. (N/A). The Debtors’ principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.

3. Type of services to be provided:

Environmental legal advice in Colombia.

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4. Brief description of services to be provided:

Advising the company on environmental legal issues related to the application of colombian law on their operations;  
Reviewing and analyzing the environmental studies and contracts undersigned by the company in Colombia;

Giving legal counsel on environmental procedures, licensing applications and/or permitting before the environmental Colombian authorities;  
Providing trainings to the Avianca's staff and employees regarding environmental legal matters under Colombian law;

Carring out field visits, in order to establish possible risks or contingencies that may arise from the legal environmental point of view; and  
Verifying the environmental legal compliance in Bogotá and Rionegro's facilities.

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5. Arrangements for compensation (hourly, contingent, etc.):

Monthly retainer

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(a) Average hourly rate (if applicable): \_\_\_\_\_

(b) Estimated average monthly compensation based on prepetition retention (if  
company was employed prepetition):

COP10,436,657 (including VAT) approx. USD 2,715 / USD1 = COP3,846.64 as of 08/27/2020

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6. Prepetition claims against the Debtors held by the company:

Amount of claim: \$ COP34,204,056 (including VAT) approx. USD8.890 / USD1 = COP3,846.64 as of 08/27/2020

Date claim arose: December 2019 - February 2, 2020 - April 17, 2020 - May 6, 2020

Nature of claim: Contractual and duly invoiced.

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7. Prepetition claims against the Debtors held individually by any member, associate, or  
professional employee of the company:

Name: N/A

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Status: N/A

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Amount of claim: \$ N/A

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Date claim arose: N/A

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Nature of claim: N/A

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8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates for the matters on which the company is to be employed:

N/A

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9. Name and title of individual completing this form:

Hector Hernández Botero - Legal Representative

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**Dated:** August 27, 2020

A handwritten signature in blue ink, appearing to read "Hector Hernández Botero", is centered within a light gray rectangular box.