

Case No. 1:20-cv-08008-LTS

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE AVIANCA HOLDINGS S.A., ET AL.,

DEBTORS.

USAV SECURED LENDER GROUP,
APPELLANT,

v.

AVIANCA HOLDINGS S.A., ET AL.,
APPELLEES.

APPEAL FROM THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
BANKR. CASE No. 20-11133 (MG)

**NOTICE OF EMERGENCY MOTION FOR STAY
PENDING APPEAL, OR IN THE ALTERNATIVE
TO EXPEDITE APPEALS, AND REQUEST TO
CONSOLIDATE APPEALS**

October 14, 2020

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PLEASE TAKE NOTICE that upon the (i) *Memorandum of Law in Support of Emergency Motion For Stay Pending Appeal, or in The Alternative To Expedite Appeals, And Request to Consolidate Appeals* (the “Memorandum of Law”), and (ii) the *Declaration of Joshua D. Weedman* (the “Weedman Declaration”), each filed substantially contemporaneously herewith, Appellant USAV Secured Lender Group by and through its undersigned counsel, will move this Court pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and Rules 8003, 8007 and 8013 of the Federal Rules of Bankruptcy Procedure for entry of an Order (i) staying pending appeals, or in the alternative, expediting pending appeals, and (ii) consolidating appeals, of the so ordered *Memorandum Opinion Granting in Part and Denying in Part Debtors’ Motion to Reject the USAV Agreements* entered by the United States Bankruptcy Court for the Southern District of New York, and for such other and further relief as the Court may deem just and proper.

Pursuant to Paragraphs 1(b) and (2)(b)(ii) of the Individual Rules of Practice of Judge Laura Taylor Swain, the USAV Secured Lender Group hereby certifies that, as set forth in more detail in the Weedman Declaration, it has used its best efforts to resolve informally the matters set forth in the Memorandum of Law and conferred with Avianca prior to submission of this Motion.

Dated: October 14, 2020
New York, New York

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By: /s/ Glenn M. Kurtz

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