

Hearing Date & Time: March 17, 2021 at 10:00 a.m. (prevailing Eastern Time)  
Objection Deadline: March 10, 2021 at 4:00 p.m. (prevailing Eastern Time)

Dennis F. Dunne  
Evan R. Fleck  
Benjamin Schak  
MILBANK LLP  
55 Hudson Yards  
New York, New York 10001  
Telephone: (212) 530-5000  
Facsimile: (212) 530-5219

Gregory A. Bray  
MILBANK LLP  
2029 Century Park East, 33<sup>rd</sup> Floor  
Los Angeles, CA 90067  
Telephone: (424) 386-4000  
Facsimile: (213) 629-5063

*Counsel for Debtors and  
Debtors-In-Possession*

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

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

**NOTICE OF HEARING ON DEBTORS' MOTION FOR  
ENTRY OF STANDING ORDER AUTHORIZING AND APPROVING  
PROCEDURES FOR SEALING AND REDACTING CONFIDENTIAL INFORMATION**

<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); Nicaragüense 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); AV Loyalty Bermuda Ltd. (N/A); Aviacorp Enterprises S.A. (N/A). The Debtors' principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.



**PLEASE TAKE NOTICE** that a hearing (the “Hearing”) will be held at **10:00 a.m. (prevailing Eastern Time) on March 17, 2021** before the Honorable Martin Glenn, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004 to consider the *Debtors’ Motion for Entry of Standing Order Authorizing and Approving Procedures for Sealing and Redacting Confidential Information* (the “Motion”).

**PLEASE TAKE FURTHER NOTICE** that, in accordance with General Order M-543 dated March 20, 2020, the Hearing will be conducted telephonically. Any parties wishing to participate must do so telephonically through CourtSolutions ([www.court-solutions.com](http://www.court-solutions.com)). Instructions to register for CourtSolutions are attached to General Order M-543.

**PLEASE TAKE FURTHER NOTICE** that, any objections or responses to the relief requested in the Motion shall: (a) be in writing; (b) conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York, all General Orders applicable to chapter 11 cases in the United States Bankruptcy Court for the Southern District of New York, and the Case Management Order; (c) be filed electronically with this Court on the docket of *In re Avianca Holdings S.A.*, Case 20-11133 (MG) by registered users of this Court’s electronic filing system and in accordance with the General Order M-399 (which is available on this Court’s website at <http://www.nysb.uscourts.gov>) by **March 10, 2021 at 4:00 p.m., prevailing Eastern Time**; and (d) be promptly served on the following parties: (i) the Chambers of the Honorable Martin Glenn, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004; (ii) the Debtors, c/o Richard Galindo ([richard.galindo@avianca.com](mailto:richard.galindo@avianca.com)); (iii) Milbank LLP, 55 Hudson Yards, New York, NY 10001 (Attn: Evan R. Fleck, Esq., Gregory A. Bray, Esq., and Benjamin Schak, Esq.

([efleck@milbank.com](mailto:efleck@milbank.com), [ggray@milbank.com](mailto:ggray@milbank.com), and [bschak@milbank.com](mailto:bschak@milbank.com))), counsel for the Debtors; (iv) Morrison & Foerster LLP, 250 West 55th Street, New York, NY 10019 (Attn: Brett H. Miller, Esq. and Todd M. Goren, Esq. ([brettmiller@mofo.com](mailto:brettmiller@mofo.com) and [tgoren@mofo.com](mailto:tgoren@mofo.com))), counsel to the Official Committee of Unsecured Creditors (the “Committee”); (v) William K. Harrington, U.S. Department of Justice, Office of the U.S. Trustee, 201 Varick Street, Room 1006, New York, NY 10014 (Attn: Brian Masumoto, Esq. and Greg Zipes, Esq.); (vi) the Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549; and (vii) the Federal Aviation Administration, 800 Independence Ave. SW, Washington, DC 20591 (Attn: Office of the Chief Counsel).

**PLEASE TAKE FURTHER NOTICE** that copies of the Motion and other pleadings for subsequent hearings may be obtained free of charge by visiting the KCC website at <http://www.kccllc.net/avianca>. You may also obtain copies of any pleadings by visiting at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

**PLEASE TAKE FURTHER NOTICE that your rights may be affected. You should read the Motion carefully and discuss it with your attorney, if you have one. If you do not have an attorney, you may wish to consult with one.**

**PLEASE TAKE FURTHER NOTICE** that the Hearing may be continued or adjourned from time to time without further notice other than an announcement of the adjourned date or dates at the Hearing or at a later hearing.

**PLEASE TAKE FURTHER NOTICE** that you need not appear at the Hearing if you do not object to the relief requested in the Motion.

**PLEASE TAKE FURTHER NOTICE** that if you do not want the Court to grant the relief requested in the Motion, or if you want the Court to consider your view on the Motion, then you

or your attorney must attend the Hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter orders granting the relief requested in the Motion with no further notice or opportunity to be heard.

Dated: March 3, 2021  
New York, New York

/s/ Evan R. Fleck

Dennis F. Dunne

Evan R. Fleck

Benjamin Schak

MILBANK LLP

55 Hudson Yards

New York, New York 10001

Telephone: (212) 530-5000

Facsimile: (212) 530-5219

- and -

Gregory A. Bray

MILBANK LLP

2029 Century Park East, 33<sup>rd</sup> Floor

Los Angeles, CA 90067

Telephone: (424) 386-4000

Facsimile: (213) 629-5063

*Counsel for Debtors and  
Debtors-in-Possession*

Hearing Date & Time: March 17, 2021 at 10:00 a.m. (prevailing Eastern Time)  
Objection Deadline: March 10, 2021 at 4:00 p.m. (prevailing Eastern Time)

Dennis F. Dunne  
Evan R. Fleck  
Benjamin M. Schak  
MILBANK LLP  
55 Hudson Yards  
New York, NY 10001  
Tel: (212) 530-5000  
Fax: (212) 530-5219

Gregory A. Bray  
MILBANK LLP  
2029 Century Park East, 33rd Floor  
Los Angeles, CA 90067  
Tel: (424) 386-4000  
Tax: (213) 629-5063

*Counsel for Debtors and  
Debtors-in-Possession*

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

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

**DEBTORS' MOTION FOR ENTRY OF STANDING  
ORDER AUTHORIZING AND APPROVING PROCEDURES  
FOR SEALING AND REDACTING CONFIDENTIAL INFORMATION**

<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); Nicaragüense 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); AV Loyalty Bermuda Ltd. (N/A); Aviacorp Enterprises S.A. (N/A). The Debtors' principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.

Avianca Holdings S.A. and its affiliated debtors and debtors-in-possession in the above-captioned chapter 11 cases (collectively, the “Debtors”) respectfully represent as follows in support of this motion (the “Motion”):

### **Background**

1. On May 10, 2020, certain of the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. On September 21, 2020, the remaining Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code.

2. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (as amended, the “Bankruptcy Code”). These cases are being jointly administered pursuant to the *Amended Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief* [Dkt. No. 73] and the *Order Directing Certain Orders in Chapter 11 Cases of Avianca Holdings S.A., et al Be Made Applicable to Subsequent Debtors* [Dkt. No. 1030].

3. On May 22, 2020, the United States Trustee appointed an official committee of unsecured creditors (the “Committee”). See *Notice of Appointment of Official Committee of Unsecured Creditors* [Dkt No. 154]. No trustee or examiner has been appointed in these cases.

4. Additional information regarding the Debtors’ business, capital structure, and the circumstances leading to the filing of these cases is set forth in the *Declaration of Adrian Neuhauser in Support of the Debtors’ Chapter 11 Petitions and First Day Orders* [Dkt. No. 20].

5. As explained in the *Status Report* filed on February 12, 2021 [Dkt. No. 1394], a critical step toward the Debtors’ comprehensive restructuring will be the formation of a core fleet through entering into new or amended agreements with aircraft lessors and lenders. To that end, the

Debtors have already filed one motion seeking authority to enter into new aircraft leases and to assume, as amended, certain existing aircraft leases with GE Capital Aviation Services Limited and its affiliates (Dkt. No. 1427, the “GECAS Motion”). The GECAS Motion contains confidential information regarding the terms of these new and amended leases. To protect that information, the Debtors filed a motion (Dkt. No. 1428, the “GECAS Sealing Motion”), seeking authorization from the Court to file a redacted version of the GECAS Motion on the public docket of these cases, while disclosing the redacted information to the Court, the U.S. Trustee and the Committee’s advisors. The GECAS Motion and the GECAS Sealing Motion are scheduled to be heard on March 17, 2021.

6. The Debtors anticipate that they will need to seek similar relief with respect to other aircraft leases in the coming weeks and months. It would be unduly burdensome both for the Debtors and for the Court if the Debtors had to file motions similar to the GECAS Sealing Motion and obtain a separate order from the Court each time they need to keep confidential certain information related to their fleet.

#### **Relief Requested**

7. Accordingly, by this Motion, the Debtors seek entry of an order, pursuant to sections 105(a) and 107(b) of the Bankruptcy Code and rule 9018 of the Federal Rules of Bankruptcy Procedure (as amended, the “Bankruptcy Rules”), rules 9013-1(a) and 9018-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Southern District of New York (as amended, the “Local Bankruptcy Rules”), and General Order M-558, dated January 12, 2021, in the form attached hereto as **Exhibit A**, authorizing and approving certain standing procedures for these cases for the sealing and redaction of private, confidential or sensitive materials (the “Procedures”).

### **Jurisdiction**

8. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

9. The bases for the relief requested herein are sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Local Bankruptcy Rules 9013-1(a) and 9018-1.

### **The Proposed Procedures**

10. By this Motion, the Debtors seek to standardize the process they have followed in these cases to date with respect to sensitive information, including the terms of new and amended aircraft leases. *See Order (I) Authorizing the Debtors to File Fleet Advisory Consultant Agreement Under Seal and (II) Granting Related Relief* [Dkt. No. 1400]. The Debtors seek approval of the following standing Procedures:

- I. The Debtors are authorized to (i) file on the public docket of these chapter 11 cases any redacted document, pleading, exhibit or other material, or any portion thereof, that contains, references, describes or constitutes commercially sensitive information (a “Confidential Document”), including any proposed new or amended lease or letter of intent therefor, without the need to file a separate motion to redact such document.
- II. When filing a redacted Confidential Document, the Debtors shall:
  - a. publicly file the redacted copy of the Confidential Document via ECF;
  - b. serve unredacted copies of the Confidential Document upon (i) the U.S. Trustee, (ii) counsel to the Committee, and (iii) any party that is the subject of or directly related to the matter or motion at issue, such as a proposed lease counterparty; and
  - c. as soon as reasonably practicable after the public filing, in coordination with the Clerk of the Court, deliver to the Court a copy of the Standing Seal Order with two unredacted hard copies and two unredacted electronic copies (on separate thumb drives) of the Confidential Document, in each case clearly labeled “TO BE FILED UNDER SEAL”.



- III. Each unredacted Confidential Document shall remain confidential and shall not be made available to anyone without the prior written consent of the Debtors other than (i) the U.S. Trustee on a strictly confidential basis, (ii) the Committee's advisors on a professional eyes basis, and (iii) any party that is the subject of or directly related to the matter or motion at issue on a strictly confidential basis.
- IV. A proposed lease or letter of intent therefor may be redacted in its entirety, so long as the related motion describes its principal economic terms (which shall be redacted in good faith only as necessary to preserve confidentiality).
- V. The Debtors shall not have to file unredacted copies of a Confidential Document on ECF, whether under seal or otherwise.
- VI. Entry of the order approving these Procedures should be without prejudice to the rights of any party in interest or the U.S. Trustee to seek an order unsealing all or part of any Confidential Document.
- VII. The Clerk of the Court is authorized to destroy all Confidential Documents at the conclusion of these chapter 11 cases.

**Basis for the Requested Relief**

11. Pursuant to section 107(b)(1) of the Bankruptcy Code, the Court may authorize the Debtors to file confidential information under seal. See 11 U.S.C. § 107(b). Specifically, section 107(b) provides, in relevant part, that:

On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court's own motion, the bankruptcy court may—  
(1) protect an entity with respect to a trade secret or confidential research, development, or commercial information . . . .

11 U.S.C. § 107(b).

12. Bankruptcy Rule 9018 sets forth the procedures by which a party may obtain a protective order authorizing the filing of a document under seal. Bankruptcy Rule 9018 provides, in relevant part, that “[o]n motion, or on its own initiative, with or without notice, the court may make any order which justice requires (1) to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information.” Fed. R. Bankr. P. 9018. See also Local Bankruptcy Rule 9037-1 (“[A] motion, reply or other document may

initially be filed under seal if the filing party simultaneously files a motion requesting that the document be maintained under seal.”).

13. Unlike its counterpart in Rule 26(c) of the Federal Rules of Civil Procedure, section 107(b) of the Bankruptcy Code does not require an entity seeking protection to demonstrate “good cause.” See, e.g., Video Software Dealers Ass’n v. Orion Pictures Corp. (In re Orion Pictures Corp.), 21 F.3d 24, 28 (2d Cir. 1994) (holding that a license agreement authorizing a licensee “to reproduce, manufacture, distribute, and sell videocassettes” of three films contained confidential commercial information). Rather, if the material sought to be protected satisfies one of the categories identified in section 107(b), the court is required to protect a requesting party and has no discretion to deny the application. See id. at 27 (holding that once a court determines that a party in interest is seeking protection of information that falls within the ambit of section 107(b) of the Bankruptcy Code, “the court is required to protect a requesting interested party and has no discretion to deny the application.”). Moreover, section 105(a) of the Bankruptcy Code codifies the bankruptcy court’s inherent equitable powers and empowers it to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a).

14. The Second Circuit has noted that section 107(b)(1) of the Bankruptcy Code creates an exception to the general rule that court records are open to examination by the public. Id. Thus, under this exception, an interested party has to show only that the information it wishes to seal is “‘confidential’ and ‘commercial’ in nature.” Id. Commercial information, however, need not rise to the level of a trade secret to be protected under section 107(b) of the Bankruptcy Code. Id. at 28. Courts have held that the resulting sealing order should be broad (*i.e.*, “any order which justice requires”). See, e.g., In re Glob. Crossing, Ltd., 295 B.R. 720, 724 (Bankr. S.D.N.Y. 2003) (citing

Bankruptcy Rule 9018). “Courts have supervisory powers over their records and files and may deny access to those records and files to prevent them from being used for an improper purpose.” In re Kaiser Aluminum Corp., 327 B.R. 554, 560 (D. Del. 2005). Indeed, the “authority goes not just to the protection of confidential documents, but to other confidentiality restrictions that are warranted in the interests of justice.” In re Glob. Crossing, Ltd., 295 B.R. at 724.

15. In granting motions to seal “commercial information,” courts have defined this term as “information which would result in ‘an unfair advantage to competitors by providing them information as to the commercial operations of the debtor.’” In re Alterra Healthcare Corp., 353 B.R. 66, 75 (Bankr. D. Del. 2006); In re Glob. Crossing, Ltd., 295 B.R. at 725 (finding that the purpose of Bankruptcy Rule 9018 is to “protect business entities from disclosure of information that could reasonably be expected to cause the entity commercial injury”).

16. Moreover, courts have recognized that it makes sense to issue omnibus standing orders that grant the relief under section 107(b) of the Bankruptcy Code for the duration of a particular case rather than having debtors expend the estate’s limited resources to file multiple motions seeking identical relief. See also In re LATAM Airlines Group S.A., Case No. 20-11254 (JLG) (Bankr. S.D.N.Y. Feb. 2, 2021) (Garrity, J.) [Dkt. No. 1810] (*sua sponte* order establishing standing redaction procedures); In re Grupo Aeroméxico, S.A.B. de C.V., Case No. 20-11563 (SCC) (Bankr. S.D.N.Y. Nov. 18, 2020) (Chapman, J.) [Dkt. No. 649] (order establishing procedures and authorizing the Debtors to file stipulations, including “various stipulations and orders between the Debtors and counterparties concerning certain Equipment,” on the public docket in redacted form); In re Mesa Air Grp., Inc., Case No. 10-10018 (Bankr. S.D.N.Y. Feb. 23, 2010) (Glenn, J.) [Dkt. No. 352] (authorizing Debtors to file agreements under section 1110(b) under seal or to redact information from such agreements); In re Nw. Airlines Corp., Case No. 05-

17930 (Bankr. S.D.N.Y. Nov. 10, 2005) (Gropper, J.) [Dkt. No. 1003] (same); In re Delta Air Lines, Inc., Case No. 05-17923 (Bankr. S.D.N.Y. Nov. 1, 2005) (Beatty, J.) [Dkt. No. 994] (same).

**Notice**

17. Notice of this Motion has been provided in accordance with the procedures set for in the *Order Implementing Certain Notice and Case Management Procedures* [Dkt. No. 47]. The Debtors respectfully submit that no further notice is required.

**No Prior Request**

18. Except for seal motions filed in conjunction with specific pleadings, no prior request for the relief sought in this Motion has been made to this or any other court.

*[Remainder of page intentionally left blank]*

WHEREFORE the Debtors respectfully request that the Court enter an order, substantially in the form of **Exhibit A** attached hereto, approving the Procedures and grant the Debtors such other and further relief as is just.

Dated: New York, New York  
March 3, 2021

/s/ Evan R. Fleck  
Dennis F. Dunne  
Evan R. Fleck  
Benjamin Schak  
MILBANK LLP  
55 Hudson Yards  
New York, New York 10001  
Telephone: (212) 530-5000  
Facsimile: (212) 530-5219

- and -

Gregory A. Bray  
MILBANK LLP  
2029 Century Park East, 33<sup>rd</sup> Floor  
Los Angeles, CA 90067  
Telephone: (424) 386-4000  
Facsimile: (213) 629-5063

*Counsel for Debtors and  
Debtors-in-Possession*

**Exhibit A**

**Proposed Order**

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

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

**STANDING ORDER AUTHORIZING AND APPROVING PROCEDURES  
FOR SEALING AND REDACTING CONFIDENTIAL INFORMATION**

Upon the motion (the “Motion”)<sup>2</sup> of Avianca Holdings S.A. and its direct and indirect subsidiaries in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”) pursuant to sections 105(a) and 107(b), Bankruptcy Rule 9018, Local Bankruptcy Rules 9013-1(a) and 9018-1, and General Order M-558, dated January 12, 2021, authorizing and approving certain standing procedures for these cases for the sealing and redaction of private, confidential or sensitive materials (the “Procedures”), all as more fully set forth in the Motion; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and

---

<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); Nicaragüense 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); AV Loyalty Bermuda Ltd. (N/A); Aviacorp Enterprises S.A. (N/A). The Debtors’ principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.

<sup>2</sup> Capitalized terms used herein but not defined shall have the meanings ascribed to them in the Motion.

consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion; and upon any hearing held on the Motion; and all objections, if any, to the Motion having been withdrawn, resolved, or overruled; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion is in the best interests of the Debtors and their respective estates and creditors; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The following Procedures shall apply with respect to the redaction of materials filed on the electronic docket of these chapter 11 cases:
  - I. The Debtors are authorized to (i) file on the public docket of these chapter 11 cases any redacted document, pleading, exhibit or other material, or any portion thereof, that contains, references, describes or constitutes commercially sensitive information (a “Confidential Document”), including any proposed new or amended lease or letter of intent therefor, without the need to file a separate motion to redact such document.
  - II. When filing a redacted Confidential Document, the Debtors shall:
    - a. publicly file the redacted copy of the Confidential Document via ECF;
    - b. serve unredacted copies of the Confidential Document upon (i) the U.S. Trustee, (ii) counsel to the Committee, and (iii) any party that is the subject of or directly related to the matter or motion at issue, such as a proposed lease counterparty; and
    - c. as soon as reasonably practicable after the public filing, in coordination with the Clerk of the Court, deliver to the Court a copy



of the Standing Seal Order with two unredacted hard copies and two unredacted electronic copies (on separate thumb drives) of the Confidential Document, in each case clearly labeled "TO BE FILED UNDER SEAL".

- III. Each unredacted Confidential Document shall remain confidential and shall not be made available to anyone without the prior written consent of the Debtors other than (i) the U.S. Trustee on a strictly confidential basis, (ii) the Committee's advisors on a professional eyes basis, and (iii) any party that is the subject of or directly related to the matter or motion at issue on a strictly confidential basis.
- IV. A proposed lease or letter of intent therefor may be redacted in its entirety, so long as the related motion describes its principal economic terms (which shall be redacted in good faith only as necessary to preserve confidentiality).
- V. The Debtors shall not have to file unredacted copies of a Confidential Document on ECF, whether under seal or otherwise.
- VI. Entry of this Order is without prejudice to the rights of any party in interest or the U.S. Trustee to seek an order unsealing all or part of any Confidential Document.
- VII. The Clerk of the Court is authorized to destroy all Confidential Documents at the conclusion of these chapter 11 cases.

3. The Debtors are authorized to take all actions necessary or appropriate to carry out the relief granted in this Order

4. The Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to the implementation, interpretation or enforcement of this Order.

Dated: \_\_\_\_\_, 2021  
New York, New York

---

THE HONORABLE MARTIN GLENN  
UNITED STATES BANKRUPTCY JUDGE