

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

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IN RE

AVIANCA HOLDINGS S.A., *et al.*,
Debtors and Reorganized Debtors.

Civil Case No. 21-10004 (AJN)
Appeal arising from
Bankruptcy Case No. 20-11133 (MG)

-----X
BLAKE W. KIM ROLLOVER IRA, *et al.*,
Appellants,

v.

AVIANCA HOLDINGS S.A., *et al.*,
Appellees.
-----X

STIPULATION TO VOLUNTARILY DISMISS APPEAL

WHEREAS, Blake W. Kim Rollover IRA, Burlingame Investment Partners, LP, William B. Meier IRA, David M. Kang SEP IRA, and Im Jo Degerman Rollover IRA (together, the “Appellants”) and Avianca Holdings S.A., *et al.* (the “Appellees”) have agreed to enter into this stipulation, pursuant to Rule 8023 of the Federal Rules of Bankruptcy Procedure, to dismiss with prejudice the Appellants’ above-captioned appeal (the “Appeal”) to each and every portion of the *Order (I) Confirming Further Modified Joint Chapter 11 Plan of Avianca Holdings S.A. and its Affiliated Debtors and (II) Granting Related Relief* [Bk. Dkt. No. 2300] entered by the Bankruptcy Court for the Southern District of New York (Honorable Martin Glenn) in Chapter 11 Case No. 20-11133 (MG) *In re Avianca Holdings S.A., et al.*, on November 2, 2021, with each party to bear its own costs, expenses, and fees.



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IT IS HEREBY AGREED AND STIPULATED by and between Appellants and Appellees that the Appeal is voluntarily dismissed with prejudice, and each party shall bear its own costs, expenses, and fees.

Dated: New York, New York
February 11, 2022

Respectfully submitted,

/s/ Blake W. Kim

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SO ORDERED.

THE HONORABLE ALISON J. NATHAN
UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK