

**Hearing Date & Time: July 20, 2022 at 10:00 a.m. (prevailing Eastern Time)**  
**Objection Deadline: July 15, 2022 at 4:00 p.m. (prevailing Eastern Time)**

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*Counsel for Debtors and Reorganized Debtors*

**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 and Reorganized Debtors. : (Jointly Administered)  
: :  
-----X

**REORGANIZED DEBTORS' TWENTIETH OMNIBUS  
OBJECTION TO PROOFS OF CLAIM**

<sup>1</sup> The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtors' and Reorganized Debtors' federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A) n/k/a HVA Associated Corp.; 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 Loyalty Bermuda Ltd. (N/A); AV Taca International Holdco S.A. (N/A); Aviacorp Enterprises 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 (N/A); Regional Express Américas S.A.S. (N/A); Ronair N.V. (N/A); Servicio Terrestre, Aéreo 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' and Reorganized Debtors' principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.



**THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN FILED  
PROOFS OF CLAIM.**

**CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR  
NAMES AND CLAIMS ON SCHEDULES 1 THROUGH 5 ATTACHED TO  
THE PROPOSED ORDER.**

Avianca Holdings S.A. and its reorganized debtor affiliates in these proceedings (collectively, the “Reorganized Debtors”) hereby file this *Twentieth Omnibus Objection to Proofs of Claim* (the “Objection”) pursuant to *Order Pursuant to 11 U.S.C. § 105(a) and Fed. R. Bankr. P. 3007 (I) Establishing Claims Objection and Notice Procedures and (II) Granting Related Relief* [Docket No. 1179] (the “Claims Objection Procedures Order”). This Objection is supported by the *Declaration of Walt Brown in Support of the Debtors’ Twentieth Omnibus Objection to Proofs of Claim* (the “Brown Declaration”), which is attached to this Objection as **Exhibit B**. By this Objection, the Reorganized Debtors object to and seek to disallow the claims listed on **Schedules 1 through 5** to the proposed order attached to this Objection as **Exhibit A** (the “Disputed Claims”). In support of this Objection, the Reorganized Debtors respectfully state as follows:

**Background**

1. On May 10, 2020 (the “Initial Petition Date”), certain of the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. On September 21, 2020 (together with the Initial Petition Date, as applicable to each Debtor, the “Petition Date”), each of AV Loyalty Bermuda Ltd. and Aviacorp Enterprises S.A. filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code (collectively, the “Chapter 11 Cases”).

2. The Debtors operated their businesses and managed their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code until they effectuated their emergence from bankruptcy on December 1, 2021. *See Notice of (I) Entry of Order*

*Confirming Further Modified Joint Chapter 11 Plan of Avianca Holdings S.A. and Its Affiliated Debtors, (II) Occurrence of Effective Date, and (III) Final Deadlines for Filing Certain Claims* [Docket No. 2384]. The Debtors' chapter 11 cases were jointly administered pursuant to Bankruptcy Rule 1015(b) and the *Amended Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief* [Docket 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* [Docket No. 1030].

3. On May 22, 2020, the United States Trustee for the Southern District of New York appointed an official committee of unsecured creditors (the "Committee"). See *Notice of Appointment of Official Committee of Unsecured Creditors* [Docket No. 154]. No trustee or examiner was appointed in the 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* [Docket No. 20].

5. On November 16, 2020, the Court entered the *Order (I) Establishing Bar Dates for Filing Proofs of Claim, (II) Approving Proof of Claim Forms, Bar Date Notices, and Mailing and Publication Procedures, (III) Implementing Uniform Procedures Regarding 503(b)(9) Claims, and (IV) Providing Certain Supplemental Relief* [Docket No. 1180] that, among other things, established the following deadlines for filing proofs of claim in these cases: (a) January 20, 2021, at 11:59 p.m. (prevailing Pacific Time), for all entities (except for those specifically exempt) holding all types of claims against the Debtors that arose or are deemed to have arisen before the Petition Date; (b) February 5, 2021, at 11:59 p.m. (prevailing Pacific Time), for all governmental units holding claims that arose or are deemed to have arisen prior to the Petition Date; (c) the later

of (i) the General Bar Date, or (ii) the later of the date that is (x) thirty days after the date of entry of an order authorizing the rejection of a contract or lease, or (y) the applicable rejection date for claims relating to the Debtors' rejection of an executory contract or unexpired lease; and (d) the later of (i) the General Bar Date and (ii) thirty days after the date that Notice of Amended Schedules is served on the affected claimant for claims whose amount or characterization has changed in the amended schedules (the "Bar Dates"). On November 16, 2020, the Court entered the Claims Objection Procedures Order [Docket No. 1179], that established procedures for Debtors to object to multiple claims in a single objection.

6. On November 2, 2021, the Court entered the *Order (I) Confirming Further Modified Joint Chapter 11 Plan of Avianca Holdings S.A. and Its Affiliated Debtors and (II) Granting Related Relief* [Docket No. 2300] (such underlying chapter 11 plan, the "Plan"). The Plan proposed to substantively consolidate all of the Debtors except Avifreight Holding Mexico, S.A.P.I. de C.V. ("Avifreight"), Aero Transporte de Carga Unión, S.A. de C.V. ("Aerounión"), and Servicios Aeroportuarios Integrados SAI S.A.S. ("SAI"). The substantively consolidated Debtors are referred to herein as the "Consolidated Debtors." The Plan became effective on December 1, 2021 (the "Effective Date") and the Debtors became the Reorganized Debtors as of the Effective Date. See *Notice of (I) Entry of Order Confirming Further Modified Joint Chapter 11 Plan of Avianca Holdings S.A. and Its Affiliated Debtors, (II) Occurrence of Effective Date, and (III) Final Deadlines for Filing Certain Claims* [Docket No. 2384]. Pursuant to Section VII.E of the Plan, the Reorganized Debtors may adjust or expunge from the claims register maintained by the Debtors' claims and solicitation agent (the "Claims Register") any claims that have been paid or satisfied without further action, order, or approval of the Court.

7. The Plan provides that the Reorganized Debtors shall serve and file any objections to proofs of claim (each, a “Proof of Claim”) that have been filed against the Debtors on or before the date that is the latter of (a) 180 days after the Effective Date (i.e., May 31, 2022), pursuant to Bankruptcy Rule 9006(a)(1)(C)) and (b) such later date as may be fixed by the Bankruptcy Court upon notice and a hearing. On May 10, 2022, the Court entered the *Order Extending the Deadline to Object to Claims* [Docket No. 2572], which extended the deadline for the Reorganized Debtors to serve and file any objections to Proofs of Claim to December 2, 2022.

8. The Reorganized Debtors and their advisors are comprehensively reviewing and reconciling all claims, including the Disputed Claims and the claims asserted in the Proofs of Claim filed in the Chapter 11 Cases. To date, the Claims Register indicates that approximately 4,038 Proofs of Claim have been filed against the Reorganized Debtors. To determine the validity of the asserted claims, the Reorganized Debtors and their advisors are reviewing the claims asserted in the Proofs of Claim against the Reorganized Debtors’ books and records (the “Books and Records”).

### **Jurisdiction and Venue**

9. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue in this Court is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

### **Relief Requested**

10. The Reorganized Debtors respectfully request the Court to enter an order (the “Proposed Order”), substantially in the form attached hereto as **Exhibit A**, disallowing, reducing, reclassifying or otherwise modifying, as applicable, each Disputed Claim in the amounts provided on the schedules to the Proposed Order.

**Basis for Relief Requested**

11. Section 502(a) of the Bankruptcy Code provides that any claim for which a proof of claim has been filed shall be deemed allowed unless a party in interest objects. 11 U.S.C. § 502(a). As set forth in Bankruptcy Rule 3001(f), a properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and the amount of the claim for the purposes of section 502(a) of the Bankruptcy Code. See In re Allegheny Int'l, Inc., 954 F.2d 167, 173 (3d Cir. 1992). However, a proof of claim is entitled to the presumption of *prima facie* validity only until an objecting party produces evidence to negate such *prima facie* validity. See In re Avaya, Inc., 608 B.R. 366, 369-70 (Bankr. S.D.N.Y. 2019).

12. If an objection is filed, the court, upon notice and a hearing, must determine the validity and/or the amount of the asserted claim. See 11 U.S.C. § 502(b). Once the objecting party refutes an allegation critical to the claim, the burden reverts to the claimant to prove the validity of the claim by a preponderance of the evidence. Allegheny, 954 F.2d at 173. In other words, once the *prima facie* validity of a claim is rebutted, “it is for the claimant to prove his claim, not for the objector to disprove it.” In re Kahn, 114 B.R. 40, 44 (Bankr. S.D.N.Y. 1990) (citations omitted).

13. A debtor in possession has the duty to object to the allowance of any improperly asserted claim. 11 U.S.C. § 1106(a)(1). Section 502(b)(1) of the Bankruptcy Code provides that a claim may not be allowed to the extent that “such claim is unenforceable against the debtor.” 11 U.S.C. § 502(b)(1). Bankruptcy Rule 3007(d) and the Claims Objection Procedures Order permit the Debtors and Reorganized Debtors to file an objection to more than one claim on non-substantive bases, such as, e.g., because such claims “have been satisfied” (Fed. R. Bankr. P. 3007(d)(5); see also, Claims Objection Procedures Order at ¶ 2), such claims are “incorrectly classified” (Claims Objection Procedures Order at ¶ 2(ii)), “do[] not include sufficient

documentation to ascertain the validity of the claim” (Claims Objection Procedures Order at ¶ 2(iv)), “the amount claimed is inconsistent with or contradicts the Debtors’ books and records and the Debtors, after review and consideration of any information provided by the claimant, deny liability in excess of the amount reflected in the Debtors’ books and records” (Claims Objection Procedures Order at ¶ 2(a)(i)); see also, Claims Objection Procedures Order at ¶ 2), such claims “duplicate other claims” (Fed. R. Bankr. P. 3007(d)(1)), or the claim was “filed against non-debtors” (Claims Objection Procedures Order at ¶ 2(a)(vii)).

14. **Satisfied Claims.** Based on the review of their Claims Register, the Reorganized Debtors have determined that the claims listed on **Schedule 1** to the Proposed Order (the “**Satisfied Claims**”) have been paid or otherwise satisfied by the Reorganized Debtors after the Petition Date. Failure to disallow the Satisfied Claims could result in each relevant claimant receiving an unwarranted recovery against the Reorganized Debtors’ estates, to the detriment of other similarly situated creditors. To avoid the possibility of multiple recoveries by such claimants, the Reorganized Debtors respectfully request that the Court disallow each Satisfied Claim listed on **Schedule 1** to the Proposed Order and expunge it from the Reorganized Debtors’ Claims Register.

15. This Court has previously granted similar relief in these chapter 11 cases. *See Order Granting the Reorganized Debtors’ Thirteenth Omnibus Objection to Proofs of Claim* [Docket No. 2558]; *Order Granting the Reorganized Debtors’ Fourteenth Omnibus Objection to Proofs of Claim* [Docket No. 2559]; *Order Granting the Reorganized Debtors’ Fifteenth Omnibus Objection to Proofs of Claim* [Docket No. 2560]; *Order Granting the Reorganized Debtors’ Sixteenth Omnibus Objection to Proofs of Claim* [Docket No. 2561].

16. **Reduced Claims.** Based on their review of the Claims Register and any documentation provided therewith, the Reorganized Debtors have determined that each claim

listed on **Schedule 2** to the Proposed Order (the “Reduced Claims”) (1) seeks to recover amounts outside the scope of its initial agreement with the Reorganized Debtors and/or (2) has been paid or otherwise satisfied in part. In order to preserve the integrity and accuracy of the Claims Register, and to avoid claimants improperly receiving recoveries in excess of what they are entitled to at the expense of the Reorganized Debtors and other creditors, the Reorganized Debtors respectfully request that the Court reduce the Reduced Claims listed on **Schedule 2** to the Proposed Order such that each Reduced Claim corresponds with the amount listed on **Schedule 2** under “Modified Claim Amount.”

17. This Court has previously granted similar relief in these chapter 11 cases. *See Order Granting the Reorganized Debtors’ Twelfth Omnibus Objection to Proofs of Claim* [Docket No. 2509]; *Order Granting the Reorganized Debtors’ Sixteenth Omnibus Objection to Proofs of Claim* [Docket No. 2561].

18. **No Liability Claims.** The Reorganized Debtors have also determined that each claim listed on **Schedule 3** to the Proposed Order (the “No Liability Claims”) represents a claim for which the Reorganized Debtors believe they are not liable. The Reorganized Debtors have determined that each No Liability Claim asserts amounts for which the Reorganized Debtors could find no support in their Books and Records, and the No Liability Claims failed to provide sufficient documentation to support their claims. As, after review and consideration of the Proofs of Claim, the Reorganized Debtors deny that they are liable for such amounts, they respectfully request that the Court disallow each No Liability Claim listed on **Schedule 3** to the Proposed Order and expunge it from the Claims Register.

19. This Court has previously granted similar relief in these chapter 11 cases. *See Order Granting the Reorganized Debtors’ Eleventh Omnibus Objection to Proofs of Claim*



[Docket No. 2507]; *Order Granting the Reorganized Debtors' Sixteenth Omnibus Objection to Proofs of Claim* [Docket No. 2561]; *Order Granting the Reorganized Debtors' Eighteenth Omnibus Objection to Proofs of Claim* [Docket No. 2585].

20. **Duplicate Claims.** Based on their review of the Claims Register, the Reorganized Debtors have determined that claimant Aero Miami II filed a Proof of Claim that duplicates at least one other Proof of Claim filed by Aero Miami II against the same Debtor entity for the same purported liability (such claims, the "Duplicate Claims"). To avoid the possibility of multiple recoveries by such claimant, the Reorganized Debtors respectfully request that the Court disallow the Duplicate Claim identified on **Schedule 4** and expunge it from the Debtors' Claims Register. For the Duplicate Claim, **Schedule 4** to the Proposed Order indicates the claim number against which the claimant will maintain a claim upon the expungement of the corresponding Duplicate Claim(s).

21. This Court has previously granted similar relief in these chapter 11 cases. See *Order Granting the Reorganized Debtors' Second Omnibus Objection to Proofs of Claim* [Docket No. 1814]; *Order Granting the Reorganized Debtors' Fourth Omnibus Objection to Proofs of Claim* [Docket No. 1888]; *Order Granting the Reorganized Debtors' Sixteenth Omnibus Objection to Proofs of Claim* [Docket No. 2561].

22. **Multiple Modification Claims.** Based on the Reorganized Debtors' review of the Claims Register, they have determined that each claim listed on **Schedule 5** to the Proposed Order (the "Multiple Modification Claims") is subject to more than one basis for reduction and/or reclassification. The particular basis for each claim's reduction and reclassification is set forth in **Schedule 5**, along with the amount of the claim which corresponds to each basis for modification. Some claims listed in **Schedule 5** have been partially satisfied to the extent identified in

**Schedule 5**. Some claims listed in **Schedule 5** have amounts that either the Reorganized Debtors could not confirm on their Books and Records and did not contain sufficient documentation for the Reorganized Debtors to substantiate or that should be classified in the amount identified on **Schedule 5** as general unsecured.

23. This Court has previously granted similar relief in these chapter 11 cases. See *Order Granting the Reorganized Debtors' Twelfth Omnibus Objection to Proofs of Claim* [Docket No. 2509]; *Order Granting the Reorganized Debtors' Sixteenth Omnibus Objection to Proofs of Claim* [Docket No. 2561]; *Order Granting the Reorganized Debtors' Seventeenth Omnibus Objection to Proofs of Claim* [Docket No. 2571]; *Order Granting the Reorganized Debtors' Eighteenth Omnibus Objection to Proofs of Claim* [Docket No. 2585].

#### **Separate Contested Matter**

24. Each objection to the Disputed Claims constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. The Reorganized Debtors request that the order entered with respect to this Objection be deemed a separate final order with respect to each Disputed Claim.

#### **Responses to Objections**

25. For any claimant who timely files and properly serves a response to this Objection (each, a "Response") as set forth in the *Notice of Hearing on Reorganized Debtors' Twentieth Omnibus Objection to Proofs of Claim*, attached as **Exhibit C**, the Reorganized Debtors will schedule such Response to be heard at the omnibus hearing at which this Objection will be heard, which is scheduled for July 20, 2022 at 10:00 a.m. (prevailing Eastern Time).

26. To the extent no Response is timely filed with respect to a Disputed Claim, the Reorganized Debtors request that the Court enter an order disallowing or reducing, as applicable, all such Disputed Claims.

**Notice**

27. Notice of this Objection has been provided to all claimants whose proofs of claim are the subject of the Objection, the Office of the U.S. Trustee, and all other parties entitled to notice pursuant to Bankruptcy Rule 2002. The Reorganized Debtors submit that no other or further notice need be given.

**Reservation of Rights**

28. The Reorganized Debtors reserve the right to modify, supplement and/or amend this Objection as it pertains to any claim identified herein.

**No Prior Request**

29. No prior request for the relief sought in this Objection has been made to this or any other court.

*[Remainder of page intentionally left blank]*

WHEREFORE, the Reorganized Debtors respectfully request entry of the Proposed Order granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

Dated: New York, New York  
June 15, 2022

/s/ Evan R. Fleck  
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- and -

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*Counsel for Debtors and Reorganized Debtors*

**Exhibit A to Twentieth Omnibus Claims Objection**

**Proposed Order**

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

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

**ORDER GRANTING THE REORGANIZED DEBTORS’ TWENTIETH OMNIBUS  
OBJECTION TO PROOFS OF CLAIM**

Upon the *Reorganized Debtors’ Twentieth Omnibus Objection to Proofs of Claim* (the “Twentieth Omnibus Claims Objection”),<sup>2</sup> whereby the Reorganized Debtors have requested, in accordance with sections 105 and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and the *Order Pursuant to 11 U.S.C. § 105(a) and Fed. R. Bankr. P. 3007 (I) Establishing Claims Objection and Notice Procedures and (II) Granting Related Relief* [Docket No. 1179], entry of an order disallowing and expunging the claims identified on the Schedules hereto; and it appearing that the relief requested is in the best interests of the Reorganized Debtors’ estates, their creditors and other parties in interest; and the Court having jurisdiction to consider the Twentieth Omnibus

<sup>1</sup> The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtors’ and Reorganized Debtors’ federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A) n/k/a HVA Associated Corp.; 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 Loyalty Bermuda Ltd. (N/A); AV Taca International Holdco S.A. (N/A); Aviacorp Enterprises 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 (N/A); Regional Express Américas S.A.S. (N/A); Ronair N.V. (N/A); Servicio Terrestre, Aéreo 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’ and Reorganized Debtors’ principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.

<sup>2</sup> Capitalized terms not otherwise defined herein shall be given the meanings ascribed to them in the Twentieth Omnibus Claims Objection.

Claims Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Twentieth Omnibus Claims Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and notice of the Twentieth Omnibus Claims Objection having been adequate and appropriate under the circumstances; and after due deliberation and sufficient cause appearing therefor, **IT IS HEREBY ORDERED THAT:**

1. The Twentieth Omnibus Claims Objection is granted as set forth herein.
2. Each Satisfied Claim identified in **Schedule 1** attached hereto as fully satisfied is disallowed in its entirety for all purposes in these bankruptcy cases and shall be automatically expunged from the Claims Register maintained in these cases.
3. Each Reduced Claim identified in **Schedule 2** attached hereto is reduced and allowed to the extent set forth in **Schedule 2**.
4. Each No Liability Claim identified in **Schedule 3** attached hereto and each Duplicate Claim identified in **Schedule 4** is disallowed in its entirety. Each Multiple Modifications Claim identified in **Schedule 5** attached hereto is reduced and reclassified to the extent and in the manner set forth in **Schedule 5**.
5. The Debtors and their claims agent are authorized to take all actions necessary to effectuate the relief granted in this Order, including updating the Claims Register to reflect the relief granted herein.
6. Any response to the Twentieth Omnibus Claims Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
7. Except as provided in this Order, nothing in this Order shall be deemed (a) an admission or finding as to the validity of any claim against a Debtor, (b) a waiver of the right of

the Reorganized Debtors to dispute any claim against any Debtor on any grounds whatsoever, at a later date, (c) a promise by or requirement on any Debtor to pay any claim, or (d) a waiver of the rights of the Reorganized Debtors under the Bankruptcy Code or any other applicable law.

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

Dated: \_\_\_\_\_, 2022  
New York, New York

\_\_\_\_\_  
THE HONORABLE MARTIN GLENN  
CHIEF UNITED STATES BANKRUPTCY JUDGE



**Schedule 1 to Order**

**Satisfied Claims**

<b>SATISFIED CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Scheduled / Proof(s) of Claim to be Disallowed</b>	<b>Asserted / Scheduled Amount of Claim</b>	<b>Debtor Claim is Asserted / Scheduled Against</b>	<b>Reason for Disallowance</b>
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 31	3340 <sup>2</sup>	\$45,680,311.10	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 31	3345 <sup>2</sup>	\$92,123,002.95	Tampa Cargo S.A.S.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 31	3346 <sup>2</sup>	\$45,680,311.10	Grupo Taca Holdings Limited	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 31	3347 <sup>2</sup>	\$45,680,311.10	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 32	3350 <sup>2</sup>	\$47,561,315.73	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 32	3367 <sup>2</sup>	\$95,885,012.21	Tampa Cargo S.A.S.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 32	3371 <sup>2</sup>	\$47,561,315.73	Taca International Airlines S.A.	Satisfied ECA claim

<sup>1</sup> See Twentieth Omnibus Claims Objection at ¶¶14-15.

<sup>2</sup> Indicates claim contains unliquidated and/or undetermined amounts.

<b>SATISFIED CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Scheduled / Proof(s) of Claim to be Disallowed</b>	<b>Asserted / Scheduled Amount of Claim</b>	<b>Debtor Claim is Asserted / Scheduled Against</b>	<b>Reason for Disallowance</b>
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 32	3376 <sup>2</sup>	\$47,561,315.73	Grupo Taca Holdings Limited	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 33	3343 <sup>2</sup>	\$20,298,366.37	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 33	3391 <sup>2</sup>	\$41,355,525.95	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 33	3415 <sup>2</sup>	\$20,298,366.37	Grupo Taca Holdings Limited	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 33	3417 <sup>2</sup>	\$20,298,366.37	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 34	3419 <sup>2</sup>	\$53,772,995.86	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 34	3422 <sup>2</sup>	\$108,311,187.03	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 34	3423 <sup>2</sup>	\$53,772,995.86	Grupo Taca Holdings Limited	Satisfied ECA claim

<sup>2</sup> Indicates claim contains unliquidated and/or undetermined amounts.

<b>SATISFIED CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Scheduled / Proof(s) of Claim to be Disallowed</b>	<b>Asserted / Scheduled Amount of Claim</b>	<b>Debtor Claim is Asserted / Scheduled Against</b>	<b>Reason for Disallowance</b>
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 34	3425 <sup>2</sup>	\$53,772,995.86	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 35	3428 <sup>2</sup>	\$21,145,875.18	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 35	3430 <sup>2</sup>	\$43,039,131.11	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 35	3431 <sup>2</sup>	\$21,145,875.18	Grupo Taca Holdings Limited	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 35	3433 <sup>2</sup>	\$21,145,875.18	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 36	3436 <sup>2</sup>	\$21,204,488.07	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 36	3437 <sup>2</sup>	\$43,159,856.89	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 36	3438 <sup>2</sup>	\$21,204,488.07	Grupo Taca Holdings Limited	Satisfied ECA claim

<sup>2</sup> Indicates claim contains unliquidated and/or undetermined amounts.

<b>SATISFIED CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Scheduled / Proof(s) of Claim to be Disallowed</b>	<b>Asserted / Scheduled Amount of Claim</b>	<b>Debtor Claim is Asserted / Scheduled Against</b>	<b>Reason for Disallowance</b>
Wilmington Trust Company, not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 36	3440 <sup>2</sup>	\$21,204,488.07	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 37	3442 <sup>2</sup>	\$21,895,664.44	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 37	3443 <sup>2</sup>	\$44,537,209.63	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 37	3447 <sup>2</sup>	\$21,895,664.44	Grupo Taca Holdings Limited	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 37	3448 <sup>2</sup>	\$21,895,664.44	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 38	3326 <sup>2</sup>	\$21,755,280.95	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 38	3331 <sup>2</sup>	\$44,256,442.65	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 38	3334 <sup>2</sup>	\$21,755,280.95	Grupo Taca Holdings Limited	Satisfied ECA claim

<sup>2</sup> Indicates claim contains unliquidated and/or undetermined amounts.

<b>SATISFIED CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Scheduled / Proof(s) of Claim to be Disallowed</b>	<b>Asserted / Scheduled Amount of Claim</b>	<b>Debtor Claim is Asserted / Scheduled Against</b>	<b>Reason for Disallowance</b>
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 38	3338 <sup>2</sup>	\$21,755,280.95	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 39	3381 <sup>2</sup>	\$55,737,809.44	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 39	3384 <sup>2</sup>	\$112,244,486.49	Tampa Cargo S.A.S.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 39	3388 <sup>2</sup>	\$55,737,809.44	Grupo Taca Holdings Limited	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 39	3392 <sup>2</sup>	\$55,737,809.44	Taca International Airlines S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 5	3398 <sup>2</sup>	\$10,818,067.35	Avianca Holdings S.A.	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 5	3400 <sup>2</sup>	\$22,382,015.45	Aerovias del Continente Americano S.A. Avianca	Satisfied ECA claim
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 5	3403 <sup>2</sup>	\$10,818,067.35	Grupo Taca Holdings Limited	Satisfied ECA claim

<sup>2</sup> Indicates claim contains unliquidated and/or undetermined amounts.

<b>SATISFIED CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Scheduled / Proof(s) of Claim to be Disallowed</b>	<b>Asserted / Scheduled Amount of Claim</b>	<b>Debtor Claim is Asserted / Scheduled Against</b>	<b>Reason for Disallowance</b>
Wilmington Trust Company, Not in its Individual Capacity but Solely as Owner Trustee of AIRCOL 5	3404 <sup>2</sup>	\$10,818,067.35	Taca International Airlines S.A.	Satisfied ECA claim

<sup>2</sup> Indicates claim contains unliquidated and/or undetermined amounts.

**Schedule 2 to Order**

**Reduced Claims**



REDUCED CLAIMS <sup>1</sup>					
Claimant's Name	Claim & Debtor Claim Is Asserted Against	Claim Class Category	Asserted Claim Amount	Modified Claim Amount	Reason for Modification
CAUCHOS BOSA D.C. SIMA S.A.S.	Schedule ID No. 3255449 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$1,458.36	\$0.00 \$0.00 \$0.00 \$1,392.84	Claim amount reduced due to invoices paid
CHARLATE OF AMERICA, INC	Schedule ID No. 3255097 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$1,338.07	\$0.00 \$0.00 \$0.00 \$760.68	Claim amount reduced due to invoices paid
COLOMBIANA DE SUMINISTROS Y TECNOLOGIA SAS	Schedule ID No. 3256292 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$1,296.46	\$0.00 \$0.00 \$0.00 \$250.24	Claim amount reduced due to invoices paid
COOPERATIVA DE TRABAJADORES DE AVIANCA COOPAVA	Schedule ID No. 3258098 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$940.30	\$0.00 \$0.00 \$0.00 \$542.39	Claim amount reduced due to invoices paid
CYG REMOA ESPACIO Y AMBIENTE S.A.S	Schedule ID No. 3254067 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$1,565.60	\$0.00 \$0.00 \$0.00 \$849.27	Claim amount reduced due to invoices paid
HOTEL HYM S.A.S	Schedule ID No. 3256271 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$81.88	\$0.00 \$0.00 \$0.00 \$27.30	Claim amount reduced due to invoices paid
HQ GSE COLOMBIA S.A.S.	Claim No. 515 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$18,224.00	\$0.00 \$0.00 \$0.00 \$17,930.00	Claim amount reduced due to invoices paid

<sup>1</sup>See Twentieth Omnibus Claims Objection at ¶¶16-17.

REDUCED CLAIMS <sup>1</sup>					
Claimant's Name	Claim & Debtor Claim Is Asserted Against	Claim Class Category	Asserted Claim Amount	Modified Claim Amount	Reason for Modification
Immfly S.L.	Claim No. 301 Aerovias del Continente Americano S.A. Avianca	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$76,789.63	\$0.00 \$0.00 \$0.00 \$46,355.00	Claim amount reduced due to claimant asserting amounts outside the scope of the initial agreement with the company
IMPORTADORA DE LLANTAS ESPECIALES S.A.	Schedule ID No. 3255110 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$3,386.89	\$0.00 \$0.00 \$0.00 \$3,203.80	Claim amount reduced due to invoices paid
PROVEEOFICINAS SAS	Schedule ID No. 3256290 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$771.08	\$0.00 \$0.00 \$0.00 \$594.13	Claim amount reduced due to invoices paid
SAC BE VENTURES COLOMBIA S.A.S.	Schedule ID No. 3256280 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$1,745.42	\$0.00 \$0.00 \$0.00 \$895.50	Claim amount reduced due to invoices paid
SEGURIDAD DE COLOMBIA LTDA	Schedule ID No. 3255457 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$1,147.41	\$0.00 \$0.00 \$0.00 \$805.19	Claim amount reduced due to invoices paid
TUG TECHNOLOGIES CORPORATION	Schedule ID No. 3255099 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$6,901.27	\$0.00 \$0.00 \$0.00 \$5,499.86	Claim amount reduced due to invoices paid
VARGAS ESLAVA CARLOS SAUL	Schedule ID No. 3256252 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$777.04	\$0.00 \$0.00 \$0.00 \$731.75	Claim amount reduced due to invoices paid

**Schedule 3 to Order**

**No Liability Claims**

<b>NO LIABILITY CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Proof(s) of Claim to be Disallowed</b>	<b>Asserted Amount of Claim</b>	<b>Debtor Claim Is Asserted Against</b>	<b>Reason for Modification</b>
ATR Americas Inc.	1172	\$893,497.96	Avianca Holdings S.A.	Claim includes no invoice support and company could find no record of claim amount or corresponding services/goods received
Betty K Mcpherson	4116	\$6,371.54	Avianca Holdings S.A.	Company has confirmed the claimant has never been an employee of Avianca, invalidating its claim for unpaid employee benefits
Marlin Business Bank	247	\$12,205.73	Tampa Cargo S.A.S.	Company has confirmed there is no outstanding debt for this claimant

<sup>1</sup> See Twentieth Omnibus Claims Objection at ¶¶18-19.

**Schedule 4 to Order**

**Duplicate Claims**

<b>DUPLICATE CLAIMS<sup>1</sup></b>				
<b>Claimant's Name</b>	<b>Proof(s) of claim to be disallowed</b>	<b>Asserted Amount of Claim</b>	<b>Surviving Proof(s) of Claim</b>	<b>Name of Debtor(s) Against Which Surviving Proof(s) of Claim is Asserted</b>
Aero Miami II LLC	4122	\$329,431.56	4124	Tampa Cargo S.A.S.

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<sup>1</sup> See Twentieth Omnibus Claims Objection at ¶¶20-21.

**Schedule 5 to Order**

**Multiple Modification Claims**

MULTIPLE MODIFICATION CLAIMS <sup>1</sup>								
Claimant's Name	Claim & Debtor Claim Is Asserted Against	Claim Class Category	Asserted Claim Amount	Reclassified Amount	Paid Amount	Books and Records Amount	Modified Claim Amount	Reason for Modification
C.I REPUESTOS Y SERVICIOS S.A.S <sup>2</sup>	Claim No. 3769 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced amount due to invoices paid and invoices for amounts that could not be confirmed in the company's books and records
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$683.43	\$0.00	(\$212.57)	(\$30.70)	\$440.16	
Entserv Enterprise Services Mexico, S. De R.L.	Claim No. 804 Avianca-Ecuador S.A	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced amount due to invoices paid and amounts asserted for withholding taxes that are not owed to the claimant
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$33,192.00	\$0.00	(\$4,034.07)	(\$2,580.78)	\$26,577.15	
Leite, Tosto E Barros Advogados <sup>2</sup>	Claim No. 1832 Avianca Holdings S.A.	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced amount due to invoices paid and invoices asserted against Avianca Peru, a non-debtor entity
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$72,391.41	\$0.00	(\$66,953.33)	(\$5,438.08)	\$0.00	
VOLVO GROUP COLOMBIA SAS <sup>2</sup>	Claim No. 4129 Servicios Aeroportuarios Integrados SAI S.A.S.	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced amount due to invoices paid and invoices for services that were not provided
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$612.93	\$0.00	(\$520.97)	(\$18.27)	\$73.69	
Worldwide Flight Services, Inc.	Claim No. 1476 Tampa Cargo S.A.S.	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced amount due to invoices paid and amounts related to flight cancelled due to COVID-19 in keeping with company policy
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$1,226,479.19	\$0.00	(\$80,102.35)	(\$7,065.66)	\$1,139,311.18	

<sup>1</sup>See Twentieth Omnibus Claims Objection at ¶¶22.

<sup>2</sup>Indicates the claim was converted to USD using the exchange rate as of market open on May 11, 2020. Claim may contain unliquidated and/or undetermined amounts.



**Exhibit B to Twentieth Omnibus Claims Objection**

**Declaration of Walt Brown**

**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 and Reorganized Debtors. : (Jointly Administered)  
: :  
-----X

**DECLARATION OF WALT BROWN IN SUPPORT OF REORGANIZED DEBTORS’  
TWENTIETH OMNIBUS OBJECTION TO PROOFS OF CLAIM**

I, Walt Brown, make this declaration pursuant to 28 U.S.C. § 1746 and state as follows:

**Background**

1. I am a managing director at FTI Consulting, Inc., together with its wholly owned subsidiaries (“FTI”), an international consulting firm.

2. In my capacity as managing director, I am authorized to submit this declaration in support of the *Reorganized Debtors’ Twentieth Omnibus Objection to Proofs of Claim* (the “Twentieth Omnibus Claims Objection”).<sup>2</sup>

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<sup>1</sup> The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtors’ and Reorganized Debtors’ federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A) n/k/a HVA Associated Corp.; 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 Loyalty Bermuda Ltd. (N/A); AV Taca International Holdco S.A. (N/A); Aviacorp Enterprises 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 (N/A); Regional Express Américas S.A.S. (N/A); Ronair N.V. (N/A); Servicio Terrestre, Aéreo 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’ and Reorganized Debtors’ principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.

<sup>2</sup> Capitalized terms used, but not otherwise defined, herein shall have the meanings set forth in the Twentieth Omnibus Claims Objection.

3. All facts set forth herein are based on my personal knowledge, in evaluating the Proofs of Claim, the Reorganized Debtors and other reviewing parties have reviewed the Reorganized Debtors' Books and Records, the relevant Proofs of Claim, as well as the supporting documentation provided by the claimants, and determined that the Disputed Claims should be disallowed and expunged from the claims register maintained in these cases (the "Claims Register").

4. If I were called upon to testify, I could and would competently testify to each of the facts set forth herein on that basis, including that I, or employees of FTI under my supervision and direction, personally reviewed the claims listed in **Schedules 1 through 5** to the proposed *Order Granting Reorganized Debtors' Twentieth Omnibus Objection to Proofs of Claim* (the "Proposed Order") as part of the claims reconciliation process in these chapter 11 cases.

#### **Satisfied Claims**

5. To the best of my knowledge, information, and belief, based on a review of the Claims Register and each of the Satisfied Claims, the Reorganized Debtors have determined that the Satisfied Claims listed on **Schedule 1** to Proposed Order have been paid or otherwise satisfied, either in full or in part, by the Debtors after the Petition Date. If the Satisfied Claims identified on **Schedule 1** to the Proposed Order are not disallowed or reduced, the claimants identified therein may improperly obtain double recovery from the same alleged liability, at the expense of the Reorganized Debtors and other creditors.

6. I believe it is proper for the Court to enter the Proposed Order disallowing and expunging the Satisfied Claims as set forth therein and in the Objection.

### **Reduced Claims**

7. To the best of my knowledge, information, and belief, based on a review of the Claims Register and each of the Reduced Claims, the Reorganized Debtors have determined that the Reduced Claims listed on **Schedule 2** to Proposed Order (1) seeks to recover amounts outside the scope of its initial agreement with the Reorganized Debtors and/or (2) has been paid or otherwise satisfied in part. The specific reason for the Reorganized Debtors' determination that each claim should be reduced and in what amount is identified in **Schedule 2** to the proposed Order. If the Reduced Claims identified on **Schedule 2** to the Proposed Order are not reduced, the claimants identified therein may improperly obtain an unwarranted recovery at the expense of the Reorganized Debtors and other creditors.

8. I believe it is proper for the Court to enter the Proposed Order reducing the Reduced Claims as set forth therein and in the Objection.

### **No Liability Claims**

9. To the best of my knowledge, information, and belief, based on a review of the Claims Register and each of the No Liability Claims, the Reorganized Debtors have determined that each No Liability Claim asserts amounts for which the Reorganized Debtors could find no support in their Books and Records and did not provide sufficient documentation to support the claim. If the No Liability Claims identified on **Schedule 3** to the Proposed Order are not disallowed or reduced, the claimants identified therein may improperly obtain an unwarranted recovery at the expense of the Reorganized Debtors and other creditors.

10. I believe it is proper for the Court to enter the Proposed Order disallowing and expunging the No Liability Claims as set forth therein and in the Objection.

### **Duplicate Claim**

11. To the best of my knowledge, information, and belief, based on the Reorganized Debtors' review of the Claims Register and each Duplicate Claim, we have determined that the claim listed on **Schedule 4** is a Duplicate Claim and is duplicative of another claim filed against the same Debtor entity by or on behalf of the same claimants related to the same purported liability. If the Duplicate Claim identified on **Schedule 4** to the Proposed Order is not disallowed, the claimant identified therein may improperly obtain double recovery from the same alleged liability, at the expense of the Reorganized Debtors and other creditors.

12. Furthermore, for the Duplicate Claim, the Reorganized Debtors have identified a surviving claim that asserts the same liability and is identified on **Schedule 4** to the Proposed Order in the column labeled "Surviving proof of claim." Accordingly, I believe it is proper for the Court to enter the Proposed Order disallowing and expunging the Duplicate Claim as set forth in therein and in the Objection.

### **Multiple Modification Claims**

13. To the best of my knowledge, information, and belief, based on a review of the Claims Register and each of the Multiple Modification Claims, the Reorganized Debtors have determined that the Multiple Modification Claims listed on **Schedule 5** to Proposed Order is subject to more than one basis for reduction and reclassification. The particular basis for each claim's reduction and reclassification is set forth in **Schedule 5** to the Proposed Order, along with the amount of the claim which corresponds to each basis for modification. If the Multiple Modification Claims identified on **Schedule 5** to the Proposed Order are not reclassified or reduced, the claimants identified therein may improperly obtain an unwarranted recovery at the expense of the Reorganized Debtors and other creditors.

14. I believe it is proper for the Court to enter the Proposed Order reducing and reclassifying the Multiple Modification Claims as set forth therein and in the Objection.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: June 15, 2022

/s/ Walt Brown  
Walt Brown  
Managing Director  
FTI Consulting, Inc.  
2001 Ross Avenue, Suite 650  
Dallas, TX 75201

**Exhibit C to Twentieth Omnibus Claims Objection**

**Notice of Objection**

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*Counsel for Debtors and Reorganized  
Debtors*

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

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

**NOTICE OF HEARING ON THE REORGANIZED DEBTORS’ TWENTIETH  
OMNIBUS OBJECTION TO PROOFS OF CLAIM**

PLEASE TAKE NOTICE that, on June 15, 2022, Avianca Holdings S.A. and its reorganized debtor affiliates in these proceedings (collectively, the “Reorganized Debtors”), filed their Nineteenth Omnibus Objection to Proofs of Claim (Satisfied) (the “Objection”) with the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”).

<sup>1</sup> The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtors’ and Reorganized Debtors’ federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A) n/k/a HVA Associated Corp.; 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 Loyalty Bermuda Ltd. (N/A); AV Taca International Holdco S.A. (N/A); Aviacorp Enterprises 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 (N/A); Regional Express Américas S.A.S. (N/A); Ronair N.V. (N/A); Servicio Terrestre, Aéreo 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’ and Reorganized Debtors’ principal offices are located at Avenida Calle 26 # 59 – 15 Bogotá, Colombia.



**THIS OBJECTION ADDRESSES ONE OR MORE OF THE CLAIM(S) YOU HAVE FILED IN THE REORGANIZED DEBTORS' CASES. Schedules 1 through 5**

annexed to the Objection (attached hereto) identifies your claim and the category of claim objection applicable to you. The complete Objection can be viewed and/or obtained by: (i) accessing the Court's website at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), or (ii) free of charge from the Reorganized Debtors' notice and claims agent, KCC, at <http://www.kccllc.net/avianca> or by calling (866) 967-1780 (U.S./Canada) or +1 (310) 751-2680 (International). Note that a PACER password is needed to access documents on the Court's website. The complete Objection is entitled *Reorganized Debtors' Twentieth Omnibus Objection to Proofs of Claim*.

The Objection requests that the Bankruptcy Court disallow and expunge one or more of your claims listed in the Schedules on the ground that the claim (i) has been paid or otherwise satisfied by the Debtors, in full or in part, after the Petition Date, (ii) should be reclassified, (iii) should be reduced, (iv) has no support in the Reorganized Debtors' Books and Records, (v) is supported by insufficient documentation, or (vi) is subject to multiple modifications. Any claim that the Bankruptcy Court expunges or disallows will be treated as if such claim had not been filed. Any claim that the Bankruptcy Court reduces or reclassifies will be treated as if such claim had been filed in the reduced amount or reclassified class.

If you DO oppose the disallowance, expungement, reduction, or reclassification of your claim(s) listed in the Schedules then you MUST file a written response to the Objection (the "Response") ON OR BEFORE JULY 15, 2022 AT 4:00 P.M. EASTERN TIME (the "Response Deadline") and serve such Response as set forth herein. If you DO NOT oppose the disallowance, expungement, reduction, or reclassification of your claim(s) listed in the Schedules then no further action is required by you.

The Response, if any, must include the following: (i) a caption identifying the name of the Bankruptcy Court, the names of the Reorganized Debtors, the case number and the title of the Objection to which the Response is directed; (ii) the name of the claimant and description of the basis for the claim; (iii) a short statement describing the reasons for which the claim should not be disallowed as set forth in the Objection; (iv) additional documentation or other evidence upon which you rely in opposing the Objection (if it was not included with the proof of claim previously filed with the Bankruptcy Court); (v) the address(es) to which the Reorganized Debtors must return any reply to your Response, if different from that presented in your proof of claim; (vi) the name, address, and telephone number of the person (which may be you or your legal representative) holding ultimate authority to resolve the claim on your behalf.

The Bankruptcy Court will consider a Response only if the Response is filed with the Court on or prior to the Response Deadline. All Responses must be served on (i) the Bankruptcy Court at Chambers of Honorable Judge Martin Glenn, One Bowling Green, New York, New York 10004-1408, (ii) counsel for the Reorganized Debtors at Milbank LLP, 55 Hudson Yards, New York, New York 10001 (Attn: Evan R. Fleck, Esq., Gregory A. Bray, Esq., and Benjamin Schak, Esq. ([efleck@milbank.com](mailto:efleck@milbank.com), [gbray@milbank.com](mailto:gbray@milbank.com), and [bschak@milbank.com](mailto:bschak@milbank.com))), and (iii) the Reorganized Debtors, c/o Richard Galindo ([richard.galindo@avianca.com](mailto:richard.galindo@avianca.com)).

**A HEARING WILL BE HELD ON JULY 20, 2022** (the "Hearing") to consider the Objection. **THE HEARING WILL BE HELD AT 10:00 A.M. (EASTERN TIME)** at the

United States Bankruptcy Court for the Southern District of New York, One Bowling Green, Room 523, New York, New York 10004 in front of the Honorable Martin Glenn. If you file a written Response to the Objection, you or your counsel must attend the Hearing (which attendance may be via Zoom for Government). In light of the COVID-19 pandemic, the Hearing may be conducted via Zoom for Government. Parties wishing to appear at the Hearing, whether in a “live” or “listen only” capacity, must make an electronic appearance through the “eCourtAppearances” tab on the Court’s website (<http://www.nysb.uscourts.gov/content/judge-martin-glenn>) no later than 4:00 p.m. (prevailing Eastern Time) the business day before the Hearing (the “Appearance Deadline”). Following the Appearance Deadline, the Court will circulate by email the Zoom link to the Hearing to those parties who have made an electronic appearance. Parties wishing to appear at the Hearing must submit an electronic appearance through the Court’s website by the Appearance Deadline and not by emailing or otherwise contacting the Court. The Court will not respond to late requests that are submitted on the day of the hearing. Additional information regarding the Court’s Zoom and hearing procedures can be found on the Court’s website. The Reorganized Debtors reserve the right to continue the Hearing on the Objection for your claim(s) at a later date.

If the Bankruptcy Court does NOT disallow, expunge, reduce, or reclassify your claim(s) listed in **Schedules 1 through 5** then the Reorganized Debtors may object on other grounds to the claim(s) (or to any other claims you may have filed) at a later date. You will receive a separate notice of any such objection.

Dated: June 15, 2022  
New York, New York

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