

Hearing Date & Time: November 17, 2022 at 10:00 a.m. (prevailing Eastern Time)
Objection Deadline: November 14, 2022 at 4:00 p.m. (prevailing Eastern Time)

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*Counsel for Debtors and Reorganized
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
: :
AVIANCA HOLDINGS S.A. *et al.*,¹ : Case No. 20-11133 (MG)
: :
Debtors and Reorganized Debtors. : (Confirmed)
: :
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**REORGANIZED DEBTORS' TWENTY-SECOND OMNIBUS
OBJECTION TO PROOFS OF CLAIM**

¹ 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 *Twenty-Second 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’ Twenty-Second 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 substantively consolidated 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 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), or the claim “ha[s] been amended by subsequently filed proofs of claim” (Fed. R. Bankr. P. 3007(d)(3)).

14. **Satisfied Claims.** Based on their 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. **No Liability Claims.** The Reorganized Debtors have also determined that each claim listed on **Schedule 2** 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 (1) asserts amounts for services of which the Reorganized Debtors have no record and which are not supported by sufficient documentation, (2) asserts amounts for payroll taxes for a jurisdiction in which the Reorganized Debtors had no employees for the relevant period, or (3) asserts amounts for which the Reorganized Debtors do not have liability based on amendments to the underlying contract. Additionally, the Reorganized Debtors could find no support for the No Liability Claims in their Book and Records. 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 2** to the Proposed Order and expunge it from the Claims Register.

17. 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].

18. **Superseded Claims.** Based on the review of their claims register, the Reorganized Debtors have determined that some claimants filed proofs of claim that amended their previously filed proofs of claim (the "**Superseded Claims**"). To avoid the possibility of multiple recoveries by such claimants, the Debtors respectfully request that the Court disallow each Superseded Claim listed on **Schedule 3** to the Proposed Order and expunge it from the Debtors' claims register. For each Superseded Claim, **Schedule 3** indicates the proof of claim that will remain outstanding upon the expungement of the corresponding Superseded Claim(s).

19. This Court has previously granted similar relief in these chapter 11 cases. See *Order Granting the Debtors' First Omnibus Objection to Proofs of Claim (Superseded Claims)*

[Docket No. 1813]; *Order Granting the Debtors' Fourth Omnibus Objection to Proofs of Claim (Superseded and Duplicate Claims)* [Docket No. 1888]; *Order Granting the Reorganized Debtors' Tenth Omnibus Objection to Proofs of Claim* [Docket No. 2443].

20. **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 4** to the Proposed Order (the "**Reduced Claims**") (1) has been paid or otherwise satisfied in part, or (2) contains amounts asserted pursuant to a contract, the amendment of which resulted in the Debtors' no longer being liable for such amounts. 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 4** to the Proposed Order such that each Reduced Claim corresponds with the amount listed on **Schedule 4** under "Modified Claim Amount."

21. 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].

22. **Multiple Modification Claims.** Based on the Reorganized Debtors' review of the Claims Register, they have determined that the claims listed on **Schedule 5** to the Proposed Order (the "**Multiple Modification Claims**") are subject to more than one basis for reduction. The particular basis for each claim's reduction is set forth in **Schedule 5**, along with the amount of the claim which corresponds to each basis for modification. The claims listed in **Schedule 5** (1) have been partially satisfied to the extent identified in **Schedule 5**, (2) contained amounts that the

Reorganized Debtors could not confirm on their Books and Records, (3) did not contain sufficient documentation for the Reorganized Debtors to substantiate, and/or (4) asserted amounts against a non-debtor entity.

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' Twenty-Second 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 October 26, 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
October 14, 2022

/s/ Evan R. Fleck

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Counsel for Debtors and Reorganized Debtors

Exhibit A to Twenty-Second 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> , ¹	:	Case No. 20-11133 (MG)
	:	
Debtors and Reorganized Debtors.	:	(Confirmed)
	:	
-----X		

**ORDER GRANTING THE REORGANIZED DEBTORS' TWENTY-SECOND
OMNIBUS OBJECTION TO PROOFS OF CLAIM**

Upon the *Reorganized Debtors' Twenty-Second Omnibus Objection to Proofs of Claim* (the "Twenty-Second Omnibus Claims Objection"),² 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 Twenty-

¹ 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.

² Capitalized terms not otherwise defined herein shall be given the meanings ascribed to them in the Twenty-Second Omnibus Claims Objection.

Second Omnibus Claims Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Twenty-Second 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 Twenty-Second 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 Twenty-Second 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 No Liability Claim identified in **Schedule 2** attached hereto, each Superseded Claim identified in **Schedule 3** attached hereto.
4. Each Reduced Claim identified on **Schedule 4** attached hereto is reduced and allowed to the extent set forth in **Schedule 4**.
5. 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**.
6. 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.
7. Any response to the Twenty-Second Omnibus Claims Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.

8. 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.

9. 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

SATISFIED CLAIMS ¹				
Claimant's Name	Scheduled / Proof(s) of Claim to be Disallowed	Asserted / Scheduled Amount of Claim	Debtor Claim is Asserted / Scheduled Against	Reason for Disallowance
3M Colombia S.A.	1611	\$570.01	Aerovias del Continente Americano S.A. Avianca	All invoices paid
BUFETE GODINEZ Y ASOCIADOS S.A.	807	\$12,800.00	Avianca Holdings S.A.	All invoices paid
DENTONS CARDENAS & CARDENAS ABOGADOS PROPIEDAD INTELECTUAL SAS	3254661	\$60,680.41	Aerovias del Continente Americano S.A. Avianca	All scheduled amounts paid
FUNDACION NEIJING	4152	\$5,009.00	Avianca Holdings S.A.	All invoices paid
H.I.S. CO LTD HIS HIDE INTL SERVICE	1022	\$11,689.89	Avianca Holdings S.A.	All invoices paid
New York State Department of Taxation and Finance	4098	\$41.90	Avianca, Inc.	All invoices paid
New York State Department of Taxation and Finance	4164	\$10,790.36	America Central Corp.	All invoices paid
PATRIMONIOS AUTONOMOS FIDUCIARIA BANCOLOMBIA SA SOCIEDAD FIDUCIARIA	3253873	\$4,761,184.54	Aerovias del Continente Americano S.A. Avianca	All scheduled amounts paid

¹ See Twenty-Second Omnibus Claims Objection at ¶¶ 14-15.

SATISFIED CLAIMS ¹				
Claimant's Name	Scheduled / Proof(s) of Claim to be Disallowed	Asserted / Scheduled Amount of Claim	Debtor Claim is Asserted / Scheduled Against	Reason for Disallowance
PATRIMONIOS AUTONOMOS FIDUCIARIA BOGOTA	3255002	\$447,788.00	Aerovias del Continente Americano S.A. Avianca	All scheduled amounts paid
WINS TO CLAIM S.L.P.	533	\$5,300.00	Aerovias del Continente Americano S.A. Avianca	All invoices paid

Schedule 2 to Order

No Liability Claims

NO LIABILITY CLAIMS ¹				
Claimant's Name	Proof(s) of Claim to be Disallowed	Asserted Amount of Claim	Debtor Claim Is Asserted Against	Reason for Modification
ALVAREZ LIEVANO LASERNA	3709	\$19,494.00	Avianca Holdings S.A.	The Company could find no evidence in its Books and Records of legal services provided to it by this claimant, and the claim does not include documentary or other support that such services were provided.
Massachusetts Department of Revenue	423	\$15,882.45	America Central Corp.	Claim is for payroll taxes, but Avianca did not have employees in Massachusetts during the periods for which the taxes are charged.
Unisys de Colombia S.A.	3897	\$83,647.00	Regional Express Americas S.A.S.	The Company has no liabilities associated with this claim based upon subsequent amendments to the original contract, which modified the distribution percentages used as the basis for the asserted claim amounts.

¹ See Twenty-Second Omnibus Claims Objection at ¶¶ 16-17.

Schedule 3 to Order

Superseded Claims

SUPERSEDED CLAIMS ¹				
Claimant's Name	Proof(s) of Claim to be Disallowed	Asserted Amount of Claim	Surviving Proof of Claim	Name of Debtor Against Which Surviving Proof of Claim is Asserted
Department of Treasury - Internal Revenue Service	3824	\$102,509.36	4153	America Central Corp.
New York State Department of Taxation and Finance	4100	\$8,361.25	4164	America Central Corp.
New York State Department of Taxation and Finance	4148	\$8,922.73	4164	America Central Corp.
New York State Department of Taxation and Finance	4156	\$9,379.95	4164	America Central Corp.

¹ See Twenty-Second Omnibus Claims Objection at ¶¶ 18-19.

Schedule 4 to Order

Reduced Claims

REDUCED CLAIMS ¹					
Claimant's Name	Claim & Debtor Claim Is Asserted Against	Claim Class Category	Asserted Claim Amount	Modified Claim Amount	Reason for Modification
Federico Blankleider	Claim No. 271 Avianca Holdings S.A.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$20,768.00	\$0.00 \$0.00 \$0.00 \$5,668.00	Reduced due to invoices paid
Goodrich Corporation	Claim No. 2044 Aerovías del Continente Americano S.A. Avianca	Administrative Priority Secured Priority General Unsecured	\$21,125.82 \$0.00 \$0.00 \$496,360.33	\$15,644.95 \$0.00 \$0.00 \$488,469.51	Reduced due to invoices paid
Goodrich Lighting Systems GmbH	Claim No. 2038 Avianca, Inc.	Administrative Priority Secured Priority General Unsecured	\$4,492.71 \$0.00 \$0.00 \$362.20	\$0.00 \$0.00 \$0.00 \$362.20	Reduced due to invoices paid
Lufthansa Technik AG	Claim No. 298 Aerovías del Continente Americano S.A. Avianca	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$2,027,339.55	\$0.00 \$0.00 \$0.00 \$647,152.23	Reduced due to amounts asserted with no supporting documentation provided. The claimant references liabilities associated with "B787 services", which are already captured in claim 3903
Lufthansa Technik AG	Claim No. 3903 Aerovías del Continente Americano S.A. Avianca	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$3,237,705.06	\$0.00 \$0.00 \$0.00 \$2,815,266.22	Reduced due to invoices paid
Machado Meyer Sendacz e Opice Advogados	Claim No. 1245 Avianca Holdings S.A.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$40,978.23	\$0.00 \$0.00 \$0.00 \$34,906.38	Reduced due to invoices paid
Unisys de Centro America L.L.C.	Claim No. 3895 Avianca Costa Rica S.A	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$187,465.00	\$0.00 \$0.00 \$0.00 \$159,047.98	Reduced due to subsequent amendments to the original contract, which modified the distribution percentages used as the basis for the asserted claim amounts.

¹ See Twenty-Second Omnibus Claims Objection at ¶¶ 20-21.

REDUCED CLAIMS ¹					
Claimant's Name	Claim & Debtor Claim Is Asserted Against	Claim Class Category	Asserted Claim Amount	Modified Claim Amount	Reason for Modification
Unisys de Centro America L.L.C.	Claim No. 3898 Taca International Airlines S.A.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$566,144.00	\$0.00 \$0.00 \$0.00 \$480,324.91	Reduced due to subsequent amendments to the original contract, which modified the distribution percentages used as the basis for the asserted claim amounts.
Unisys de Colombia S.A.	Claim No. 3900 Aerovías del Continente Americano S.A. Avianca	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$2,581,166.00	\$0.00 \$0.00 \$0.00 \$2,083,528.58	Reduced due to subsequent amendments to the original contract, which modified the distribution percentages used as the basis for the asserted claim amounts.
Unisys de Colombia S.A.	Claim No. 3899 Tampa Cargo S.A.S.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$341,186.00	\$0.00 \$0.00 \$0.00 \$289,467.33	Reduced due to subsequent amendments to the original contract, which modified the distribution percentages used as the basis for the asserted claim amounts.
Unisys del Peru	Claim No. 3896 Avianca-Ecuador S.A	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$198,713.00	\$0.00 \$0.00 \$0.00 \$168,590.86	Reduced due to subsequent amendments to the original contract, which modified the distribution percentages used as the basis for the asserted claim amounts.
Wackenhut de Guatemala, Sociedad Anonima	Claim No. 2465 Taca International Airlines S.A.	Administrative Priority Secured Priority General Unsecured	\$0.00 \$0.00 \$0.00 \$61,159.56	\$0.00 \$0.00 \$0.00 \$10,357.20	Reduced due to invoices paid

Schedule 5 to Order

Multiple Modification Claims

MULTIPLE MODIFICATION CLAIMS ¹								
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
AIRLINE MARKETING AUSTRALIA PTY LTD ²	Claim No. 770 Avianca Holdings S.A.	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced due to invoices paid (\$54k) and invoices asserted against Avianca Peru, a non-debtor entity (\$10k)
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$78,865.34	\$0.00	(\$53,693.12)	(\$9,940.29)	\$15,232.00	
BLP HONDURAS ABOGADOS SA	Claim No. 761 Avianca Holdings S.A.	Administrative Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Reduced due to invoices paid (\$38k) and invoices not found in company records (\$3.6k)
		Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		General Unsecured	\$41,078.88	\$0.00	(\$37,500.19)	(\$3,578.69)	\$0.00	

¹ See Twenty-Second Omnibus Claims Objection at ¶¶ 22-23.

² 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 Twenty-Second 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.*,¹ : Case No. 20-11133 (MG)
: :
Debtors and Reorganized Debtors. : (Jointly Administered)
: :
-----X

**DECLARATION OF WALT BROWN IN SUPPORT OF REORGANIZED DEBTORS’
TWENTY-SECOND 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’ Twenty-Second Omnibus Objection to Proofs of Claim* (the “Twenty-Second Omnibus Claims Objection”).²

¹ 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.

² Capitalized terms used, but not otherwise defined, herein shall have the meanings set forth in the Twenty-Second 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' Twenty-Second 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.

No Liability Claims

7. 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 (1) asserts amounts for services of which the Reorganized Debtors have no record and which are not supported by sufficient documentation, (2) asserts amounts for payroll taxes for a jurisdiction in which the Reorganized Debtors had no employees for the relevant period, or (3) asserts amounts for which the Reorganized Debtors do not have liability based on amendments to the underlying contract. If the No Liability Claims identified on **Schedule 2** 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.

8. 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.

Superseded Claims

9. To the best of my knowledge, information, and belief, based on a review of the Claims Register and each of the Superseded Claims, the Reorganized Debtors have determined that the Superseded Claims listed on **Schedule 3** to Proposed Order have been amended by or on behalf of claimants who subsequently filed Proofs of Claim relating to the same purported liabilities. If the Superseded Claims identified on **Schedule 3** to the Proposed Order are not disallowed, the claimants identified therein may improperly obtain double recovery from the same alleged liability, at the expense of the Reorganized Debtors and other creditors.

10. Furthermore, for each of the Superseded Claims, the Reorganized Debtors have identified a surviving claim that asserts the same liability and is identified on **Schedule 3** 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 Superseded Claims as set forth therein and in the Objection.

Reduced Claims

11. 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 4** to Proposed Order (1) has been paid or otherwise satisfied in part, or (2) contains amounts asserted pursuant to a contract, the amendment of which resulted in the Debtors' no longer being liable for such amounts. The specific reason for the Reorganized Debtors' determination that each claim should be reduced and in what amount is identified in **Schedule 4** to the Proposed Order. If the Reduced Claims identified on **Schedule 4** 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.

12. I believe it is proper for the Court to enter the Proposed Order reducing the Reduced Claims as set forth in **Schedule 4** thereto 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 claims listed on **Schedule 5** to the Proposed Order (the "**Multiple Modification Claims**") are subject to more than one basis for reduction. The particular basis for each claim's reduction is set forth in **Schedule 5**, along with the amount of the claim which corresponds to each basis for modification. The claims listed in **Schedule 5** (1) have been partially satisfied to the extent identified in **Schedule 5**, (2) contained amounts that the Reorganized Debtors could not confirm on their Books and Records, (3) did not contain sufficient documentation for the

Reorganized Debtors to substantiate, and/or (4) asserted amounts against a non-debtor entity. 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: October 14, 2022

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

Exhibit C to Twenty-Second 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> , ¹	:	Case No. 20-11133 (MG)
	:	
Debtors and Reorganized Debtors.	:	(Jointly Administered)
	:	
-----X		

**NOTICE OF HEARING ON THE REORGANIZED DEBTORS' TWENTY-SECOND
OMNIBUS OBJECTION TO PROOFS OF CLAIM**

PLEASE TAKE NOTICE that, on October 14, 2022, Avianca Holdings S.A. and its reorganized debtor affiliates in these proceedings (collectively, the "Reorganized Debtors"), filed their Twenty-Second Omnibus Objection to Proofs of Claim (the "Objection") with the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court").

¹ 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 (the "Schedules") 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, 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' Twenty-Second 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) duplicates or is superseded by another claim, (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 NOVEMBER 14, 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, gbray@milbank.com, and bschak@milbank.com)), and (iii) the Reorganized Debtors, c/o Richard Galindo (richard.galindo@avianca.com).

A HEARING WILL BE HELD ON NOVEMBER 17, 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: October 14, 2022
New York, New York

/s/ Evan R. Fleck
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