

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

In re:

PHILIPPINE AIRLINES, INC.¹

Debtor.

Chapter 11

Case No. 21-11569 (SCC)

**ORDER GRANTING DEBTOR'S MOTION FOR AN ORDER PURSUANT TO 11 U.S.C.
§ 107(b) AND FED. R. BANKR. P. 9018 AUTHORIZING THE FILING OF CERTAIN
INFORMATION UNDER SEAL**

Upon the motion (the “**Motion to Seal**”)² of the above-captioned debtor and debtor in possession (the “**Debtor**”) for the entry of an order (this “**Order**”), pursuant to section 107(b) of title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 9018 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), in connection with the Debtor’s motion for the entry of an order granting leave to file under seal certain information, all as more fully set forth in the Motion; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, dated January 31, 2019; and this Court having the power to enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion to Seal in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtor’s notice of the Motion to Seal and opportunity for a hearing on the Motion to Seal were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the

¹ The Debtor in this chapter 11 case, along with its registration number in the Philippines, is Philippine Airlines, Inc., Philippine Securities and Exchange Commission Registration No. PW 37. The Debtor’s corporate headquarters is located at PNB Financial Center, President Diosdado Macapagal Avenue, CCP Complex, Pasay City 1300, Metro Manila, Philippines.

² Capitalized terms not otherwise defined herein shall have the meaning(s) ascribed to such terms in the Motion to Seal.



Motion to Seal, the Debtor's supplemental statement in support of the Motion to Seal, and having heard the statements in support of the relief requested therein at a hearing before the Court (the "**Hearing**"); and this Court having determined that the legal and factual bases set forth in the Motion to Seal and at the Hearing establish just cause for the relief granted herein and that such relief is in the best interest of the Debtor, its estate, its creditors and all parties in interest; and any objections to the Motion to Seal having been withdrawn or overruled on the merits; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The relief requested in the Motion to Seal is hereby granted.
2. Pursuant to section 107(b) of the Bankruptcy Code, the Debtor is hereby authorized to file the Confidential Information under seal. The filing under seal shall remain under seal and confidential, and the Clerk of the Court and the United States Trustee shall not make such information available to anyone, other than as set forth in this Order.
3. The Debtor is authorized to file a redacted version of the RSAs, Usage Stipulations, Rejection Stipulations and Super-Soft Landing Stipulations on the docket maintained in the Chapter 11 Case.
4. The Debtor shall provide unredacted copies of the RSAs, Usage Stipulations, Rejection Stipulations and Super-Soft Landing Stipulations to the Court and the Office of the United States Trustee.
5. The Clerk of the Court shall treat the Confidential Information as confidential and counsel for the Debtor shall contact the Clerk's Office regarding the return or disposition of the sealed RSAs within ten days after issuance of a final order confirming a chapter 11 plan.

6. Access to the Confidential Information, subject to the conditions set forth above, shall be for the sole purpose of determining whether the relief requested in the Restructuring Motions should be granted.

7. Any party permitted access to the Confidential Information from the Clerk of the Court or the United States Trustee shall not share any information contained in such documents with any third party, without the consent of the Debtor or further order of this Court. Any party found to have violated these conditions shall be subject to sanctions for violation of this Order.

8. This Order is without prejudice to the rights of any party in interest to (i) seek to declassify and make public any portion of the Confidential Information or (ii) request from this Court the further review of the terms of this Order.

9. The Debtor is authorized to take any additional actions as are necessary or appropriate to implement and effectuate this Order.

10. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

11. This Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to this Order.

Dated: September 30, 2021
New York, New York

/S/ Shelley C. Chapman
THE HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE