

Presentment Date and Time: March 4, 2022 at 12:00 p.m. (prevailing Eastern Time)
Objection Deadline: March 3, 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**

-----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)
	: :
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**NOTICE OF PRESENTMENT OF STIPULATION AND
AGREED ORDER EXTENDING THE ADMINISTRATIVE BAR
DATE WITH RESPECT TO CERTAIN CLAIMS AND RELATED RELIEF**

¹ The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtor's and Reorganized Debtor's federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A); Aero Transporte de Carga Unión, S.A. de C.V. (N/A); Aeroinversiones de Honduras, S.A. (N/A); Aerovías del Continente Americano S.A. Avianca (N/A); Airlease Holdings One Ltd. (N/A); America Central (Canada) Corp. (00-1071563); America Central Corp. (65-0444665); AV International Holdco S.A. (N/A); AV International Holdings S.A. (N/A); AV International Investments S.A. (N/A); AV International Ventures S.A. (N/A); AV Investments One Colombia S.A.S. (N/A); AV Investments Two Colombia S.A.S. (N/A); AV 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.



PLEASE TAKE NOTICE that on February 25, 2022, the above-referenced debtors and reorganized debtors (the “Reorganized Debtors”) filed the *Stipulation and Agreed Order Extending the Administrative Bar Date with Respect to Certain Claims and Related Relief* (the “Stipulation”).

PLEASE TAKE FURTHER NOTICE that the undersigned will present the Stipulation to the Honorable Martin Glenn, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 (the “Court”), for signature on **March 4, 2022 at 12:00 p.m. (prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that any objections or responses to the Stipulation shall: (a) be in writing; (b) conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York, all General Orders applicable to chapter 11 cases in the United States Bankruptcy Court for the Southern District of New York, and the *Order Implementing Certain Notice and Case Management Procedures* [Docket No. 47] (the “Case Management Order”); (c) be filed electronically with this Court on the docket of *In re Avianca Holdings S.A.*, Case 20-11133 (MG) by registered users of this Court’s electronic filing system and in accordance with the General Order M-399 (which is available on this Court’s website at <http://www.nysb.uscourts.gov>) by **March 3, 2022 at 4:00 p.m., prevailing Eastern Time (the “Objection Deadline”)**; and (d) be promptly served on the following parties: (i) the Chambers of the Honorable Martin Glenn, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004; (ii) the Debtors, c/o Richard Galindo (richard.galindo@avianca.com); (iii) Milbank LLP (Attn: Evan R. Fleck, Esq., Gregory A. Bray, Esq., and Benjamin M. Schak, Esq. (efleck@milbank.com, gbray@milbank.com, and bschak@milbank.com)), counsel for the Debtors; (iv) Holland & Knight LLP, 200 Crescent

Court, Suite 1600, Dallas, TX 75201 (Attn: Nathan Leavitt, Esq. and Brian Smith, Esq. (nathan.leavitt@hklaw.com and brian.smith@hklaw.com)), counsel to the Aircraft Counterparties; (v) William K. Harrington, U.S. Department of Justice, Office of the U.S. Trustee, 201 Varick Street, Room 1006, New York, NY 10014 (Attn: Brian Masumoto, Esq. and Greg Zipes, Esq.); (vi) the Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549; and (vii) the Federal Aviation Administration, 800 Independence Ave., S.W. Washington, DC 20591 (Attn: Office of the Chief Counsel).

PLEASE TAKE FURTHER NOTICE that, if no objections are received by the Objection Deadline, the Court may approve the Stipulation without further notice.

PLEASE TAKE FURTHER NOTICE that if an objection is timely filed by the Objection Deadline, the Court will notify the Reorganized Debtors and the objecting parties of the date and time of the hearing with respect to the Stipulation and the Reorganized Debtors' obligation to notify all other parties entitled to receive notice. The Debtors and any objecting parties are required to attend the hearing in accordance with General Order M-543 (which can be found at <http://www.nysb.uscourts.gov>), and failed to attend may result in relief being granted to denied upon default.

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

Dated: New York, New York
February 25, 2022

/s/ Evan R. Fleck
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*Counsel for Debtors and
Reorganized Debtors*

Annex A

Stipulation

**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

**STIPULATION AND AGREED ORDER EXTENDING THE ADMINISTRATIVE
BAR DATE WITH RESPECT TO CERTAIN CLAIMS AND RELATED RELIEF**

This stipulation and agreed order (the “Stipulation and Order”) is entered into by and among the above-referenced debtors and reorganized debtors (the “Reorganized Debtors”) and each of the parties set forth in **Exhibit A** hereto as aircraft counterparties (“Aircraft Counterparties”). The Reorganized Debtors and Aircraft Counterparties collectively are referred to in this Stipulation and Order as the “Parties,” and each as a “Party.” Capitalized terms not otherwise defined herein shall be given the meanings ascribed to them in the Plan (as defined below). The Parties hereby stipulate and agree as follows:

¹ The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtor’s and Reorganized Debtor’s federal tax identification number (to the extent applicable), are as follows: Avianca Holdings S.A. (N/A); Aero Transporte de Carga Unión, S.A. de C.V. (N/A); Aeroinversiones de Honduras, S.A. (N/A); Aerovías del Continente Americano S.A. Avianca (N/A); Airlease Holdings One Ltd. (N/A); America Central (Canada) Corp. (00-1071563); America Central Corp. (65-0444665); AV International Holdco S.A. (N/A); AV International Holdings S.A. (N/A); AV International Investments S.A. (N/A); AV International Ventures S.A. (N/A); AV Investments One Colombia S.A.S. (N/A); AV Investments Two Colombia S.A.S. (N/A); AV 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.

RECITALS

WHEREAS, on October 24, 2021, the Debtors filed their *Further Modified Joint Chapter 11 Plan of Avianca Holdings S.A. and its Affiliated Debtors* [Docket No. 2259] (the “Plan”).

WHEREAS, 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] (the “Confirmation Order”).

WHEREAS, the Effective Date of the Plan occurred 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].

WHEREAS, in accordance with the Confirmation Order, the bar date for administrative claims (the “Administrative Bar Date”) has been set for **March 8, 2022**.

WHEREAS, pursuant to Article VII.F of the Plan, the Debtors have until 180 days after the Effective Date or on such later date as may be fixed by the Bankruptcy Court to serve an objection (the “Objection Deadline”) to any Proofs of Claim.

WHEREAS, Aerovías del Continente Americano S.A. Avianca, as lessee, and Aircraft Counterparties are parties to prepetition aircraft lease agreements with respect to aircraft bearing manufacturer’s serial numbers (“MSNs”) 1208, 1224, 1279, 1342, and 1400 (each an “Aircraft” and collectively, the “Aircraft”).

WHEREAS, the Reorganized Debtors intend to continue to operate the Aircraft bearing MSN 1400 through April 30, 2022 (the “April 30 Rejection Date”), and intend to continue to operate the Aircraft bearing MSNs 1208, 1279, and 1342 through June 15, 2022 (the “June 15 Rejection Date”, and together with the April 30 Rejection Date, the “Rejection Date”). [Docket

No. 2378, Schedule F – Schedule of PBH Agreement Extensions and Rejection of Aircraft Leases].

WHEREAS, the Aircraft bearing MSN 1224 was deemed rejected as of December 1, 2021 pursuant to Article VI.A of the Plan [Docket No. 2378, Exhibit G].

WHEREAS, the Parties desire to enter into this Stipulation and Order to (a) extend the Administrative Bar Date for the Aircraft Counterparties with respect to the Aircraft bearing MSNs 1208, 1279, 1342, and 1400 to the date that is sixty (60) days following the relevant Rejection Date; (b) extend the Administrative Bar Date for the Aircraft Counterparties with respect to the Aircraft bearing MSN 1224 to the date that is forty-five (45) days following the Administrative Bar Date; and (c) extend the Objection Deadline to respond to (i) any such administrative claims and (ii) rejection damage claims for MSNs 1208 and 1279, filed by an Aircraft Counterparty to the date that is sixty (60) days after the applicable, extended Administrative Bar Date.

NOW, THEREFORE, UPON THE FOREGOING RECITALS, WHICH ARE INCORPORATED AS THOUGH FULLY SET FORTH HEREIN, IT HEREBY IS STIPULATED AND AGREED, BY AND BETWEEN THE PARTIES AND, UPON THIS COURT'S APPROVAL HEREOF, IT SHALL BE FOUND AND ORDERED AS FOLLOWS:

1. This Stipulation and Order shall be immediately effective and enforceable upon its entry.
2. The Administrative Bar Date shall be extended through and including: (a) June 29, 2022 with respect to the Aircraft bearing MSN 1400; (b) August 14, 2022 with respect to the Aircraft bearing MSNs 1208, 1279, and 1342; and (c) April 22, 2022 with respect to the Aircraft bearing MSN 1224.
3. The Objection Deadline is extended through and including sixty (60) days after each of the respective extended Administrative Bar Dates in respect of the applicable Aircraft;

provided, however, that nothing herein shall extend the Objection Deadline with respect to rejection damage claims concerning MSN 1224.

4. Each of the Parties to the Stipulation and Order represents and warrants it is duly authorized to enter into and be bound by this Stipulation and Order.

5. This Stipulation and Order and all its terms and conditions shall inure to the benefit of, and be binding on, the Parties hereto and their respective successors and assigns and no third-party rights shall be created hereunder.

6. This Stipulation shall not be modified, altered, amended, or vacated without the written consent of all Parties hereto.

7. The extension of the Objection Deadline is without prejudice to both (a) the Reorganized Debtors' right to seek a further extension of the Objection Deadline; and (b) the Aircraft Counterparties' rights to seek further extension of the Administrative Bar Date.

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

IN WITNESS WHEREOF, this Stipulation has been executed and delivered as of the day
and year first below written.

Dated: February 25, 2022

By: /s/ Evan R. Fleck
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Dated: February 25, 2022

By: /s/ Brian Smith
Nathan Leavitt
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-and-

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*Attorneys for Debtors and Reorganized
Debtors*

SO ORDERED:

Dated: _____, 2022
New York, New York

THE HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

Aircraft Counterparties

<u>MSN</u>	<u>Aircraft Counterparty</u>
1224	Wells Fargo Trust Company, National Association, not in its individual capacity, but solely as owner trustee with respect to MSN 1224
1400	Wells Fargo Trust Company, National Association, not in its individual capacity, but solely as owner trustee with respect to MSN 1400
1208	Wells Fargo Trust Company, National Association, not in its individual capacity, but solely as owner trustee with respect to MSN 1208
1279	Wells Fargo Trust Company, National Association, not in its individual capacity, but solely as owner trustee with respect to MSN 1279
1342	Wells Fargo Trust Company, National Association, not in its individual capacity, but solely as owner trustee with respect to MSN 1342