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in Possession*

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

In re:

PHILIPPINE AIRLINES, INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 21-11569 (SCC)

**NOTICE OF COMMENCEMENT OF  
CHAPTER 11 CASES AND FIRST DAY HEARING**

**PLEASE TAKE NOTICE** that on September 3, 2021 (the “**Petition Date**”), Philippine Airlines, Inc., (“**PAL**”), as debtor and debtor in possession in the above-captioned chapter 11 cases (collectively, the “**Debtor**”), filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the “**Bankruptcy Code**”) with the United States Bankruptcy Court for the Southern District of New York (the “**Court**”).

**PLEASE TAKE FURTHER NOTICE** that a hearing (the “**First Day Hearing**”) has been scheduled for **September 9, 2021 at 10:30 a.m. (Prevailing Eastern Time)** before the **Honorable Judge Shelley C. Chapman, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004**, in order to consider, among other things, the relief requested by the Debtor in the **First Day Pleadings** (as defined below). **In light of COVID-19, the First Day Hearing will only be conducted telephonically.**

<sup>1</sup> 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.



**PLEASE TAKE FURTHER NOTICE** that parties wishing to participate in the First Day Hearing must make arrangements through Court Solutions LLC ([www.court-solutions.com](http://www.court-solutions.com)). Instructions to register for Court Solutions LLC are attached to General Order M-543.

**PLEASE TAKE FURTHER NOTICE** copies of each pleading identified below 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) from the Debtor's proposed notice and claims agent, Kurtzman Carson Consultants LLC ("KCC"), located at 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245, at [www.kccllc.net/PAL](http://www.kccllc.net/PAL) or by calling +1 (310) 751-2671 (International) or +1 (866) 967-0671 (U.S./Canada toll-free). Note that a PACER password is needed to access documents on the Court's website.

**PLEASE TAKE FURTHER NOTICE** that the First Day Hearing may affect your rights. Please read the below motions and applications to be heard at the First Day Hearing (the "**First Day Pleadings**") carefully and, if you have one available, discuss them with your attorney. (If you do not have an attorney, you should consider consulting with one.)

**PLEASE TAKE FURTHER NOTICE** that if you oppose the relief requested in the First Day Pleadings, or if you want the Court to hear your position on the First Day Pleadings, then you or your attorney must attend the First Day Hearing. If you or your attorney do not follow the foregoing steps, the Court may decide that you do not oppose the relief requested in the First Day Pleadings and may enter orders granting the relief requested by the Debtor.

**PLEASE TAKE FURTHER NOTICE** that an agenda for the First Day Hearing is set forth below.

## **AGENDA FOR FIRST DAY HEARING**

### **I. Introduction.**

### **II. Motions and Applications to be Heard at the First Day Hearing**

1. **Claims and Noticing Agent Application.** Debtor's Application for Entry of an Order Appointing Kurtzman Carson Consultants LLC as Claims and Noticing Agent for the Debtor Pursuant to 28 U.S.C. § 156(c), 11 U.S.C. § 105(a) and S.D.N.Y. LBR 5075-1 *Nunc Pro Tunc* to the Petition Date. ECF No. 2.
2. **Consolidated Creditor List.** Debtor's Motion for Entry of an Order (I) Waiving the Requirement to File a List of Creditors and Authorizing Preparation of a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix and (II) Establishing Procedures for Notifying Creditors of the Commencement of the Debtor's Chapter 11 Case. ECF No. 3.
3. **Motion to Extend Time to File Schedules.** Debtor's Motion for Entry of an Order Extending Time to File Schedules, Statements of Financial Affairs and Rule 2015.3 Financial Reports. ECF No. 4.
4. **Customer Programs.** Debtor's Motion for Entry of Interim and Final Orders Authorizing (A) Debtor to Honor Prepetition Obligations to Customers and Related Third

Parties and to Otherwise Continue Customer Programs in the Ordinary Course of Business, (B) Debtor to Honor Commercial Agreements and to Otherwise Continue Commercial Contracts in the Ordinary Course of Business, and (C) Financial Institutions to Honor and Process Checks and Transfers Related to the Relief Requested Herein. ECF No. 5.

5. **Insurance.** Debtor's Motion for Entry of Interim and Final Orders Authorizing (I) the Debtor to Continue and Renew Its Liability, Property, Casualty and Other Insurance Policies and Honor all Obligations in Respect Thereof and (II) Financial Institutions to Honor and Process Related Checks and Transfers. ECF No. 6.
6. **Taxes.** Debtor's Motion for Entry of an Order (A) Authorizing, But Not Requiring, the Debtor to Remit and Pay Sales, Use and Franchise Taxes and Certain Other Government Charges and (B) Authorizing Banks and Other Financial Institutions to Receive, Process, Honor, and Pay Checks Issued and Electronic Payment Requests Made Relating to the Foregoing. ECF No. 7.
7. **Goods and Services.** Debtor's Motion for Entry of an Order (I) Granting Administrative Expense Status to Debtor's Undisputed Obligations to Vendors Arising from the Postpetition Delivery of Goods and Services Ordered Prepetition and (II) Authorizing Debtor to Pay Undisputed Postpetition Obligations in the Ordinary Course of Business. ECF No. 8.
8. **Derivative Contracts.** Debtor's Motion for Interim and Final Orders for Authority to Enter Into, Continue Performance and Provide Credit Support under Hedging and Derivative Contracts. ECF No. 9.
9. **Motion to Enforce Automatic Stay.** Debtor's Motion for Entry of an Order Confirming (I) Authority to Operate Its Business in the Ordinary Course and (II) Implementation of the Automatic Stay. ECF No. 10.
10. **Appointment of Foreign Representative.** Debtor's Motion for Entry of an Order (I) Authorizing Ian F. Reid to Act as Foreign Representative and (II) Granting Related Relief. ECF No. 11.
11. **Employee Wages.** Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to (A) Pay Certain Employee Wages and Other Compensation and Related Obligations and, (B) Maintain and Continue Employee Benefits and Programs in the Ordinary Course, and (II) Authorizing and Directing Applicable Banks to Honor all Checks and Transfers Related to Such Obligations. ECF No. 12.
12. **Cash Management.** Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Debtor to Maintain and Use Existing Cash Management Systems, Bank Accounts and Business Forms; (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; (III) Waiving Compliance with Section 345 of the Bankruptcy Code; and (IV) Granting Related Relief. ECF No. 13.

13. **Critical and Foreign Vendors.** Debtor's Motion for Interim and Final Orders (I) Authorizing, But Not Directing, the Debtor to Pay Certain Prepetition Claims of Critical Vendors and Foreign Vendors and (II) Authorizing and Directing Financial Institutions to Honor and Process Related Checks and Transfers. ECF No. 14.
14. **DIP Financing.** Debtor's Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (A) Authorizing the Debtor to Obtain Postpetition Financing; (B) Granting Liens and Superpriority Administrative Expense Claims; (C) Granting Adequate Protection to the Bridge Lender; (D) Modifying the Automatic Stay; (E) Scheduling a Final Hearing; and (F) Granting Related Relief. ECF No. 15.

### **III. Related Pleadings**

15. **DIP Declaration.** Declaration of Douglas Walker in Support of Debtor's Motion for Entry of Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (A) Authorizing the Debtor to Obtain Postpetition Financing; (B) Granting Liens and Superpriority Administrative Expense Claims; (C) Granting Adequate Protection to the Bridge Lender; (D) Modifying the Automatic Stay; (E) Scheduling a Final Hearing; and (F) Granting Related Relief. ECF No. 16.
16. **First Day Declaration.** Declaration of Nilo Thaddeus Rodriguez, Chief Financial Officer of the Debtor, in Support of First Day Motions and Applications. ECF No. 25.

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**17. Amended Top 40 List.** Amended List of Creditors Who Have the 40 Largest Unsecured Claims and Are Not Insiders. ECF No. 26.

Dated: September 6, 2021  
New York, New York

DEBEVOISE & PLIMPTON LLP

By: /s/ Jasmine Ball

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