

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

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 In re: : Chapter 11  
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 AVIANCA HOLDINGS S.A., *et al.*,<sup>1</sup> : Case No. 20-11133 (MG)  
 :  
 Debtors and Reorganized Debtors. : (Jointly Administered)  
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**ORDER GRANTING THE REORGANIZED DEBTORS’ SIXTEENTH OMNIBUS  
 OBJECTION TO PROOFS OF CLAIM**

Upon the *Reorganized Debtors’ Sixteenth Omnibus Objection to Proofs of Claim* (the “Sixteenth 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 Sixteenth Omnibus

<sup>1</sup> The Debtors and Reorganized Debtors in these chapter 11 cases, and each Debtors’ 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.

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



Claims Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Sixteenth 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 Sixteenth 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 Sixteenth Omnibus Claims Objection is granted as set forth herein.
2. Each Unliquidated and Contingent Claim identified in **Schedule 2** attached hereto is disallowed to the extent set forth in **Schedule 2**. Each Reduced Claim identified in **Schedule 4** attached hereto is reduced and allowed to the extent set forth in **Schedule 4**.
3. Each Superseded Claim identified in **Schedule 8** attached hereto and each Cross-Debtor Duplicate Claim identified in **Schedule 9** attached hereto is disallowed in its entirety.
4. 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 to relief granted herein.
5. Any response to the Sixteenth Omnibus Claims Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
6. 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.

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

**IT IS SO ORDERED.**

Dated: December 14, 2022  
New York, New York

/s/ Martin Glenn  
MARTIN GLENN  
Chief United States Bankruptcy Judge

**Schedule 2 to Order**

**Unliquidated and Contingent Claims**

UNLIQUIDATED AND CONTINGENT CLAIMS <sup>1</sup>					
Claimant's Name	Claim & Debtor Claim Is Asserted Against	Claim Class Category	Asserted Claim Amount <sup>2</sup>	Portion of Claim Invalidated	Reason for Disallowance
DEUTSCHE BANK AG, NEW YORK BRANCH	Claim No. 1528 Aero Transporte de Carga Union, S.A. de C.V.	Administrative Priority Secured Priority General Unsecured	Unliquidated \$0.00 \$0.00 Unliquidated	Administrative Priority / General Unsecured	Unliquidated Claim
DEUTSCHE BANK AG, NEW YORK BRANCH	Claim No. 1622 Grupo Taca Holdings Limited	Administrative Priority Secured Priority General Unsecured	Unliquidated \$0.00 \$0.00 Unliquidated	Administrative Priority / General Unsecured	Unliquidated Claim

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

**Schedule 4 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
Marriott Hotel Services, Inc., as Manager of	Claim No. 519 Avianca Holdings S.A.	Administrative Priority	\$0.00	\$0.00	Claim amount reduced due to improper inclusion of amounts for services not provided
		Secured	\$0.00	\$0.00	
		Priority	\$0.00	\$0.00	
		General Unsecured	\$145,644.57	\$64,111.68	

<sup>1</sup>See Sixteenth Omnibus Claims Objection at ¶¶22-23.

**Schedule 8 to Order**

**Superseded Claims**



<b>SUPERSEDED 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 of Claim</b>	<b>Name of Debtor Against Which Surviving Proof of Claim is Asserted</b>
DEUTSCHE BANK AG, NEW YORK BRANCH	1484	Not Less than \$1,600,000.00 <sup>2</sup>	4084	Avianca-Ecuador S.A.
DEUTSCHE BANK AG, NEW YORK BRANCH	1491	Not Less Than \$1,283,452.09 <sup>2</sup>	4095	Taca International Airlines S.A.
DEUTSCHE BANK AG, NEW YORK BRANCH	1505	Not Less Than \$5,932,442.47 <sup>2</sup>	4093	Avianca Holdings S.A.
DEUTSCHE BANK AG, NEW YORK BRANCH	1507	\$4,495,811.47 <sup>2</sup>	4094	Aerovías del Continente Americano S.A. Avianca

<sup>1</sup> See Sixteenth Omnibus Claims Objection at ¶¶29-30.

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

**Schedule 9 to Order**

**Cross-Debtor Duplicate Claims**

<b>CROSS-DEBTOR DUPLICATE CLAIMS<sup>2</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 Against Which Surviving Proof of Claim is Asserted</b>
DEUTSCHE BANK AG, NEW YORK BRANCH	4084	\$1,600,000.00 <sup>2</sup>	4093	Avianca Holdings S.A.
DEUTSCHE BANK AG, NEW YORK BRANCH	4094	Not Less Than \$4,969,997.39 <sup>2</sup>	4093	Avianca Holdings S.A.
DEUTSCHE BANK AG, NEW YORK BRANCH	4095	Not Less Than \$1,793,452.09 <sup>2</sup>	4093	Avianca Holdings S.A.

<sup>2</sup> See Sixteenth Omnibus Claims Objection at ¶¶31-32.

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