UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re: CHC GROUP LTD., *et al.*, Debtors.	Chapter 11 Case No. 16-31854 (BJH) (Jointly Administered)
ECN CAPITAL (AVIATION) CORP., Plaintiff, v. AIRBUS HELICOPTERS SAS, Defendant.	Adv. Pro. No. 16-3151 (BJH)

UNOPPOSED MOTION OF DEFENDANT AIRBUS HELICOPTERS SAS TO SET TIME TO FILE ANSWER OR OTHER RESPONSIVE PLEADING

TO THE HONORABLE BARBARA J. HOUSER,
CHIEF UNITED STATES BANKRUPTCY JUDGE:

COME NOW, Defendant Airbus Helicopters SAS ("AH" or "Defendant") and, without waiver of any FRBP 7012 or FRCP 12 defense or any other objection, including objection to the Court's jurisdiction and the right to refuse to consent to entry of final orders, files this Unopposed Motion to Set Time to File Answer or Other Responsive Pleading (this "Motion") as follows:

RELEVANT FACTUAL BACKGROUND

1. On November 17, 2016, ECN Capital (Aviation) Corp. (the "Plaintiff") commenced this adversary proceeding against AH by filing a complaint [Adv. Pro. Docket No. 1] (the "Complaint") against AH in this Court, the United States Bankruptcy Court for the Northern District of Texas (the "Court").

2. Plaintiff attempted to serve AH with the Summons and Complaint on November 18, 2016. AH does not agree that the attempt to serve AH was proper. If that service was proper, AH's answer or response would be due on December 17, 2016.[1] However, AH has agreed to waive formal service of the Complaint, and Plaintiff and AH have agreed on January 3, 2017 as a deadline for AH to file an answer or other responsive pleading, with all defenses and objections preserved, except as to service of process.

REQUEST FOR RELIEF

3. AH respectfully requests that the Court enter an order setting January 3, 2017 as the deadline for AH to answer or otherwise respond to the Complaint, without waiver of any defense, right or remedy of AH, whether at law or equity, with the sole exception that Airbus waives service of the Summons and Complaint. Counsel for the Plaintiff has consented to such relief.

WHEREFORE, PREMISES CONSIDERED, without waiver of any defense, right or remedy or the right to refuse to consent to entry of final orders, and without consent to jurisdiction, Defendant Airbus Helicopters SAS respectfully requests that the Court enter an order granting the relief sought herein.

[1] Since December 17, 2016 is a Saturday, the deadline for AH to file an answer or otherwise respond to the Complaint is automatically extended to Monday, December 19, 2016 by operation of Rule 9006(a)(1)(C) of the Federal Rules of Bankruptcy Procedure. *See* FED. R. BANKR. P. 9006(a)(1)(C).

Dated: December 16, 2016.

Respectfully submitted,

HIERSCHE, HAYWARD,
DRAKELEY & URBACH, P.C.

By: /s/ *Jason M. Katz*
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Attorneys for Defendant Airbus Helicopters SAS

CERTIFICATE OF CONFERENCE

I hereby certify that on December 9, 12 and 15, 2016, I conferred with Martin Flumenbaum, counsel for the Plaintiff, and he is in agreement with the relief sought herein.

/s/ Eric C. Strain
Eric C. Strain

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on December 16, 2016, a true and correct copy of the above and foregoing document was filed with the court via CM/ECF and served on all parties requesting electronic notification.

/s/ Jason M. Katz
Jason M. Katz

UNITED STATES BANKRUPTCY COURT
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ECN CAPITAL (AVIATION) CORP., Plaintiff, v. AIRBUS HELICOPTERS SAS, Defendant.	Adv. Pro. No. 16-3151 (BJH)

ORDER GRANTING UNOPPOSED MOTION OF DEFENDANT AIRBUS HELICOPTERS SAS TO SET TIME TO FILE ANSWER OR OTHER RESPONSIVE PLEADING

CAME ON FOR CONSIDERATION, the *Unopposed Motion of Defendant Airbus Helicopters SAS to Set Time to File Answer or Other Responsive Pleading* (the "Motion") filed by

Defendant Airbus Helicopters SAS (the "AH" or "Defendant"). The Court finds that notice of the Motion is proper. Based upon the statements in the Motion and the agreement of the parties, the Court finds that good cause exists to grant the Motion. It is therefore:

ORDERED, ADJUDGED AND DECREED that the Motion is hereby **GRANTED;** and it is

FURTHER ORDERED, ADJUDGED AND DECREED that the deadline for Defendant to file an answer or other responsive pleading to the Complaint is hereby set as January 3, 2017, and that neither the Motion nor this Order shall be construed to be a waiver of any defense, right or remedy to be asserted herein by Defendant, whether at law or equity, including the right to refuse to consent to final orders and any objection to the Court's jurisdiction over AH, with the sole exception that AH waives personal service of the Complaint.

 # # # End of Order # # #

SUBMITTED BY:

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