Docket #0047 Date Filed: 09/09/2021

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	Chapter 11
PHILIPPINE AIRLINES, INC.,[1]	Case No. 21-11569 (SCC)
Debtor.	

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

Upon the motion (the "**Motion**")[2] of the above-captioned debtor and debtor in possession (the "**Debtor**") for entry of an order pursuant to section 105 of the Bankruptcy Code (the "**Order**") (a) waiving the requirement to file a list of creditors, co-debtors and parties to executory contracts on the Petition Date as required by section 521(a)(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1), Local Rules 1007-1 and 5075-1 and the Standing Orders (collectively, the "**Notice Rules**"), and authorizing the Debtor to prepare an electronic list of creditors in lieu of submitting a formatted mailing matrix; and (b) authorizing the implementation of certain procedures for notifying creditors of the commencement of the chapter 11 case and the meeting of creditors to be held pursuant to section 341 of the Bankruptcy Code, all as set forth more fully in the Motion; and the Court having jurisdiction to consider the motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.); and consideration of

[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] Each capitalized term used herein but not otherwise defined herein shall have the meaning ascribed to it in the Motion.

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the Motion and the relief requested therein being a core proceeding under 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to the Notice Parties, and no other or further notice need be provided; and the Court having reviewed the Motion and held a hearing to consider the relied requested in the Motion on a final basis (the "**Hearing**"); and upon the First Day Declaration and the record of the Hearing; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and the Court having determined that the relief granted herein is in the best interest of the Debtor, its estate, the creditors and all parties in interest; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The relief requested in the Motion is hereby granted on a final basis as set forth herein.

2. The requirement under section 521(a)(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1), Local Bankruptcy Rule 1007-1 and the Standing Orders to file with the petition a list containing the name and address of certain creditors, counterparties to executory contracts and unexpired leases and co-debtors is waived; *provided* that this waiver does not otherwise affect the Debtor's obligations to file schedules of executory contracts and unexpired leases and co-debtors pursuant to section 521 of the Bankruptcy Code or Bankruptcy Rule 1007.

3. As soon as practicable after entry of an order authorizing the engagement of Kurtzman Carson Consultants LLC (the "**Notice and Claims Agent**"), the Debtor shall provide

to the Notice and Claims Agent a list of creditors and last known addresses of the Debtor's creditors.

4. The Debtor, with the assistance of the Notice and Claims Agent, is directed to mail notice of the commencement of this chapter 11 case and of the Section 341 Meeting (the "**Notice of Commencement**") to all creditors on the Debtor's list of creditors at least 21 days prior to the date on which the Section 341 Meeting is to be held.

5. The form of Notice of Commencement, substantially in the form of notice annexed to the Motion as **Exhibit B**, is approved.

6. The Debtor shall cause publication of the Notice of Commencement in English substantially in the form of the notice annexed to the Motion as **Exhibit B** (a) once in the national editions of the *New York Times*, *USA Today* and/or a comparable newspaper with national/international circulation and in the *Philippine Daily Inquirer* and (b) on the website to be established by the Notice and Claims Agent and on the Debtor's website, at least 21 days prior to the date on which the Section 341 Meeting is to be held. Such form and manner of publication notice is hereby approved and authorized pursuant to Bankruptcy Rule 2002(*l*).

7. All forms of notice provided by the Motion are reasonably calculated to inform interested parties of this chapter 11 case.

8. Any Bankruptcy Rule (including Bankruptcy Rule 6004(h)) or Local Rule that might delay the effectiveness of this Order is hereby waived, and the terms and conditions of this Order shall be effective immediately and enforceable upon its entry.

9. The contents of the Motion and the notice procedures set forth therein are good and sufficient notice and satisfy the Bankruptcy Rules and the Local Bankruptcy Rules for the

Southern District of New York, and no other or further notice of the Motion or the entry of this Order shall be required.

10. The Debtor is authorized to take all such actions as are necessary or appropriate to implement the terms of this Order.

11. The Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: September 9, 2021
New York, New York

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