



SO ORDERED: March 01, 2005.

Basil H. Lorch III
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re: : Chapter 11
: :
ATA HOLDINGS CORP., *et al.*, : Case No. 04-19866
: (Jointly Administered)
: :
Debtors. : :
: :
: :

**ORDER GRANTING MOTION, PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 60(B) AND FEDERAL RULE OF BANKRUPTCY PROCEDURE
9006(b)(1), FOR RELIEF FROM NOTICE REGARDING MAXIMUM CURE AMOUNTS
(#504), AND ANY ORDER(S) ATTENDANT THERETO, TO PERMIT CELESTE
INDUSTRIES CORPORATION TO FILE OBJECTION TO CURE NOTICE SO AS TO
REQUIRE DEBTORS TO PROVIDE A FULL CURE OF ANY AND ALL DEFAULTS
UNDER CABIN SUPPLIES CONTRACT PRIOR TO ASSUMPTION OR ASSIGNMENT
OF CONTRACT**

This matter came before the Court on the January 21, 2005 “Motion Pursuant To Federal Rule Of Civil Procedure 60(b) And Federal Rule Of Bankruptcy Procedure 9006(b)(1), For Relief From Notice Regarding Maximum Cure Amounts And Any Order(s) Attendant Thereto, To Permit Celeste Industries Corporation To File Objection To Cure Notice So As To Require The Debtors To Provide A Full Cure Of Any And All Defaults Under Cabin Supplies

Contract Prior To Assumption Or Assignment Of Contract” (the “Motion”)¹, filed by Celeste Industries Corporation. And this Court, having considered the Motion and all pleadings related thereto heretofore filed, and this Court having jurisdiction to consider the Motion, and venue being appropriate, and notice of the Motion having been adequate, and the relief requested by the Motion being warranted, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

2. The Cure Notice, and any other notices, pleadings, filings or Orders of this Court related thereto is hereby vacated, only to the extent necessary to permit Celeste to: (i) object to the Cure Notice within ten (10) days of the entry hereof; (ii) assert any cure, administrative, “rejection damages,” unsecured or other claims in the future; and (iii) to preserve and assert any and all rights of Celeste under the Bankruptcy Code and/or otherwise.

3. Celeste may, but is not required to, file an objection to the Cure Notice within ten (10) days of the date of the entry of this Order. If Celeste files such objection to Cure Notice before the deadline stated in this paragraph: (i) the Debtors shall not protest any such objection as time-barred; and (ii) Celeste shall be entitled to a determination by this Court of any amounts to which Celeste is entitled under 11 U.S.C. § 365(b) and otherwise, in the event Debtors seek to assume or assume and assign the Contract.

4. This Court shall retain jurisdiction over all matters related to the Cure Notice, the Motion and this Order.

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Submitted by:
John M. Rogers
RUBIN & LEVIN, P.C.
500 Marott Center
342 Massachusetts Avenue
Indianapolis, IN 46204
(317) 634-0300
FAX: (317) 263-9411

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 0756-1
Case: 04-19866

User: cathy
Form ID: pdfOrder

Page 1 of 1
Total Served: 1

Date Rcvd: Mar 01, 2005

The following entities were served by first class mail on Mar 03, 2005.
aty +John M. Rogers, Rubin & Levin, PC, 500 Marott Center, 341 Massachusetts Ave.,
Indianapolis, IN 46204-2108

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2005

Signature:

