



SO ORDERED: April 06, 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., <sup>1</sup> | ) | Case No. 04-19866      |
|  | ) | (Jointly Administered) |
| Debtors.                                 | ) |                        |

**AGREED ORDER**

This matter is before the Court upon the Motion for Relief from Automatic Stay (the "Motion") filed on behalf of Ronald Callahan ("Callahan") on February 9, 2005, due notice having been given and the Court being otherwise duly advised, now GRANTS the Motion, it appearing to the Court that the request has been made for good cause. Accordingly,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is GRANTED.

<sup>1</sup> The Debtors are the following entities: ATA Holdings Corp. (04-19866), ATA Airlines, Inc. (04-19868), Ambassadair Travel Club, Inc. (04-19869), ATA Leisure Corp. (04-19870), Amber Travel, Inc. (04-19871), American Trans Air Execujet, Inc. (04-19872), ATA Cargo, Inc. (04-19873), and Chicago Express Airlines, Inc. (04-19874).

2. The automatic stay in the above captioned matter is hereby modified to allow movant, Callahan, to proceed to prosecute his cause of action in the Circuit Court of Cook County, State of Illinois, Case No. 04 L 5499 against the debtors, ATA Airlines, Inc. and ATA Holdings Corp (the “Illinois State Court Action”).

3. To the extent only that Callahan is found to be entitled to any relief in the Illinois State Court Action, such relief shall be limited to compensatory damages and costs only. Callahan shall not seek any punitive damages in the Illinois State Court Action. Callahan shall collect all such compensatory damages and costs that may become due to him as a result of the Illinois State Court Action only from the insurance proceeds available from Debtors’ applicable insurance policies, if any. No monetary claims, including claims for punitive damages, shall be adjudged against the Debtors, and no collection or other actions to collect any amounts from the Debtors or their bankruptcy estates will be pursued in the Illinois State Court Action.

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Requested By:

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