

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.	)	

**MOTION TO SHORTEN NOTICE ON  
DEBTORS' THIRD MOTION FOR ENTRY OF AN ORDER EXTENDING TIME TO  
ASSUME OR REJECT UNEXPIRED LEASES OF NONRESIDENTIAL REAL  
PROPERTY ON SHORTENED NOTICE TO AND INCLUDING THE EARLIER OF  
JULY 5, 2005, OR THE DATE ON WHICH A PLAN OF REORGANIZATION IS  
CONFIRMED**

---

The above-captioned debtors and debtors in possession (collectively, the "Debtors") hereby move (the "Motion") this Court for an order (the "Order"), substantially in the form attached hereto as Exhibit A, pursuant to 11 U.S.C. §105(a) and Rules 2002(m) and 9007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") shortening notice of Debtors' Third Motion For Entry Of An Order Extending Time To Assume Or Reject Unexpired Leases Of Nonresidential Real Property On Shortened Notice To And Including The Earlier Of July 5, 2005, Or The Date On Which A Plan Of Reorganization Is Confirmed (the "Extension Motion") and scheduling the Extension Motion for hearing on May 3, 2005.

In support of the Motion, Debtors represent as follows:

---

<sup>1</sup> The Debtors are the following entities: ATA Holdings Corp. (04-19866), ATA Airlines, Inc. (04-19868), Ambassadors 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).

## **JURISDICTION**

1. On October 26, 2004 (the "Petition Date"), each of the Debtors filed with the United States Bankruptcy Court for the Southern District of Indiana, Indianapolis Division (the "Bankruptcy Court"), its respective voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. as amended (the "Bankruptcy Code") commencing these Chapter 11 Cases. The Debtors continue to operate their businesses and manage their properties as debtors-in-possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code.

2. On November 1, 2004, the United States Trustee appointed an official committee of unsecured creditors (the "Committee") pursuant to § 1102(a)(1) of the Bankruptcy Code.

3. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court under 28 U.S.C. §§ 1408 and 1409.

4. The statutory bases for the relief sought herein is Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 2002(m) and 9007.

## **RELIEF REQUESTED/BASIS FOR RELIEF**

5. For the reasons set forth below the Debtors request that the Court enter an order shortening notice of the Extension Motion and schedule such motion for hearing on May 3, 2005.

6. Circumstances justify shortening notice of the Extension Motion. As more particularly detailed in the Extension Motion, pursuant to an Order of this Court the Debtors' currently have until May 3, 2005 to make decisions regarding whether to assume, assume and assign, or reject nonresidential real property leases. Given the size and complexity

of these cases and the fact that these cases are less than six months old, the Debtors will be unable to make fully informed decisions regarding their nonresidential real property leases by May 3, 2005. Moreover, by circumstances within the airline industry, the Debtors have been forced to reconsider earlier planning for reorganization and new planning requires review of hundreds of nonresidential real property leases.

7. In order for the Debtors to obtain the relief requested in the Extension Motion the Court must enter an order on the Extension Motion on or before May 3, 2005. Shortening notice of the Extension Motion and hearing such motion on May 3, 2005 will allow the Debtors an opportunity to obtain the relief sought in the Extension Motion.

**NO PRIOR REQUEST**

8. No prior motion for the relief requested herein has been made to this or any other Court.

WHEREFORE, Debtors request that the Court shorten notice of the Extension Motion as described herein and hear such motion on May 3, 2005.

Respectfully submitted,

BAKER & DANIELS LLP

By: /s/ Jeffrey C. Nelson

Attorneys for the Debtors and Debtors-in-Possession

James M. Carr (#3128-49)  
Terry E. Hall (#22041-49)  
Stephen A. Claffey (#3233-98)  
Melissa M. Hinds (#24230-49)  
Jeffrey C. Nelson (#25173-49)  
300 North Meridian Street, Suite 2700  
Indianapolis, Indiana 46204  
Telephone: (317) 237-0300  
Facsimile: (317) 237-1000  
jim.carr@bakerd.com  
terry.hall@bakerd.com  
steve.claffey@bakerd.com  
melissa.hinds@bakerd.com  
jeffrey.nelson@bakerd.com

Wendy W. Ponader (#14633-49)  
Ponader & Associates, LLP  
5241 North Meridian Street  
Indianapolis, Indiana 46208  
Telephone: (317) 496-3072  
Facsimile: (317) 257-5776  
wponader@ponaderlaw.com

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served this 21<sup>st</sup> day of April, 2005, by facsimile, hand delivery or overnight mail on the Core Group, 2002 List, Appearance List, and Lessors.

/s/ Jeffrey C. Nelson