



SO ORDERED: April 05, 2006.

Basil H. Lorch III
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:)	Chapter 11
)	
ATA Holdings Corp., et al., ¹)	Case No. 04-19866-BHL-11
)	(Jointly Administered)
Debtors.)	
_____)	

ORDER RESOLVING CLAIM OBJECTIONS TO CLAIMS OF:
(A) BANC OF AMERICA COMMERCIAL FINANCE DIVISION; (B)
(B) FLEET NATIONAL BANK; AND (C) TRANSAMERICA COMMERCIAL
COMMERCIAL FINANCE DIVISION CORP. I

This cause comes before the Court on the “Amended Stipulation Resolving Claim Objections To Claims Of (A) Bank of America Commercial Finance Division; (B) Fleet National Bank; And (C) Transamerica Commercial Finance Division Corp. I” (the “Amended Stipulation”) filed by ATA Holdings Corp., ATA Airlines, Inc., ATA Leisure Corp., ATA Cargo, Inc. and American Trans Air ExecuJet, Inc. (collectively, the “Reorganized Debtors”), and Bank of America Commercial Finance Division (“BoA”), Fleet National Bank (“Fleet”) and

¹ The Debtors are the following entities: ATA Holdings Corp. (04-19866), ATA Airlines, Inc. (04-19868), Ambassador 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 C8 Airlines, Inc., f/k/a Chicago Express Airlines, Inc. (04-19874).

Transamerica Commercial Finance Division Corp. I. (“Transamerica”). In the Amended Stipulation, the parties seek to allow BoA’s claim number 1166, which relates to BoA’s damages under the tax indemnification agreement (“TIA”) for N523AT, in the amount of \$1,000,000.00, and claim number 1167, which relates to BoA’s damages under the TIA for N524AT, in the amount of \$1,000,000.00. In addition, the parties seek to allow Fleet’s claim number 1174, which relates to Fleet’s damages under the TIA for N527AT, in the amount of \$1,000,000.00 and Transamerica’s claim number 1157, which relates to Transamerica’s damages under the TIA for N528AT, in the amount of \$1,000,000.00. BoA, Fleet and Transamerica will elect treatment as class 7 allowed unsecured claims under the Reorganized Debtors’ confirmed plan of reorganization for the claims allowed herein. Finally, claim numbers 1158, 1159, 1160, 1161, 1162, 1168, 1169, 1170, 1171, 1175, 1176, 1177, 1178, and 1179 shall be withdrawn in their entirety.

The Court, having considered the relief requested in the Stipulation and being duly advised in the premises, finds that good cause exists for granting the relief requested, and that such relief is reasonable given the cost of litigating the parties’ claim disputes and that the relief requested is within the range of possible litigation outcomes.

IT IS THEREFORE CONSIDERED AND ORDERED as follows:

- A. That Claim No. 1166 hereby is and shall be allowed as a general unsecured claim in the amount of \$1,000,000.00 as BoA’s one and only claim under the TIA for N523AT.
- B. That Claim No. 1167 hereby is and shall be allowed as a general unsecured claim in the amount of \$1,000,000.00 as BoA’s one and only claim under the TIA for N524AT.
- C. That Claim No. 1174 hereby is and shall be allowed as a general unsecured claim in the amount of \$1,000,000.00 as Fleet’s one and only claim under the TIA for N527AT.

D. That Claim No. 1157 hereby is and shall be allowed as a general unsecured claim in the amount of \$1,000,000.00 as Transamerica's one and only claim under the TIA for N528AT.

E. That BoA, Fleet and Transamerica, as to the claims allowed in the Stipulation and this Order, shall elect treatment as a class 7 (unsecured creditor convenience class) allowed claim under the Reorganized Debtors' confirmed plan of reorganization.

F. That Claim Nos. 1158, 1159, 1160, 1161, 1162, 1168, 1169, 1170, 1171, 1175, 1176, 1177, 1178 and 1179 shall be withdrawn in their entirety.

G. That nothing herein shall be deemed to waive, impair or otherwise affect any rights to pursue a non-Debtor third party for any contractual or common law remedies BoA, Fleet or Transamerica may have under the leases or related agreements under the 2000 EETC transaction.

H. That the Reorganized Debtors shall withdraw any pending objections as they pertain to the claims allowed and/or withdrawn herein.

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Submitted by:
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Distribution: Core Group, 2002 Service List, Appearance List

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