

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. )

**REORGANIZED DEBTORS' OBJECTION TO CLAIMS OF KENTUCKY  
DEPARTMENT OF REVENUE AND NOTICE OF RESPONSE  
DEADLINE AND HEARING  
(Claim No. 2114 and 2189)**

The Reorganized Debtors<sup>2</sup> object (the "Objection") to claim number 2114 ("Claim 2114") and claim number 2189 ("Claim 2189") as set forth on the official claims register in these cases ([www.bmccorp.net/ATA](http://www.bmccorp.net/ATA)), filed by the Kentucky Department of Revenue (the "Claimant"), and request appropriate relief.

1. This Court has jurisdiction over this Objection under 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(B). Venue of this proceeding and this Objection is properly in this district pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory bases for the relief requested herein are 28 U.S.C. § 502 and Rule 3007 of the Bankruptcy Rules.

2. The Reorganized Debtors filed voluntary petitions for relief on October 26, 2004 (the "Petition Date"). The First Amended Joint Chapter 11 Plan For Reorganizing Debtors was confirmed January 31, 2006, and became effective on February 28, 2006.

3. The Reorganized Debtors object to the Claim 2114 has been amended and is survived by Claim 2189. The Reorganized Debtors therefore ask that the Claim 2114 be disallowed and expunged in its entirety.

4. The Reorganized Debtors object to Claim 2189 because Claimant asserts that the Reorganized Debtors owe \$3,471.42 for 2005 property taxes. This amount has been paid. Claim 2189 also asserts that the Reorganized Debtors owe another \$7,313.63. This amount is payable by Chicago Express Airlines, Inc. and is filed against the wrong debtors. It should be reduced and reclassified accordingly.

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<sup>1</sup> The Debtors means 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. (04-19874).

<sup>2</sup> ATA Holdings Corp. (04-19866); ATA Airlines, Inc. (04-19868); ATA Leisure Corp. (04-19870) American Trans Air Execujet, Inc. (04-19872), and ATA Cargo, Inc. (04-19873).

5. The Reorganized Debtors reserve the right to object to the Claim on any grounds other than the reasons given in this Objection. The Reorganized Debtors request that should an order be entered allowing the Claim, that such order be without prejudice to the Reorganized Debtors' rights and avoidance powers under sections 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, and 558 of the Bankruptcy Code or other applicable nonbankruptcy law.

6. **NOTICE.** Response to this Objection, if any, must be filed in writing or by means of the Court's electronic filing system with the Clerk's Office (PO Box 44978, Indianapolis, Indiana 46244) and served on Reorganized Debtors' counsel at the address below, on counsel for the Post-Confirmation Committee of Unsecured Creditors (Akin Gump Strauss Hauer & Feld LLP, 590 Madison Avenue, New York, NY 10022-2524, Attn: Lisa Beckerman), and the U.S. Trustee (101 W. Ohio St., Suite 1000, Indianapolis, IN 46204) so as to be received **no later than twenty-five (25) days** after the date this Objection is filed.

7. The Court will hold a pretrial status hearing on the Objection and any response(s) filed thereto on **September 7, 2006 at 10:30 a.m. EDT** in Room 310, 46 E. Ohio Street, Indianapolis, Indiana 46204. The dial-in telephone number for interested parties to participate in the hearing by conference call is 1-800-559-1261; passcode 6117474, followed by the "#" key.

WHEREFORE, the Reorganized Debtors ask that Claim 2114 be disallowed and expunged in its entirety and Claim 2189 be reduced to \$7,313.63 and reclassified as a claim payable by Chicago Express Airlines, Inc.

Respectfully Submitted,

BAKER & DANIELS LLP

By: /s/Terry E. Hall

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was served this 31st day of July, 2006, by (i) electronic mail on the Core Group, 2002 List, and the Appearance List and by (ii) first class United States Mail, postage prepaid, on the Claimant.

/s/Terry E. Hall \_\_\_\_\_