

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

**OBJECTION TO CLASS 7 TRADE CLAIMS AND NOTICE OF RESPONSE  
DEADLINE AND HEARING**

ATA Airlines, Inc. and ATA Holdings Corp. (collectively, the "Debtors") hereby file their objection (this "Objection") to the claims identified and described herein (collectively, the "Disputed Class 7 Trade Claims"):

In support of this Objection, the Debtors respectfully state as follows:

**BACKGROUND/JURISDICTION/VENUE**

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 Rules 3001 and 3007 of the Federal Rules of Bankruptcy Procedure.

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

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<sup>1</sup>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., formerly named Chicago Express 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).

### RELIEF REQUESTED

3. The Debtors respectfully requests that the Court either disallow the Disputed Class 7 Trade Claims in their entirety or allow the Disputed Class 7 Trade Claims as class 7 claims under the Plan in amounts not in excess of the reduced amounts indicated below.

### DISPUTED CLASS 7 TRADE CLAIMS

#### Puerto Rico Ports Authority (Claim Nos. 1702, 1718 and 1731)

4. The Puerto Rico Ports Authority ("PRPA") filed claim numbers 1702, 1718 and 1731, each asserting an unsecured non-priority claim against the Debtors in the amount of \$546,847.42. Claim numbers 1718 and 1731 are duplicative of claim number 1702 and should be disallowed in their entirety and expunged. The Debtors' books and records reflect a pre-Petition Date amount owed by the Debtors to PRPA of \$218,752.00. Accordingly, claim number 1702 should be reduced and allowed as a class 7 claim under the Plan in the amount of \$218,752.00.

#### Budapest Airport PLC (Claim Nos. 1215 and 1700)

5. Budapest Airport PLC ("Budapest") filed claim numbers 1215 and 1700, each asserting an unclassified claims against the Debtors in the amount of \$425,305.13. Claim number 1700 is duplicative of claim number 1215 and should be disallowed in its entirety and expunged. The Debtors' books and records reflect a pre-Petition Date amount owed by the Debtors to Budapest of \$139,281.00. Accordingly, claim number 1215 should be reduced and allowed as a class 7 claim under the Plan in the amount of \$139,281.00.

#### NCR Corporation (Claim No. 337)

6. NCR Corporation ("NCR") filed claim number 337 asserting an unsecured non-priority claim against the Debtors in the amount of \$425,499.75. The Debtors' books and records reflect a pre-Petition Date amount owed by the Debtors to NCR of \$195,044.00.

Accordingly, claim number 337 should be reduced and allowed as a class 7 claim under the Plan in the amount of \$195,044.00.

Dublin Airport Authority PLC (Claim No. 844)

7. The Dublin Airport Authority PLC ("Dublin") filed claim number 844 asserting a secured and unsecured non-priority claim against the Debtors in the total amount of \$427,524.23. The Debtors' books and records reflect that all amounts that were owed by the Debtors to Dublin have been paid and fully satisfied. Accordingly, claim number 844 should be disallowed in its entirety and expunged.

Northwest Airlines, Inc. (Claim Nos. 1051 and 1052)

8. Northwest Airlines, Inc. ("Northwest") filed claim numbers 1051 and 1052, each asserting an unsecured non-priority claim against the Debtors in the amount of \$220,352.86. Claim number 1052 is duplicative of claim number 1051 and should be disallowed in its entirety and expunged. The Debtors' books and records reflect that all amounts that were owed by the Debtors to Northwest have been paid and fully satisfied through the Airlines Clearing House ("ACH"). Accordingly, claim number 1051 should be disallowed in its entirety and expunged.

Air Transport Association of America (Claim No. 1196)

9. The Air Transport Association of America ("ATAA") filed claim number 1196 asserting an unsecured non-priority claim against the Debtors in the amount of \$178,275.00. The Debtors' books and records reflect that all amounts that were owed by the Debtors to ATAA have been paid and fully satisfied through the ACH. Accordingly, claim number 1196 should be disallowed in its entirety and expunged.

Malev Hungarian Airlines, PLC (Claim No. 579)

10. Malev Hungarian Airlines, PLC ("Malev") filed claim number 579 asserting an unsecured non-priority claim against the Debtors in the amount of \$132,591.00. The Debtors' books and records reflect that all amounts that were owed by the Debtors to Malev have been paid and fully satisfied through the ACH. Accordingly, claim number 579 should be disallowed in its entirety and expunged.

Marathon Ashland Petroleum LLC (Claim Number 1024)

11. Marathon Ashland Petroleum LLC ("Marathon") filed claim number 1024 asserting an unsecured non-priority claim against the Debtors in the amount of \$169,240.75. The Debtors' books and records do not reflect any pre-Petition Date amounts owed by the Debtors to Marathon. Accordingly, claim number 1024 should be disallowed in its entirety and expunged.

ARE s.r.l (Claim No. 1923)

12. ARE s.r.l ("ARE") filed claim number 1923 asserting an unsecured non-priority claim against the Debtors in the amount of \$146,112.28. The Debtors' books and records reflect a pre-Petition Date amount owed by the Debtors to ARE of \$44,832.00. Accordingly, claim number 1923 should be reduced and allowed as a class 7 claim under the Plan in the amount of \$44,832.00.

Kent County Dept. of Aeronautics (Claim Nos. 1795, 1190 and 1283)

13. The Kent County Dept. of Aeronautics ("Kent County") filed claim numbers 1795, 1190 and 1283 asserting claims against the Debtors (collectively, the "Kent County Claims"). The Kent County claims are for obligations arising out of the debtors alleged operations at Gerald R. Ford International Airport (the "Airport") during 2004. The Debtors ceased all operations at the Airport in 2003 and do not owe any amounts to Kent County related

to 2004. Accordingly, the Kent County Claims should be disallowed in their entirety and expunged.

Indiana Newspapers (Claim No. 172)

14. Indiana Newspapers ("Newspapers") filed claim number 172 asserting an unsecured non-priority claim against the Debtors in the amount of \$109,439.87. Claim number 172 does not provide the basis for the claim and the Debtors have not been unable to determine its basis. Accordingly, claim number 172 should be disallowed in its entirety and expunged.

Oracle Corporation (Claim Nos. 482 and 2186)

15. Oracle Corporation ("Oracle") filed claim numbers 482 and 2186, each asserting an unsecured non-priority claim against the Debtors in the amount of \$174,702.68. Claim number 482 is duplicative of claim number 2186 and should be disallowed in its entirety and expunged. The Debtors' books and records do not reflect any pre-Petition Date amounts owed by the Debtors to Marathon. Accordingly, claim number 2186 should be disallowed in its entirety and expunged.

RESERVATION OF RIGHTS

16. Further, the Debtors requests that the allowance of any Disputed Class 7 Trade Claim is without prejudice to the 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.

NOTICE

17. 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 the 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.

18. If no response is timely filed to this Objection the Court may enter an order expunging the Disputed Class 7 Trade Claims without a hearing. If a response is timely filed, 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 Debtors' respectfully request that the Court enter an Order granting the relief requested herein.

BAKER & DANIELS LLP

By: /s/ Jeffrey C. Nelson

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served this 31st day of July, 2006, by electronic mail on the Core Group, 2002 List, Appearance List, and the claimants identified herein.

/s/ Jeffrey C. Nelson