

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:) Chapter 11
)
ATA Holdings Corp., et al.,¹) Case No. 04-19866

**C8 AIRLINES, INC.'S OBJECTION TO CLAIM OF STATE OF WISCONSIN
AND NOTICE OF RESPONSE DEADLINE
(Claim No. 779)**

RESPONSE DEADLINE: 25 DAYS FROM DATE OF FILING

Debtor C8 Airlines, Inc. ("Debtor" or "C8") files this objection (the "Objection") to claim 779 (the "Claim") as set forth on the official claims register in these cases (www.bmccorp.net/ATA), filed by the State of Wisconsin (the "Claimant"), and request that the Claim be disallowed and expunged in its entirety.

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 Debtor filed a voluntary petition for relief on October 26, 2004 (the "Petition Date"). The Second Amended Plan Of Liquidation Of C8 Airlines, Inc., f/k/a Chicago Express Airlines, Inc., (the "Plan") was confirmed June 12, 2006.

3. The Debtor objects to the Claim on the grounds that the Claim is not entitled to priority status as the debt asserted is for taxes asserted to be owing excluded from priority under 11 U.S.C. § 507(a)(8).

4. The Debtor reserves the right to amend its objection to the Claim on any grounds other than the reasons given in this Objection and/or to object to any other claim filed or asserted by the Claimant.

5. **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, IN 46244) and served in writing by United States Mail or by electronic mail on (i)

¹The 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 C8 Airlines, Inc., formerly named Chicago Express Airlines, Inc. (04-19874).

Debtor's counsel, Terry E. Hall, Baker & Daniels LLP, 300 N. Meridian St., Suite 2700, Indianapolis, IN 46204, terry.hall@bakerd.com, (ii) counsel for the Unsecured Creditors' Committee, Lisa G. Beckerman, Akin Gump Strauss Hauer & Feld LLP, 590 Madison Avenue, New York, NY 10022-2524, lbeckerman@akingump.com, and (iii) 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. **IF NO RESPONSE IS FILED THE COURT MAY SUSTAIN THE OBJECTION TO THE CLAIM WITHOUT FURTHER NOTICE OR HEARING.**

6. **PRETRIAL CONFERENCE.** If a response is filed to this Objection, the Court will schedule a telephonic pretrial status hearing on the Objection and any response filed by separate notice.

WHEREFORE, the Debtor asks that the Claim be disallowed and expunged in its entirety.

BAKER & DANIELS LLP

By: /s/ Terry E. Hall

James M. Carr (#3128-49)
Terry E. Hall (#22041-49)
Stephen A. Claffey (#3233-98)
Jeffrey C. Nelson (#24173-49)
Baker & Daniels LLP
300 North Meridian Street, Suite 2700
Indianapolis, Indiana 46204
Telephone: (317) 237-0300
Facsimile: (317) 237-1000

Attorneys for C8 Airlines, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served this 28th day of February, 2008, by (i) electronic mail via the Bankruptcy Court's CM/ECF system on the U.S. Trustee, counsel for the Unsecured Creditors' Committee, parties remaining on the post-confirmation service list, and by (ii) first class United States Mail, postage prepaid, on the Claimant Wisconsin Department of Revenue, PO Box 8901, Madison, WI 53708-8901.

/s/ Terry E. Hall