

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' MOTION FOR ENTRY OF AN ORDER EXTENDING TIME TO ASSUME  
OR REJECT UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY ON  
SHORTENED NOTICE**

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' Motion For Entry Of An Order Extending Time To Assume Or Reject Unexpired Leases Of Nonresidential Real Property On Shortened Notice (the "Extension Motion") and scheduling the Extension Motion for hearing on December 21, 2004.

In support of the Motion, Debtors represents as follows:

**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")

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<sup>1</sup> The Debtors are the following entities: ATA Holdings Corp. (04-19866), ATA Airlines, Inc. (04-19868), Ambassadair Travel Club, Inc. (04-19869), ATA Leisure Corp. (04-19870), Amber Travel, Inc. (04-19871),

*Footnote continued on next page . . .*

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. No trustee or examiner has been appointed. On November 1, 2004, the United States Trustee appointed an official committee of unsecured creditors (the "UCC") 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 December 21, 2004.

6. Circumstances justify shortening notice of the Extension Motion. As more particularly detailed in the Extension Motion, the sixty-day period provided by Section 365(d)(4) of the Bankruptcy Code in which the Debtors must make decisions regarding whether to assume, assume and assign, or reject nonresidential real property leases is insufficient for the Debtors to make fully informed decisions given the size and complexity of these cases.

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American Trans Air Execujet, Inc. (04-19872), ATA Cargo, Inc. (04-19873), and Chicago Express Airlines, Inc. (04-19874).

7. The sixty-day period provided by Section 365(d)(4) of the Bankruptcy Code expires on December 27, 2004. 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 December 27, 2004. Shortening notice of the Extension Motion and hearing such motion on December 21, 2004 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 December 21, 2004.

Respectfully submitted,

BAKER & DANIELS

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 7<sup>th</sup> day of December, 2004, by electronic mail, facsimile, hand delivery or overnight mail on the Core Group, 2002 List, Appearance List, and Lessors.

/s/ Jeffrey C. Nelson