

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

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

**OBJECTION OF KENT COUNTY DEPARTMENT OF AERONAUTICS
TO NOTICE REGARDING MAXIMUM CURE AMOUNTS**

Kent County Department of Aeronautics (“KCDA”) by its attorneys, Cohen and Malad, LLP, objects to the Maximum Cure Amount as set forth in the Debtors’ Notice Regarding Maximum Cure Amounts dated November 29, 2004 (the “Notice”), and respectfully submits the following in response thereto:

1. The Debtors’ SCHEDULE REGARDING MAXIMUM CURE AMOUNTS FOR EXECUTORY CONTRACTS AND UNEXPIRED LEASES THAT MAY BE ASSUMED AND ASSIGNED attached to the Notice indicates a Maximum Cure Amount of \$130,342.71 as to KCDA.

2. The amount listed by Debtor as to KCDA is incorrect.

3. On the attached Exhibit A, the first eight items totaling \$48,036.26 were paid by Debtor to KCDA by check deposited September 13, 2004. However,

that check was dishonored and therefore the amount of \$48,036.26 is still owed to KCDA for those items.

4. The next two items on the attached Exhibit A totaling \$231.38 were paid by a check deposited by KCDA on October 11, 2004. If that check is dishonored, the amount of \$231.38 will still be owed by Debtor to KCDA for those items.

5. The next nine items on Exhibit A totaling \$58,990.71 were paid by a check deposited by KCDA on October 15, 2004. If that check is dishonored, the amount of \$58,990.71 will still be owed by Debtor to KCDA for those items.

6. The next item on Exhibit A, totaling \$104.00 was paid by a check dated October 25, 2003. If that check is dishonored, the amount of \$104.00 will still be owed by Debtor to KCDA for that item.

7.. The last 14 items on the attached Exhibit A have not been paid and there remains owing to KCDA by Debtor for those items the sum of \$98,308.16.

8. Those four items in the last category of Exhibit A in the column entitled "PAID" represent post-petition obligations of the Debtor to KCDA and have

been paid to KCDA. Thus, those amounts have been subtracted from the amount owed by Debtor to KCDA.

9. The amount necessary to satisfy and cure the pre-petition obligations of Debtor to KCDA depends upon which of the checks described above are honored and finally paid. In the event that the amounts described in paragraphs 4, 5, and 6 above are not finally paid to KCDA, the amount necessary to satisfy and cure the pre-petition obligations of Debtor to KCDA is \$205,670.51. In the event that one or more of the checks described in paragraphs 4, 5, and 6 above is honored and finally paid to KCDA, the amount necessary to satisfy and cure the pre-petition obligations of Debtor to KCDA will be reduced by the corresponding amount of the check or checks honored and finally paid. However, even if all of the checks described in paragraphs 4, 5 and 6 above are honored and finally paid to KCDA, the Debtor will owe KCDA \$ 146,344.42, an amount substantially greater than that included in the Debtor's Notice.

10. Additionally, KCDA reserves its right to object to any assignment of its agreements with the Debtors absent demonstration of adequate assurance of future performance required under Section 365 of the Bankruptcy Code.

WHEREFORE, Kent County Department of Aeronautics respectfully objects to the Notice on the grounds set forth herein and request that the Court sustain the

objection and further requests that the Court grant Kent County Department of Aeronautics all other just and proper relief.

Dated: December 10, 2004

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been duly served via the Court's electronic filing system on all of the counsel below who are registered for such service and by United States Mail, first class, postage prepaid upon the remaining counsel on December 10, 2004:

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