

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:)	Chapter 11
)	
ATA AIRLINES, INC.)	Case No. 08-03675-BHL-11
)	
Debtor)	

**DEBTOR’S SEVENTH OMNIBUS
OBJECTION PURSUANT TO FEDERAL
RULE OF BANKRUPTCY PROCEDURE
3007 TO CLAIMS THAT (I) ASSERT AN
INCORRECT PRIORITY STATUS, (II)
DO NOT COMPLY WITH APPLICABLE
FORM OR RULES, OR (III) HAVE BEEN
SATISFIED**

Hearing:	February 23, 2009 1:30 p.m. EST
Location:	103 U.S. Courthouse 121 West Spring Street New Albany, IN 47150
Telephonic Participation	
Dial-In:	(800) 446-1941
Passcode:	9992897#

Pursuant to Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), ATA Airlines, Inc. (the “Debtor”) files the Debtor’s Seventh Omnibus Objection Pursuant to Federal Rule of Bankruptcy Procedure 3007 to Claims that (i) Assert an Incorrect Priority Status, (ii) Do Not Comply with Applicable Form or Rules, or (iii) Have Been Satisfied (the “Omnibus Objection”), and respectfully represents:

Jurisdiction

1. This Court has jurisdiction to consider the Omnibus Objection pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper in this Court under 28 U.S.C. §§ 1408 and 1409.

Background

2. On April 2, 2008 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Indiana, Indianapolis Division (the “Court”).

3. Prior to the Petition Date, the Debtor operated a diversified international passenger airline that operated in two principal business segments: (a) a low cost carrier operation that provided scheduled passenger service that leveraged a code share agreement with Southwest Airlines and (b) a charter operation focusing primarily on providing charter service to the United States government/military.

4. On August 7, 2008, the Court entered an Order Granting Motion to Establish a Bar Date for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof (the “Bar Date Order”). Pursuant to the Bar Date Order, the deadline for filing a proof of claim was established as October 2, 2008 at 5:00 p.m. prevailing Eastern Time.

5. As of the filing of this Omnibus Objection, more than four thousand proofs of claim have been filed by claimants in this chapter 11 case. The Debtor has reviewed and analyzed those proofs of claim, and has determined that many of them are defective or otherwise objectionable.

6. On January 16, 2009, the Court entered an order approving (the “Customer Claims Order”) the Debtor’s Motion to Establish Procedures to Gather Supporting Information for Customer Claims Pursuant to 11 U.S.C. §§ 105(a) and 507(a)(7) (the “Customer Claims Motion”),¹ whereby the Court provided that, among other things:

¹ If not defined in this Omnibus Objection, capitalized terms are defined in the Customer Claims Motion or the Customer Claims Order.

- a. the 100 claim limitation provided for in Bankruptcy Rule 3007(e)(6) is waived for the purpose of allowing the Debtor to file the Omnibus Objection to all customer claims that the Debtor contends are subject to the Omnibus Objection;
 - b. each holder of an Unsupported Customer Claim must complete the Customer Claim Information Form (the “CCI Form”) and serve the CCI Form on the Debtor (a) by email to ATA@haynesboone.com; (b) by fax to 713-236-5490, Attn: Kourtney Lyda, Esq.; or (c) by mail to 1 Houston Center, 1221 McKinney, Ste. 2100, Houston, Texas 77010, Attn: Kourtney Lyda, Esq., so as to be received by the Debtor on or before **February 17, 2009**;
 - c. the failure to properly complete and serve a CCI Form by the February 17, 2009, deadline will result in the disallowance of the applicable proof of claim;
 - d. an initial hearing on the Omnibus Objection will be conducted on **February 23, 2009**, at 1:30 p.m. prevailing Eastern Time located at U.S. Courthouse, Room 110 at 121 West Spring Street, New Albany, Indiana (the “Initial Hearing”); and
 - e. at the Initial Hearing, the Debtor shall advise the Court (a) which Claimants failed to complete and serve a CCI Form; (b) which Claimants completed and served a CCI Form, but failed to provide sufficient information or documentation to support an allowable section 507(a)(7) claim; and (c) which Claimants completed and served a CCI Form with adequate information and documentation to support an allowable section 507(a)(7) claim.
7. A list of the objectionable proofs of claim (each a “Claim” and collectively, the “Claims”) is attached hereto as **Exhibit A**. **Exhibit A** identifies each Claim by: (i) the name of

the claimant; (ii) the date the proof of claim was filed; (iii) the official proof of claim number; (iv) the amount of the proof of claim; and (v) the proposed disposition for the proof of claim.

Relief Requested and Applicable Authority

8. By this Omnibus Objection, the Debtor is seeking, on various grounds, to (i) disallow and expunge proofs of claim asserted by Claimants that fail to complete and serve a CCI Form; (ii) set additional hearings as necessary for Claimants who complete and serve a CCI Form, but fail to provide sufficient information or documentation to support an allowable section 507(a)(7) claim; or (iii) seek entry of an order allowing proofs of claim asserted by Claimants who complete and serve a CCI Form and provide sufficient information or documentation to support an allowable section 507(a)(7) claim.

Reservation of Rights

9. The requested relief is without prejudice to any claims or causes of action belonging to the bankruptcy estate, nor does it constitute any waiver of claims or causes of action belonging to the bankruptcy estate. Additionally, the Debtor expressly reserves the right to amend, modify or supplement the Omnibus Objection, and to file additional objections, both technical and substantive, to the Claims.

No Prior Request

10. No prior request for the relief set forth herein has been made to this or any other court.

WHEREFORE, the Debtor respectfully requests entry of an order (i) sustaining the Omnibus Objection for each of the Claims as set forth on the attached **Exhibit A**, and (ii) granting such other legal and equitable relief to which the Debtor is entitled.

Dated: January 16, 2009

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