IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	)	**Chapter 11**
	)	
TWA INC. POST CONFIRMATION ESTATE,	)	**Case No. 01-00056 (PJW)**
	)	
	)	
Debtor.	)	

TWA INC. POST CONFIRMATION ESTATE'S SIXTH MOTION FOR ENTRY OF AN ORDER AUTHORIZING THE DESTRUCTION OF CERTAIN DOCUMENTS AND RECORDS

The TWA Inc. Post Confirmation Estate (the "Estate"), by and through its undersigned counsel of record, files its Sixth Motion for Entry of an Order Authorizing the Destruction of Certain Documents and Records, and in support thereof, states the following:

JURISDICTION

1. This Court has jurisdiction over this Motion under 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. §§ 157(b) (2) (A) and (O).

2. The statutory basis for relief requested herein is 11 U.S.C. §§ 105(a).

3. Pursuant to Article XVI of the Plan (defined below) this Court retained exclusive jurisdiction, inter alia: (i) to enter such orders as may be necessary or appropriate to implement or consummate the provisions of the Plan; (ii) to determine any and all motions that may be instituted by the Plan Administrator; and (iii) to issue such orders in aid of execution of the Plan.

BACKGROUND

4. On January 10, 2001, Trans World Airlines, Inc., a Delaware corporation, ("TWA") and twenty-six of its wholly-owned subsidiaries (collectively, the "Debtors") filed voluntary petitions for relief under Chapter 11 of the United States Bankruptcy Code, thereby becoming debtors in possession pursuant to 11 U.S.C. §§ 1107 and 1108.

5. On or about June 14, 2002, this Court entered an order (the "Confirmation Order") confirming the Third Amended Joint Liquidating Plan of Reorganization of the Debtors and the Official Committee of Unsecured Creditors Pursuant to Chapter 11 of the United States Bankruptcy Code (the "Plan"), and the Plan became effective on June 25, 2002 (the "Effective Date").

6. Pursuant to Article II, Section A of the Plan, on the Effective Date, the Debtors' Chapter 11 cases were substantively consolidated, and all of the Debtors' assets were transferred to the Estate, a liquidating grantor trust, for the benefit of the Debtors' creditors. All claims against the Debtors or their bankruptcy estates are to be satisfied from the assets of the single, consolidated Estate.

7. Pursuant to Article VII, Section A of the Plan, the Debtors executed the Post Confirmation Estate Agreement (the "Estate Agreement") establishing the Estate.

8. Pursuant to Section 4.3 of the Estate Agreement, the Plan Administrator is required to maintain books and records relating to the assets and income of the Estate and the payment of expenses of, and liabilities of, claims against or assumed by, the Estate in such detail and for such period of time as the Plan Administrator determines in his sole discretion may be necessary.

9. In addition, Section 4.3 of the Estate Agreement provides that all other records may be abandoned or destroyed as determined by the Plan Administrator and that all prior agreements relating to retention of records that contain retention requirements over and above these requirements are hereby terminated as of the Effective Date.

10. On or about November 6, 2006, the Estate filed its *Motion for Entry of an Order Authorizing the Destruction of Certain Documents and Records* [*Docket No. 5745*] (the "First Motion") seeking the authority to destroy certain documents being retained by the Estate.

11. An Order was entered by this Court approving the First Motion on December 5, 2006 [*Docket No. 5768*].

12. On or about May 11, 2007, the Estate filed its *Second Motion for Entry of an Order Authorizing the Destruction of Certain Documents and Records* [*Docket No. 5844*] (the "Second Motion") seeking the authority to destroy certain documents being retained by the Estate.

13. An Order was entered by this Court approving the Second Motion on June 14, 2007 [*Docket No.5859*].

14. On or about November 19, 2008, the Estate filed its *Third Motion for Entry of an Order Authorizing the Destruction of Certain Documents and Records* [*Docket No. 5988*] (the "Third Motion") seeking the authority to destroy certain documents being retained by the Estate.

15. An Order was entered by this Court approving the Third Motion on December 18, 2008 [*Docket No. 5999*].

16. On or about March 11, 2009, the Estate filed its *Fourth Motion for Entry of an Order Authorizing the Destruction of Certain Documents and Records* [*Docket No. 6013*] (the

"Fourth Motion") seeking the authority to destroy certain documents being retained by the Estate.

17. An Order was entered by this Court approving the Fourth Motion on April 22, 2009 [*Docket No.6021*].

18. On or about March 14, 2011, the Estate filed its *Fifth Motion for Entry of an Order Authorizing the Destruction of Certain Documents and Records* [*Docket No.6129*] (the "Fifth Motion") seeking the authority to destroy certain documents being retained by the Estate.

19. An Order was entered by this Court approving the Fifth Motion on April 7, 2011 [*Docket No. 6133].*

20. Since the dates of the First Motion, Second Motion, Third Motion, Fourth Motion and Fifth Motion, the Estate has: (i) adjudicated and/or resolved all claims objections; and (ii) made all distributions required of the Estate except those to be made on closing of the Estate which do not require further action by this Court. As a result, the Estate anticipates it will be in a position to file its motion for the entry of an order and final decree closing the debtors' chapter 11 cases in the near future.

21. For the reasons set forth below, the Estate requests that the Court specifically authorize, but not require, the destruction or other disposition of all remaining documents and records which the Plan Administrator determines are no longer necessary to the liquidation of the Estate, including but not limited to the following follows:

(a) All Account Payable records of the Estate;

(b) Tax records, including tax records pertaining to the original Debtors and the Estate;

(c) Corporate records pertaining to the Estate including minute books and bankruptcy court filings;

(d) General accounting records of the Estate; and

(e) All other files and records of the original Debtors or the Estate.

22. The records that are the subject of this Motion consist of numerous file boxes that and are currently being stored in warehouses in Kansas City, Missouri and St. Louis, Missouri.

23. The Estate makes this request prior to the closing of the case: (a) because the records are no longer needed by the Estate for the orderly liquidation of the Estate; (b) destruction of the records at this time will help facilitate an orderly and cost-effective destruction of records; and (c) destruction of the records at this time will allow the Estate to reduce ongoing costs for storage of the records.

24. While the Plan gives the Plan Administrator the authority to destroy files at his discretion, given the nature and the size of the documents and since the Estate is asking for authority to destroy records prior to the closing of the Estate it was deemed appropriate to request that the Court authorize the destruction of these additional documents prior to closing of the Estate and to give notice to the Trustee and the 2002 List (as defined below) of the proposed destruction and an opportunity to object.

RELIEF REQUESTED AND BASIS FOR RELIEF

25. The Plan specifically retained jurisdiction in this Court to determine matters concerning the liquidation of the Estate.

26. The Estate believes that to aid the liquidation of the Estate in an orderly manner, the destruction of certain records in addition to those referenced in the First Motion, Second

Motion, Third Motion, Fourth Motion and Fifth Motion is warranted for the reasons specified above.

27. The Estate requests that the Bankruptcy Court authorize the destruction of the documents and records as set forth herein.

NO PREVIOUS REQUEST

28. No previous request for the specific relief set forth herein has been made to this or any other court.

NOTICE

29. The Estate will serve copies of this Motion on the Office of the United States Trustee and on all parties that have requested that they be served with all pleadings filed in these cases pursuant to Federal Rule of Bankruptcy Procedure 2002 (the "2002 List").

WHEREFORE, the Estate respectfully requests that the Court enter an order authorizing but not requiring the destruction of certain records as set forth herein.

Dated: November 14, 2013

Respectfully submitted,

Jill M. Gilbert
General Counsel
TWA Inc. Post Confirmation Estate
9909 Manchester Road
P.O. Box 343
St. Louis, MO 63122-1915
(314) 322-8121
(314) 965-8867 (facsimile)

and

PACHULSKI STANG ZIEHL & JONES LLP
Laura Davis Jones (Bar No. 2436)
James E. O'Neill (Bar No. 4042)
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, DE 19899-8705
(Courier 19801)
(302) 652-4100
(302) 652-4400 (facsimile)

Co-Counsel for the Estate

***** All responses are to be served upon:**
Jill M. Gilbert[1]
TWA Inc. Post Confirmation Estate
9909 Manchester Road
P.O. Box 343
St. Louis, Missouri 63122-1915
and
James O'Neill
Pachulski Stang Ziehl & Jones LLP
17th Floor, P.O. Box 8705
Wilmington, Delaware 19899-8705 (Courier 19801)

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1 Contact this person with any questions or comments at (314) 322-8121.