



Basil H. Lorch III

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United States Bankruptcy Judge

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

In re: ATA Holdings Corp.,	)	Chapter 11
Debtor.	)	Case No. 04-19866
)	
In re: ATA Airlines, Inc.,	)	Chapter 11
Debtor.	)	Case No. 04-19868
)	
In re: Ambassadair Travel Club, Inc.,	)	Chapter 11
Debtor.	)	Case No. 04-19869
)	
In re: ATA Leisure Corp.,	)	Chapter 11
Debtor.	)	Case No. 04-19870
)	
In re: Amber Travel, Inc.,	)	Chapter 11
Debtor.	)	Case No. 04-19871
)	
In re: American Trans Air Execujet, Inc.,	)	Chapter 11
Debtor.	)	Case No. 04-19872
)	
In re: ATA Cargo, Inc.,	)	Chapter 11
Debtor.	)	Case No. 04-19873
)	
In re: Chicago Express Airlines, Inc.,	)	Chapter 11
Debtor.	)	Case No. 04-19874

ORDER UNDER 28 U.S.C. § 156(e) AUTHORIZING THE RETENTION OF BMC GROUP AS NOTICE, CLAIMS AND BALLOTING AGENT FOR THE DEBTORS NUNC PRO TUNC TO THE PETITION DATE (“NOTICE, CLAIMS, BALLOTING AGENT ORDER”)

Upon the application (the “Application”)¹ of the debtors and debtors in possession in the above-captioned Chapter 11 cases (the “Debtors”) for an Order Under 28 U.S.C. § 156(c) Authorizing the Retention of BMC Group (“BMC”) as Notice, Claims and Balloting Agent; the Debtors having filed petitions for relief under Chapter 11 of the United States Bankruptcy Code on October 26, 2004 (the “Petition Date”); and upon the Affidavit of Tinamarie Feil; and the Court being satisfied based on the representations made in the Application and the Affidavit that BMC represents no interest adverse to the Debtors’ estates with respect to matters upon which it is to be engaged; that BMC is a “disinterested person” as that term is defined under 11 U.S.C. § 101(14), as modified by 11 U.S.C. § 1107(b), and that the employment of BMC is necessary and would be in the best interest of the Debtors, their creditors and the Debtors’ estates; and after due deliberation and sufficient cause appearing therefore, it is

ORDERED that the Application is granted nunc pro tunc as of the Petition Date; and it is further

ORDERED that the Debtors are authorized to retain and employ BMC as their notice, claims and balloting agent in these Chapter 11 cases; and it is further

ORDERED that all proofs of claims be sent directly to BMC for docketing and processing. Proofs of claims submitted by regular mail should be addressed as follows:

Bankruptcy Management Corporation
Attn: ATA Claims Agent
PO Box 1035
El Segundo, CA 90245-1035

¹ Capitalized terms not defined herein shall have the same meaning as in the Application.

Proofs of claim submitted by overnight and hand delivery should be addressed as follows:

Bankruptcy Management Corporation
Attn: ATA Claims Agent
1330 East Franklin Avenue
El Segundo, CA 90245;

and it is further

ORDERED that the fees and expenses of BMC incurred in the performance of services shall be expenses of the Debtors' estates and shall be treated as administrative priority expenses under section 503(b)(1)(A) of the Bankruptcy Code and shall be paid by the Debtors in the ordinary course of business after the submission of an invoice which describes in reasonable detail the basis of fees and expenses requested to be paid; and it is further

ORDERED if any one of the Chapter 11 cases convert to one(s) under Chapter 7, BMC will continue to the perform services set forth in the Application and be paid for its services until the claims filed in the Chapter 11 case(s) have been completely processed; if claims agent representation is necessary in the converted Chapter 7 case(s), pursuant to further order of the Court, BMC agrees it will perform such services and shall be entitled to be paid under such circumstances under the terms set out herein in accordance with 28 U.S.C. Section 156(c); and it is further

ORDERED that in the event BMC is unable to provide the services approved by this Order, BMC will immediately notify the Clerk of the Court and the Debtors' attorneys and cause within fourteen (14) days to have all original proofs of claim, books, records and any other data related to BMC's service as claims agent, including computer information, turned over to the Clerk of the Court or another claims agent with the advice and consent of the Clerk and the Debtors' attorneys; and it is finally

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

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Requested By:

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Distribution:

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