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Counsel to the Debtors and Debtors in Possession

### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:

GRUPO AEROMÉXICO, S.A.B. de C.V., et al.,

**Chapter 11** 

Case No. 20-11563 (SCC)

**Debtors**.<sup>1</sup>

(Jointly Administered)

## NOTICE OF PRESENTMENT OF AMENDED ORDER PURSUANT TO 11 U.S.C. §§ 105 AND 363(B) AND FED. R. BANKR. P. 9019 APPROVING THE SETTLEMENT <u>REGARDING SERIES AEROMEX 00320 CEBURES BONDS</u>

PLEASE TAKE NOTICE that on December 3, 2020, Grupo Aeroméxico and its

affiliates, as debtors and debtors in possession in the above-captioned chapter 11 cases

(collectively, the "Debtors") filed the Debtors' Motion for an Order Pursuant to 11 U.S.C. §§ 105

and 363(b), and Fed. R. Bankr. 9019, Approving the Settlement Regarding Series AEROMEX

00320 CEBURES Bonds [ECF No. 695] (the "Motion")<sup>2</sup>.

<sup>&</sup>lt;sup>1</sup> The Debtors in these cases, along with each Debtor's registration number in the applicable jurisdiction, are as follows: Grupo Aeroméxico, S.A.B. de C.V. 286676; Aerovías de México, S.A. de C.V. 108984; Aerolitoral, S.A. de C.V. 217315; Aerovías Empresa de Cargo, S.A. de C.V. 437094-1. The Debtors' corporate headquarters is located at Paseo de la Reforma No. 243, piso 25 Colonia Cuauhtémoc, Mexico City, C.P. 06500.

<sup>&</sup>lt;sup>2</sup> Unless otherwise defined herein, each capitalized term shall have the meaning ascribed to such term in the Motion.

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**PLEASE TAKE FURTHER NOTICE** that on December 17, 2020, the United States Bankruptcy Court for the Southern District of New York (the "**Court**") entered the *Order Pursuant* to 11 U.S.C. §§ 105 and 363(b) and Fed. R. Bankr. 9019 Approving the Settlement Regarding Series AEROMEX 00320 CEBURES (the "**00320 CEBURES Order**") [ECF No. 735] that approved the Settlement as embodied in the Standstill Agreement.

PLEASE TAKE FURTHER NOTICE on July 19, 2021 the Grupo Aeroméxico, S.A.B. de C.V., as issuer, and CIBanco, S.A., Institución de Banca Múltiple, acting individually in each case, as the common representative of the holders of the certificates identified with the ticker symbol AEROMEX 00320, entered into the First Amendment Agreement (attached hereto as <u>Annex I (Spanish Original) and Annex II (English Translation) to the Order</u>) to the Standstill Agreement approved pursuant to the 00320 CEBURES Order.

**PLEASE TAKE FURTHER NOTICE** that, as a result of this First Amendment Agreement, the Standstill Agreement was amended to, among other others, (a) extend the Standstill Period (as defined in the First Amendment Agreement) from July 23, 2021 to November 8, 2021 or the date on which the Debtors' plan of reorganization has been approved by the Court, whichever occurs first, and (b) increase the cap on reimbursable legal fees and reasonable expenses incurred by counsel to the Holders during the Standstill Period from a maximum aggregate limit of US\$37,500 to US\$47,500.

**PLEASE TAKE FURTHER NOTICE** that the Debtors will present the *Amended Order Pursuant to 11 U.S.C. §§ 105 and 363(b) and Fed. R. Bankr. 9019 Approving the Settlement Regarding Series AEROMEX 00320 CEBURES* (the "**First Amended 00320 CEBURES Order**"), which reflects the amendments embodied in the First Amendment Agreement, to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, for approval and signature on

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August 12, 2021 at 10:00 a.m. (prevailing Eastern Time). A copy of the First Amended 00320 CEBURES Order is attached hereto as <u>Exhibit A</u>.

**PLEASE TAKE FURTHER NOTICE** that, unless an objection to the First Amended 00320 CEBURES Order is served and filed with proof of service with the clerk of the Court, and a courtesy copy is delivered to the undersigned and to the chambers of the Honorable Shelley C. Chapman, so as to be received by **August 9, 2021 at 12:00 p.m. (prevailing Eastern Time)**, there will not be a Hearing (as defined below) to consider the First Amended 00320 CEBURES Order, and such First Amended 00320 CEBURES Order may be signed and entered by the Court.

**PLEASE TAKE FURTHER NOTICE** that, if a written objection is timely filed and served with respect to the First Amended 00320 CEBURES Order, a hearing (the "**Hearing**") will be held to consider the First Amended 00320 CEBRUES Order before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, on a date to be announced.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with General Order M-543, dated March 20, 2020 (Morris, C.J.) ("General Order M-543")<sup>3</sup> any Hearing will be conducted telephonically. Any parties wishing to participate must do so telephonically by making arrangements through CourtSolutions LLC (<u>www.court-solutions.com</u>). Instructions to register for CourtSolutions LLC are attached to General Order M-543.

**PLEASE TAKE FURTHER NOTICE** that objecting parties are required to telephonically attend the Hearing and a failure to appear may result in relief being granted upon default.

<sup>&</sup>lt;sup>3</sup> A copy of the General Order M-543 can be obtained by visiting <u>http://www.nysb.uscourts.gov/news/general-order-m-543-court-operations-under-exigent-circumstances-created-covid-19</u>.

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**PLEASE TAKE FURTHER NOTICE** that copies of the First Amended 00320 CEBURES Order may be obtained free of charge by visiting the website of Epiq Corporate Restructuring, LLC at <u>https://dm.epiq11.com/aeromexico</u>. You may also obtain copies of any pleadings by visiting the Bankruptcy Court's website at <u>http://www.nysb.uscourts.gov</u> in accordance with the procedures and fees set forth therein.

Dated: July 29, 2021 New York, New York

### DAVIS POLK & WARDWELL LLP

By: /s/ Timothy Graulich

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