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I, Larnyce Tabron, in my capacity as a Principal Clerk of the Publisher of The New York Times, a daily newspaper of general circulation printed and published in the City, County, and State of New York, hereby certify that the advertisement annexed hereto was published in the editions of The New York Times on the following date or dates, to wit on.

3/16/2026, NY/NATL, pg A13

Larnyce Tabron

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COMMONWEALTH OF VIRGINIA

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: **SPIRIT AVIATION HOLDINGS, INC., *et al.*,** **Debtors.**[1]	**Chapter 11** **Case No. 25-11897 (SHL)** **Jointly Administered**

NOTICE OF PUBLIC AUCTION FOR THE SALE OF CERTAIN OF THE DEBTORS' AIRCRAFT

Spirit Aviation Holdings, Inc. and its direct and indirect subsidiaries (collectively, the "**Debtors**," the "**Company**," or "**Spirit**"), each of which is a debtor and debtor in possession in the above-captioned chapter 11 cases (the "**Chapter 11 Cases**"), hereby provides this *Notice of Public Auction for the Sale of Certain of the Debtors' Aircraft* (the "**Publication Notice**") to provide notice of the following:

Proposed Sale of Aircraft. Spirit Airlines, LLC (the "**Seller**") has entered into an Aircraft Sale and Purchase Agreement, dated February 9, 2026 (the "**Aircraft Sale Agreement**"), with CSDS Asset Management LLC (the "**Stalking Horse Buyer**") to sell (the "**Sale**") 20 Airbus model A320 aircraft and Airbus model A321 aircraft (each, as described more fully in the Aircraft Sale Agreement, an "**Aircraft**", and collectively, the "**Aircraft**") as a package sale, subject to the submission of higher or otherwise better offers in an auction process (the "**Auction**").

Approval of Bidding Procedures Order. On March 12, 2026, the United States Bankruptcy Court for the Southern District of New York (the "**Bankruptcy Court**") entered the *Order (A) Approving Bidding Procedures and Bid Protections in Connection With the Sale of Certain Aircraft, (B) Approving the Form and Manner of Applicable Notices and (C) Scheduling an Auction and Sale Hearing* [ECF No. 845] (the "**Bidding Procedures Order**"),[2] authorizing the Debtors to conduct the Auction.

Potential Bids. Pursuant to the Bidding Procedures Order, any party wishing to participate in the Auction must do so in accordance with the Bidding Procedures and the Bidding Procedures Order, including (i) the submission of a Potential Bid Package to the parties identified in the Bidding Procedures and (ii) if determined to be a Potential Bidder, the submission of a Bid meeting the criteria specified in the Bidding Procedures such that it is actually received on or before the Bid Deadline by the parties identified in the Bidding Procedures.

Public Auction. If Spirit receives one or more Qualified Bids (excluding consideration of the Aircraft Sale Agreement with the Stalking Horse Buyer) within the requirements and time frame specified by the Bidding Procedures, Spirit will conduct the Auction on April 20, 2026, at 10:00 a.m. (prevailing Eastern Time) at the offices of Debevoise & Plimpton LLP (66 Hudson Boulevard East, New York, NY 10001), or at any such other location as Spirit may hereafter designate (with notice of such alternate location given to all Qualified Bidders under the Bidding Procedures).

Sale Hearing. Spirit will seek approval of the Sale before the Honorable Sean H. Lane of the United States Bankruptcy Court for the Southern District of New York, on April 23, 2026, at 11:00 a.m. (prevailing Eastern Time).

Filing Objections to the Sale. Any objections to the proposed Sale shall be (a) in writing, in English, and in text-searchable format, (b) filed with the Bankruptcy Court electronically, (c) set forth the name of the objecting party, the nature and amount of any claims or interests held or asserted against the Debtor's estates, the basis for the objection and the specific grounds therefor and (d) served on the Debtors and the Sale Notice Parties specified in the Bidding Procedures Order so as to be received no later than 4:00 p.m. (prevailing Eastern Time) on April 22, 2026 (the "**Objection Deadline**"), in each case, in accordance with the Bidding Procedures Order, Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), the Local Bankruptcy Rules for the Southern District of New York (the "**Local Rules**"), the Court's *Order Implementing Certain Notice and Case Management Procedures* [ECF No. 61], and the Court's Chambers' Rules (available at https://www.nysb.uscourts.gov/content/judge-sean-h-lane), to the extent applicable.

CONSEQUENCES OF FAILING TO TIMELY FILE AND SERVE AN OBJECTION

ANY PARTY OR ENTITY WHO FAILS TO TIMELY FILE AND SERVE AN OBJECTION TO THE SALE ON OR BEFORE THE OBJECTION DEADLINE IN ACCORDANCE WITH THE BIDDING PROCEDURES ORDER SHALL BE FOREVER BARRED FROM ASSERTING ANY OBJECTION TO THE SALE, INCLUDING WITH RESPECT TO THE TRANSFER OF THE PROPERTY FREE AND CLEAR OF LIENS, CLAIMS, ENCUMBRANCES AND OTHER INTERESTS EFFECTED THEREUNDER.

Obtaining Additional Information. Copies of the Sale Motion and the Bidding Procedures Order, as well as all related exhibits including the Bidding Procedures and the Aircraft Sale Agreement, may be obtained (i) from the Debtors' notice, claims and balloting agent, Epiq at its website at https://dm.epiq11.com/case/spirit, by clicking on the "Dockets" link or (ii) for a fee via PACER at https://ecf.nysb.uscourts.gov/.

Dated: March 12, 2026, New York, NY DEBEVOISE & PLIMPTON LLP, /s/ Jasmine Ball Jasmine Ball, Elie J. Worenklein, 66 Hudson Boulevard East, New York, NY 10001, Tel.: (212) 909-6000, jball@debevoise.com, eworenklein@debevoise.com, *Fleet Counsel to the Debtors and Debtors in Possession*

[1] The Debtors' names and last four digits of their respective employer identification numbers are as follows: Spirit Aviation Holdings, Inc. (1797); Spirit Airlines, LLC (7023); Spirit Finance Cayman 1 Ltd. (7020); Spirit Finance Cayman 2 Ltd. (7362); Spirit IP Cayman Ltd. (4732); and Spirit Loyalty Cayman Ltd. (4752). The Debtors' mailing address is 1731 Radiant Drive, Dania Beach, FL 33004.

[2] Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Bidding Procedures Order, the Bidding Procedures or the *Debtors' Motion for Entry of (I) an Order (A) Approving Bidding Procedures and Bid Protections in Connection with the Sale of Certain Aircraft, (B) Approving the Form and Manner of Applicable Notices and (C) Scheduling an Auction and Sale Hearing and (II) an Order (A) Authorizing the Sale of Aircraft and Related Assets Free and Clear of All Liens, Claims and Encumbrances and Other Interests and (B) Granting Related Relief* [ECF No. 770] (the "**Sale Motion**").

By Suing G.O.P. States, Trump Tries to Set Policy Without Legislation

From Page A1

15 years. Though reached with a state government, the settlement could affect immigration policy for the whole nation, through the next four presidential administrations.

In Kentucky, the federal Transportation Department proposed a settlement in a case with a pair of industrial companies challenging decades-old racial and gender-based preferences, acceding to the businesses and agreeing to end use of the preferences in its contracting nationwide.

Asked to comment on the pattern of settlements, a spokeswoman for the Justice Department indicated that the laws at issue in each case were problematic for different reasons. In Florida, a judge had already sided with the state before the agreement. And in Texas, the spokeswoman said the fact that the law remained on the state's books, despite the parties agreeing it was illegal, amounted to a real dispute.

But the speed at which cases have been settled and the shared political priorities involved have led outside groups and former officials to call foul, arguing that the cases appear plainly collusive.

"This isn't a controversy," Shelby Leighton, a lawyer at Public Justice, said of cases the Justice Department has brought regarding in-state tuition. She is asking a judge in Kentucky to reject a settlement there similar to the one in Texas. "The federal government and the state government agree a hundred percent on the issue, and they're just working together to do an end run around the democratic process."

IVAN PIERRE AGUIRRE FOR THE NEW YORK TIMES

Migrants at the U.S.-Mexico border in May 2023. The federal government's settlement with Florida freezes mass parole of migrants arrested at the southern border.

No Genuine Conflict

The Supreme Court has long maintained that federal judges cannot hear cases where there is no genuine dispute between the parties, warning that the Constitution bars judges from hearing cases that are not adversarial. Such collusive lawsuits are dangerous, the justices have found in multiple instances, because they exclude third parties with real stakes in the outcome.

For decades, the Justice Department has likewise discouraged legal settlements that could reduce the executive branch's power in the long run.

In 1986, President Ronald Reagan's attorney general, Edwin Meese III, sent a memo to colleagues specifically urging them to use caution when ending lawsuits through consent decrees, a particular type of settlement in which the resolution is monitored by a judge.

At the time, the Reagan administration was defending the government against a crush of lawsuits from environmental groups.

The department, Mr. Meese wrote, should not enter into a consent decree that "divests the secretary or agency administrator, or his successors, of discretion committed to him by Congress or the Constitution," particularly if the power had been granted to allow government officials "to respond to changing circumstances."

The vision was reaffirmed and expanded in 1999 by Randolph D. Moss, now a federal judge in Washington, under President Bill Clinton.

In the mid-2010s, during President Barack Obama's second term, conservative scholars accused him too of collusive lawsuits, criticizing what they called "sue and settle" schemes, especially in the environmental realm. Academics cataloged a number of examples in which they said watchdog groups sharing the administration's environmental goals sued the Environmental Protection Agency or a related department, followed by a quick settlement that shifted regulations.

But Mr. Trump's officials have generally been critical of using legal settlements to achieve policy aims, particularly given their history of use to force police reform. Last year, Mr. Trump issued an executive order prompting the Justice Department to withdraw from oversight of nearly two dozen police departments.

A 15-Year Freeze

For that reason, the administration's actions in Florida stunned many legal experts.

The state had sued the Biden administration in 2023, seeking to stop the federal government from paroling scores of migrants arrested at the southern border into the country, just as strict pandemic-era restrictions at the border were expiring.

At the beginning of February, Mr. Trump's Department of Homeland Security entered a consent decree to settle the three-year-old suit, agreeing to impose a 15-year freeze on using a mass parole power that allows the government to quickly release migrants into the country while they wait for a court date.

Strikingly, of the six members of the Florida attorney general's office helping represent the state when the suit was filed, four are now senior officials in Mr. Trump's Justice Department. Just two months before the case was settled, a fifth — James Percival — took over as the top lawyer at the Department of Homeland Security.

A homeland security spokesman provided a signed ethics agreement Mr. Percival submitted to the Office of Government Ethics in which he agreed to recuse himself from lawsuits that he worked on, directly related to Florida. A separate signed authorization from the department's secretary, Kristi Noem, directed Mr. Percival to step aside from cases involving the state "if you personally worked on litigation related to the same matter while serving in the Florida Office of the Attorney General."

"Mr. Percival has fully complied with that commitment during his D.H.S. employment," the spokesman said.

A spokeswoman for the Justice Department said that the agreement was approved by the department's leadership and that the agency does not entirely avoid consent decrees.

Under the consent decree, Florida can return to court at any time to challenge any federal parole policy, citing the consent decree in which the government agreed to forgo the authority. The agreement will be overseen by Judge T. Kent Wetherell, a Trump appointee.

Tom Jawetz, who served as the Homeland Security Department's deputy general counsel in the Biden administration, said the agreement would put "an asterisk" on future presidents' ability to use the parole power, even if they hold different policy views on immigration than Mr. Trump.

"They're going to have to think about, not just whether using parole is within their legal authority, but also whether Florida is going to believe it's a violation of this consent decree, and what the consequences of being hauled into court will be over that decision," he said.

In the case out of Kentucky that the Trump administration inherited, officials used a lawsuit as an opportunity to take a swipe at diversity requirements set out in a law passed by Congress.

On returning to office, one of Mr. Trump's earliest priorities was purging race-based preferences and other hiring practices he deemed "diversity, equity and inclusion" from the federal government and beyond. The president has said those policies, intended to correct years of systemic racial inequality, amounted to reverse racial discrimination against white people.

Two federal contractors sued in 2023 over set-asides in the Disadvantaged Business Enterprise Program, which Congress enacted in 1983. Last year, the Transportation Department ceased defending the law and moved to settle with the companies, adopting their stance that the practice of favoring businesses owned by women or certain ethnic minorities was unconstitutional.

A judge has not yet accepted the settlement agreement. But after a coalition of minority-owned business groups intervened in the lawsuit, the Transportation Department bypassed the court proceedings, issuing a new federal rule that effectively tossed out the diversity requirements nationwide.

'A Thousand Cuts'

When Texas adopted the Dream Act in 2001, it set a national precedent as the first in the country to offer in-state tuition to undocumented students. In a rare moment of overwhelming bipartisan consensus, the legislation was supported by a Republican majority in the State Senate and signed into law by Rick Perry, the state's Republican governor.

Multiple Republicans introduced measures last year to overturn the law, but the Texas Legislature ended its 89th session in June without managing to advance the bill to a vote.

Instead, two days later, the Trump administration filed a lawsuit arguing the state statute violated a federal law from 1996 that said undocumented immigrants cannot qualify for higher education benefits "on the basis of residence."

After settling the suit, Mr. Paxton praised the outcome, calling the law "un-American."

Until last year, versions of the law were on the books in more than two dozen other states. A month after settling with Texas, the Trump administration reached a nearly identical settlement with Oklahoma, also led by Republicans, over a similar law.

The state's attorney general, Gentner Drummond, wrote in a news release announcing the proposed settlement that he would "partner" with the Justice Department and was "proud to stand with President Trump."

The administration has now brought a third case against Kentucky.

Because the undocumented high school students who would be affected by the demise of the laws had effectively no representation in the cases, watchdog groups have tried to intervene, arguing the courts were being abused as a secretive fast-track to kill the laws more cleanly than by forcing legislators to vote to repeal them.

"These manufactured lawsuits undermine the rule of law and inflict serious harm on both communities and democratic institutions," said Skye Perryman, the president of Democracy Forward, which got involved in the Texas case.

The Trump administration last year settled other cases against the Consumer Financial Protection Bureau, shedding rules the agency set against excessive credit card fees and credit reports incorporating medical debts.

In a settlement in July, the Internal Revenue Service agreed to scrap its own ban on churches and other houses of worship endorsing political candidates, part of a law named after former President Lyndon B. Johnson that prohibits political activity by tax-exempt nonprofits.

The result, said Andrew Mergen, a professor at Harvard Law School and a former Justice Department official, has been to use the courts to achieve little-noticed policy wins.

"This is a departure from what people have thought about executive authority on the right and the left for a long time," Mr. Mergen said. "And it's these little things that actually is a death by a thousand cuts to the institution."

He Spent a Few Days in New York, and Sued Over Salsa, Wi-Fi and a Police Shrug

By CHRISTOPHER MAAG

Faycal Manz arrived in New York City ready for fun. A tourist from Schemmerhofen, a town in southern Germany, he booked a hotel room in Times Square, a neighborhood that appeals to many fun-seeking tourists. And he planned to visit the U.S. Open, an event that pretty much everyone enjoys.

But the trip, by any measure, was a fiasco.

The harms Mr. Manz experienced during his short stay in August 2024 were numerous and varied, he would later write. He became nauseated and developed diarrhea and blisters on his tongue after taking a single bite of a taco. And he was ignored and discriminated against as a German, causing him such emotional trauma that he sought the care of a psychotherapist. When he returned to Germany, Mr. Manz filed three lawsuits — including two in federal court — related to his six-day trip.

The defendants included the New York Police Department, Walmart and a chain of taco restaurants. Mr. Manz demanded $20.1 million in damages.

All the defendants described Mr. Manz's claims as unfounded, and asked for the lawsuits to be dismissed. The judges agreed. Responding to one suit, in which Mr. Manz sued Walmart for discrimination because he was unable to connect his German cellphone to a store's Wi-Fi network, a federal judge ruled that Mr. Manz "could have obtained a U.S. mobile number to access Walmart's Wi-Fi services at any time."

Mr. Manz, an engineer and a part-time law student, filed all three suits without legal representation. He did not respond to an email seeking comment. His lawsuits were first reported by Gothamist.

JABIN BOTSFORD/THE NEW YORK TIMES

The salsa from Los Tacos No. 1, a Manhattan restaurant chain, was the subject of one of three lawsuits filed by a German tourist.

Schemmerhofen is a hilly town of about 8,800 people 60 miles southeast of Stuttgart. Locals seeking international flavor in Schemmerhofen might try Canucks Braukunst, a Canadian-themed brewery known for its pulled-pork hamburgers, according to a food review website.

When Mr. Manz arrived in New York in 2024, he was excited to try something new. He walked into the Times Square outpost of Los Tacos No. 1 on 43rd Street and ordered three tacos.

"Because this taco experience was too special for me, I made several pictures and videos of the received food," he would later write.

He poured salsa onto the tacos, and began to eat. This did not go well.

"My tongue and mouth were burning immediately," Mr. Manz wrote, and "my Apple Watch registered at this time a higher pulse."

His symptoms worsened to include gastrointestinal and emotional distress, he said. In a lawsuit he later filed in federal court in the Southern District of New York, Mr. Manz described the restaurant's liability as a "failure to warn" customers of its hot salsa. He sought relief in the form of $100,000.

Los Tacos No. 1, which operates 10 restaurants in Manhattan, did not respond to a request for comment. In court documents, the company said that any discomfort Mr. Manz experienced was caused by his "own culpable conduct, carelessness, recklessness and negligence."

Judge Dale E. Ho ruled against Mr. Manz, finding that he had "failed to state a claim that Los Tacos negligently served excessively spicy salsa."

After the taco debacle, Mr. Manz spent four days in the United States without known incident. Then, at 5:30 p.m. on Aug. 29, he tried to use his phone inside the Walmart Supercenter in Secaucus, N.J.

He failed. This was a bummer of extreme proportions.

"The incident caused a big emotional negative impact," Mr. Manz later wrote in his lawsuit, causing flashbacks to acts of discrimination he had suffered in school and at work, he wrote.

Mr. Manz sued Walmart for $10 million. Responding to a request for comment, a spokeswoman referred to Walmart's Wi-Fi policy, which states that the company is not responsible for service interruptions.

Walmart filed a motion to dismiss the suit, and a federal judge in New Jersey agreed, arguing in part that a person with a German phone is not a member of a protected class under the Civil Rights Act of 1964.

Hours after the Wi-Fi imbroglio, Mr. Manz found himself in further distress. At 8 p.m., he later said, he saw two men assaulting a homeless person near Times Square. Mr. Manz called 911 and described his location, he said, but the dispatcher required a street address, which Mr. Manz had trouble finding. Police officers eventually arrived, Mr. Manz said, but they refused to take his statement or investigate because the assailants had fled.

The officers' disregard gave him "insomnia and intrusive flashbacks," Mr. Manz would write, and his doctor "diagnosed him with psychosomatic and post-traumatic symptoms."

Again, he sought $10 million in damages. Again the defendant said that the only person responsible for Mr. Manz's suffering was Mr. Manz. He "knew or should have known in the exercise of due/reasonable care of the risks and dangers" involved, the Police Department said in a court response. Last week, Mr. Manz dropped his lawsuit.

Despite the litigious fruits of his time in America, Mr. Manz said in the suits that he really did try to have fun here. Unfortunately, his painful salsa experience caused a loss "of enjoyment during my very short trip."