

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N^o: 500-11-039418-104

DATE: JANUARY 13, 2010

PRESIDING: THE HONOURABLE BRIAN RIORDAN, J.S.C.

IN THE MATTER OF THE JUDICIAL REORGANIZATION PROCEEDINGS OF:

COMPANIA MEXICANA DE AVIACION, S.A. DE C.V.

Insolvent Debtor

and

MARU E. JOHANSEN

Foreign Representative

and

SAMSON BELAIR DELOITTE & TOUCHE INC.

Information Officer

and

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Petitioner

**ORDER APPROVING AN AGREEMENT BETWEEN THE PETITIONER AND THE
INSOLVENT DEBTOR ON THE REFUND OF TICKETS**

- [1] **CONSIDERING** the Petitioner's Motion to approve an Agreement between the Petitioner and the Insolvent Debtor and to rescind certain provisions of the Order of Recognition of Foreign Proceedings dated August 5, 2010 (the "IATA Motion");

CC

- [2] **CONSIDERING** the Orders issued by this Court on October 13, 2010 and on November 16, 2010, which partially granted the IATA Motion, and which otherwise suspended the hearing of the IATA Motion, since this Court wished to accord to the Mexican Court reasonable opportunity to review and rule on the Agreement on the Refund of Tickets entered into by the Petitioner and the Insolvent Debtor on August 17, 2010 (the "**Agreement**");
- [3] **CONSIDERING** the facts alleged in the Affidavit of Maru E. Johansen dated January 7, 2011 in support of the Foreign Representative's Second Motion for the Extension of the Stay Period and, in particular, the fact that the Mexican Court approved the Agreement during the month of December 2010;
- [4] **CONSIDERING** that this Court recognizes the jurisdiction of the Mexican Court over the Concurso Proceedings, as defined in the Foreign Representative's original motion;
- [5] **CONSIDERING**, however, that this Court has sole jurisdiction over the Initial Order rendered in this file on August 5, 2010, as well as over any modifications, clarifications, revocations or renewals thereof;

FOR THESE REASONS, THE COURT:

- [6] **GRANTS** in part the Petitioner's Motion to Approve an Agreement Between the Petitioner and the Insolvent Debtor and to Rescind Certain Provisions of the Order of Recognition of Foreign Proceedings;
- [7] **APPROVES** The Agreement on the Refund of Tickets entered into by the Insolvent Debtor and IATA on August 17, 2010;
- [8] **THE WHOLE** without costs.



BRIAN RIORDAN, J.S.C.

COPIE COLPONES
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Clerk of Court