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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

<p>IN RE:</p> <p>ASPEN AIR CORPORATION and ASPEN AIR U.S. CORP.,</p> <p>Debtors.</p>	<p>Case No. 18-60662-15</p> <p>AMENDED MOTION TO RESCHEDULE RECOGNITION HEARING</p>
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DELOITTE RESTRUCTURING INC., the Foreign Representative of Aspen Air Corporation and Aspen Air U.S. Corp. (the “Aspen Companies”), by and through counsel, James A. Patten, respectfully moves this Court to vacate its July 9, 2018 Order setting hearing on the Petition for Recognition [Doc. #5] and to reset the time of the hearing as soon after the expiration of the 21 day notice required by Rule 2002(q)(1), F.R. Bankr. P., as is convenient for the Court.

In support hereof, the Foreign Representative states:

1. This proceeding was commenced on July 9, 2018 through the filing of a Chapter 15 petition. In conjunction with filing the Chapter 15 petition, the Foreign Representative filed its Motion for Entry of an Order Scheduling the Recognition Hearing [Doc. #3]. This Court promptly entered an order fixing the recognition hearing for August 30, 2018.

2. “A petition for recognition of a foreign proceeding shall be decided upon at the earliest possible time,” 11 U.S.C. § 1517(c); however, Rule 2002(q)(1), F.R. Bankr. P., requires not less than 21 days’ notice of the Recognition Hearing.

3. The August 30, 2018 hearing date impairs the Aspen Companies ability to obtain financing and the commencement of the sale and investor solicitation process (should one be required) within the Canadian Proceedings. Specifically, the Court of Queen’s Bench of Alberta in Bankruptcy and Insolvency has approved, among other things, an “Administrative Charge,” “DIP Financing,” and the “Sale and Investor Solicitation Process.” *See*, Court of Queen’s Bench Order, attached to the Petition in this proceeding, at ¶¶ 3, 4, 5, 6, 7, 8, 19, 20, and 21. The DIP lender, CF Capital Corporation, requires recognition of the foreign proceeding in the instant proceeding before it will commence advances under the DIP loan. Delaying the recognition until August 30 will delay the Aspen Companies of necessary funds. Moreover, the Foreign Representative, who is also acting as the Proposal Trustee, believes it prudent and efficient to have the certainty of this Court’s recognition of the foreign proceeding before the commencement of the Potential Sale and Investor Solicitation Process, which will seek investment into the Aspen Companies and/or the sale of their assets. Finally, while not as time sensitive as the required assurance for the DIP loan or commencing the solicitation process, the certainty of the administrative charge will facilitate the proper and efficient administration of the proceedings before the Court of Queen’s Bench. Any delay beyond the required 21 day notice may be prejudicial to the Foreign Representative and to the Aspen Companies.

4. The 21 day period required by Bankruptcy Rule 2002(q) expires July 31, 2018, assuming notice is mailed today. The Foreign Representative suggests an August 1st hearing date, which the “earliest possible time,” taking into account the required notice. The Foreign

Representative's counsel is scheduled for a mediation in Butte, Montana on August 1 in *Berger*, 18-60032, and can participate in the recognition hearing from the Mike Mansfield Federal Courthouse in Butte. It is anticipated that Vanessa Allen, Senior Vice President of Deloitte Restructuring Inc, will participate and testify by video conference.

WHEREFORE, the foregoing reasons, Deloitte Restructuring Inc, Foreign Representative, respectfully requests this Court to vacate the August 30, 2018 hearing on the Petition for Recognition and to reset the same the same for August 1, 2018, or as shortly thereafter as is practical and convenient for the Court.

So moved this 10th day of July, 2018

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By: /s/ JA Patten
James A. Patten
Attorney for the Foreign Representative

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify, under penalty of perjury, that on the 10th day of July, 2018, a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

Aspen Air Corporation
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By: /s/JA Patten
For Patten, Peterman, Bekkedahl & Green, PLLC