

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
COURT No.: 500-11-039418-104

SUPERIOR COURT  
Commercial Division

**IN THE MATTER OF THE JUDICIAL  
REORGANIZATION PROCEEDINGS OF:**

**COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V.**, a  
legal person incorporated under the laws of Mexico, having its  
head office at av. Xola 535 Col., Del Valle, Mexico D.F.,  
Mexico 03100 and a place of business at 975, Romeo-Vachon  
Street North, Suite 413, Dorval, Quebec H4Y 1H1

Debtor

– and –

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.**  
(Jean-François Nadon, CA, CIRP, responsible), having a place  
of business at 1 Place Ville Marie, Suite 3000, Montreal,  
Quebec, H3B 4T9

Information Officer

## FIRST INFORMATION OFFICER REPORT

### INTRODUCTION

1. On August 2, 2010, Compañia Mexicana De Aviacion, S.A. de C.V. (“Mexicana” or the “Company”), commenced proceedings under the Mexico’s *Ley de Concursos Mercantiles* (“Mexican Proceedings”).
2. On August 2, 2010, Maru E. Johansen (“Foreign Representative”), sought certain protections in the United States pursuant to Chapter 15 of Title 11 of the United States Bankruptcy Code (“Bankruptcy Code”). On August 3, 2010, the U.S. Bankruptcy Court granted a recognition order recognizing the Foreign Representative and the Mexican Proceedings as a foreign main proceeding pursuant to Chapter 15 of the Bankruptcy Code (“Chapter 15 Proceedings”).
3. On August 5, 2010, the Foreign Representative brought an application (the “CCAA Proceedings”) before the Canadian Court pursuant to Part IV of the *Companies Creditors Arrangement Act*, R.S.C. 195, c. C-36, as amended (“CCAA”), and obtained an order (the “Canadian Recognition Order”), which among other things: (i) recognized the Mexican Proceedings as a “foreign main proceedings”; (ii) recognized Maru E. Johansen as foreign representative as defined in section 45 of the amended CCAA; (iii) granted a stay of proceedings against the Company until November 10 2010; (iv) appointed Samson Bélair Deloitte & Touche Inc. (“Deloitte”) as Information Officer and; (v) declared an administrative charge of \$250,000. A copy of the Canadian Recognition Order is attached as Exhibit “A.”
4. Following its appointment as Information Officer, Deloitte, in accordance with Section 53 (b) of the CCAA and paragraph 26 of the Recognition Order, coordinated the publication of notice of this CCAA

Proceedings and the Mexican Proceedings in the National Post and La Presse (collectively the “Notices”) on August 13 and August 20, 2010. A copy of the Notices is attached as Exhibit “B.”

5. The Canadian Recognition Order requires that the Information Officer deliver a report to the Court at such times and intervals as it deems appropriate and, in any event, at least once every three months on the status of the proceedings, the foreign proceedings and such other information that the Information Officer deems to be material. This report is filed pursuant to the requirements of the Canadian Recognition Order. The Information Officer has responded to all reasonable information requests from stakeholders as described in paragraph 16 of the Canadian Recognition Order.
6. The purpose of this first report of the Information Officer (the “First Report”) is to provide the Canadian Court with information concerning the following:
  - Background on Mexicana’s business and global and Canadian operations;
  - Update on Mexicana’s restructuring initiative to date;
  - Update on Mexican Proceedings;
  - Update on the CCAA Proceedings and Chapter 15 Proceedings; and,
  - The activities of the Information Officer since August 5, 2010.

## **TERMS OF REFERENCE**

7. In preparing this report, Deloitte has relied upon unaudited financial information, the Company’s books and records, financial information prepared by the Company and its advisors, discussions with management of Mexicana and its representatives and advisors. In addition, Deloitte has reviewed the publicly available information filed in the Mexican Proceedings and the CCAA Proceedings. Deloitte has not audited, reviewed, or otherwise attempted to verify the accuracy or completeness of the information and, accordingly, Deloitte expresses no opinion or other form of assurance on the information contained in this report.
8. Some of the information referred to in this report may consist of or include forecasts and/or projections. An examination or review of financial forecasts and projections, as outlined in the Canadian Institute of Chartered Accountants Handbook, has not been performed. Readers are cautioned that since projections are based upon assumptions about future events and conditions that are not ascertainable, actual results will vary from the projections, even if the assumptions materialize, and the variations could be significant.
9. Deloitte has requested that Mexicana bring to its attention any significant matters that were not addressed in the course of its specific inquiries. Accordingly, this report is based solely on the information (financial or otherwise) made available to Deloitte.
10. All references to dollars in this report are in Canadian currency unless otherwise noted. Capitalized terms not defined in this First Report are defined in the Initial Order or in the Gonzales Affidavit.

## **BACKGROUND**

### ***Summary of key elements of the Mexican Proceedings***

11. Included in the application material for the Canadian Recognition Order was the affidavit of Jalme René Guerra Gonzalez, a counsel for Mexicana, dated August 5, 2010 (the “Gonzalez Affidavit”). The Gonzalez

Affidavit contains a high-level summary of the Mexican Proceedings as detailed in the following paragraphs:

- Once a formal commencement order is issued by the Mexico Court, restrictions are imposed on the rights and interest of various parties, including creditors, lien holders and equity groups.
- Under the Mexican Proceedings, the Mexico Court will designate a conciliador (“Conciliador”). The Conciliador is responsible for mediating and negotiating between the debtor and its creditors, and is also responsible for proposing a reorganization plan. In addition, the Conciliador is empowered to (i) accept or reject executor contracts (ii) take on additional debt; and (iii) permit the sale of post petition assets outside the ordinary course of business.
- A reorganization plan must be submitted within one year. If within that time, a reorganization plan has not been proposed, the debtor will be directed by the court to enter into liquidation proceedings.
- The Mexican Business Reorganization Act provides for special rules applicable to entities operating Public Services under a concession title, such as Mexicana. The authority granting the concession title will have the sole power and discretion to propose the appointment, removal and substitution of the Conciliador and will supervise its activities. In the case of Mexicana, the authority that granted the concession title was the Mexican Ministry of Transport and Communications (the “SCT”), therefore, they are the administrative authorities that are participating in the Mexican Proceedings.
- Under the Mexican Proceedings, a reorganization plan must be approved by Recognized Creditors representing over 50% of the sum of the recognized amount of all of the regular Recognized Creditors. Recognized Creditors shall mean those creditors recognized as such by the debt recognition, ranking and preference judgment.
- Any reorganization plan must be on notice to the SCT, who may exercise a veto power during the five days time frame beginning the day after the agreement is submitted to the judge.

### ***Mexicana’s Company Overview***

12. Mexicana was founded in 1921. It is the airline with the fourth longest tradition of airline services in the world. Mexicana is the airline with the most extensive international coverage from Mexico and the leading transportation company between Mexico and the United States of America.
13. Mexicana serves more than 39 airports located in nine countries over three continents. In 2009, Mexicana carried just over 11 million passengers using a fleet of some 110 aircrafts for revenues above \$2 billion. Mexicana employed more than 5,300 employees worldwide. From its operation hub at the Benito Juarez International Airport in Mexico city, Mexicana flew to approximately 65 domestic and international destinations including, the United-States, Canada, Central America, South America and Europe before the suspension of its flights.
14. Before the transaction described in further detail in paragraph 20 of this report, Mexicana was owned (99.81%) by Nuevo Grupo Aeronautico, S.A. de C.V. (“Grupo Nuevo”), which is a privately-owned company, and by Aeropuertos y Terrenos, S.A. de C.V. (0.16%).
15. Mexicana is an obligor under the terms of a Credit Agreement with Banco Mercantil del Norte, S.A., dated as of April 17, 2008, pursuant to which Mexicana and affiliated non-debtor companies have approximately US\$123 million of indebtedness. Mexicana’s total liabilities are estimated at \$US1.2 billion, whereas the value of its assets, globally, is currently estimated at US\$783M.

### ***Mexicana's Canadian operations***

16. Mexicana operates internationally on a consolidated basis from Mexico and its decision center is based in Mexico City. There are no stand-alone Canadian operations, and all Canadian operations are fully integrated into Mexicana's global network.
17. Mexicana conducts business in Canada from the Vancouver International Airport, Toronto Pearson International Airport, Calgary International Airport and Montreal Pierre Elliot Trudeau International Airport. At the beginning of the Canadian Proceedings, there were approximately 20 employees in Canada, none of whom are unionized. At the moment of writing this report, the number of employees in Canada has been reduced to five. As per Mexicana's management, the employees temporary laid off have not been paid any severance or vacation since Mexicana plans to recall these employees when operations will eventually resume. The employees that are still working for Mexicana in Canada have been paid on a regular basis according to Mexicana's management.

### **MEXICANA'S RESTRUCTURING INITIATIVES**

18. On August 28, 2010, Mexicana announced the suspension of its flight services due to its lack of liquidities.
19. Mexicana's goal is to restructure its affairs to withstand economic fluctuations by generating profits without overly relying on future traffic demand. Mexicana announced the following restructuring initiatives with the objective of substantially reducing its cost structure:
  - Reduce the size of operations, including the return of numerous aircrafts to their lessors;
  - Withdraw from several regions and discontinue services on several routes. Mexicana's objective is to resume operations with only 21 aircrafts and 21 routes. This represents less than fifty percent of its original size before the commencement of the restructuring process. All routes in Canada are anticipated to be maintained by Mexicana;
  - Reduce labor costs by renegotiating new collective agreements with the pilots and flight attendant unions (collectively the "Unions") that would include cuts of approximately 40% in wages and fringe benefits;
  - Reduce the number of airline's pilots and flight attendants by approximately 40%.

### **UPDATE ON MEXICAN PROCEEDINGS**

20. Mexicana informed the Information Officer on August 21, 2010 that a group of investors, Tenedora K ("Tenedora"), acquired, for a symbolic amount, 95% of Grupo Nuevo shares. Tenedora's objective was to negotiate new collective agreements with the Unions and presents a restructuring plan to Mexicana's creditors.
21. On August 25, 2010, Tenedora proposed a restructuring plan to the Mexico's Labor Minister. The restructuring plan, which included laying off approximately 75% of Mexicana's flight attendants was not supported by Mexico's Labor Minister. Soon after, Tenedora announced that they were pulling out of the Mexicana restructuring process. It is unclear if the acquisition of the Grupo Nuevo shares by Tenedora will be maintained, since the restructuring plan proposed by Tenedora was not supported by Mexico's Labor Minister and that the Mexican Court is currently reviewing the transaction.

22. As mentioned earlier, on August 28, 2010, Mexicana announced the suspension of its flight services due to its lack of liquidity. Although Mexicana indicated that they would like to, ideally, resume operations in early December 2010, it is presently unclear if the Company will have the financial means to do so.
23. On September 6, 2010, the Mexican Court confirmed the Mexico's Ley de Concursos Mercantiles proceedings.
24. On September 6, 2010, Mr. Gerardo Badin Cherit was appointed Conciliador to oversee the business operations and the reorganization process of Mexicana. His appointment was approved by the Mexican Court.
25. On September 6, 2010, the Mexican Court approved the appointment of Mr. Javier Christlieb Morales as administrator of Mexicana in replacement of Alejandro Rodriguez following the refusal by the Mexico's Labor Minister to support Tenedora's restructuring plan.
26. The administrator and the Conciliador, with the assistance of the Mexican government, have since, among other things, been seeking potential investors in order to present a reorganization plan and raise new financing.
27. On October 8, 2010, IXE Group Financiero, a group that demonstrated interest into investing into Mexicana, announced publicly that it would not be participating in the restructuring of Mexicana.
28. Mexicana has indicated to the Information Officer that there were still interested investors who were trying, with the assistance of the Mexican government, to negotiate new collective agreements with the Unions and to present an acceptable reorganization plan that would allow the Company to refinance its operations and resume its operations.
29. On or before October 21, 2010, Mexicana obtained the approval from the Mexican Court authorizing a process for creditors to prove their claims. Therefore, on October 22, 2010, the Information Officer sent out a credit recognition form and instructions to all known creditors of Mexicana in Canada. In order to be recognized, this form must be received by the Conciliador's office by no later than 5:00 P.M. (Mexico City time) on December 4, 2010. A copy of the credit recognition form is attached as Exhibit "C."
30. Mexicana has informed the Information Officer that it is presently reimbursing ticket holders of Mexicana's cancelled flights ("Ticket Holders"). The Company was not able to provide the Information Officer with actual numbers concerning the reimbursement process, but indicated that they expect that all Ticket Holders should be reimbursed directly by Mexicana or, as explained later in this report, through the proposed agreement with the International Air Transportation Association ("IATA"). The Information Officer has not received any complaints from Canadian Tickets Holders and is not involved in the reimbursement process.

## **UPDATE ON CCAA PROCEEDINGS AND CHAPTER 15 PROCEEDINGS**

### ***CCAA PROCEEDINGS***

31. Since August 5, 2010, Mexicana has been negotiating a reimbursement agreement with IATA. IATA is an international industry trade group of airlines with the objectives to represent, lead and serve the airline industry. IATA holds reserve funds for each airline company that operates internationally. Mexicana informed the Information Officer that when the Mexican Proceedings started, IATA held approximately US\$13M of cash on Mexicana's behalf. Mexicana has informed the Information Officer that an agreement has been reached with IATA on August 17, 2010 with respect to the process that will be put in place to process and reimburse Ticket Holders claims with these funds. Should there be any excess amount, it would be remitted to Mexicana. This Court is presently seized with IATA's motion to approve the agreement referred to above.

32. On August 20, 2010, Air Canada obtained an Order from the Superior Court to repossess two of its four aircrafts under leasing agreements with Mexicana. Two aircrafts were remitted to Air Canada following this Court Order that was not contested by Mexicana.
33. NAV Canada provides air traffic control, flight information, weather briefings, aeronautical information services, airport advisory services and electronic aids to navigation. NAV Canada required and obtained a deposit from Mexicana before the commencement of the CCAA Proceedings. Mexicana informed the Information Officer that at the beginning of the procedures, this deposit was approximately \$271K. After payment of Nav Canada's fees for the month of August 2010, in the amount of approximately \$98K, the deposit was reduced to approximately \$173K. Since Mexicana is presently not operating its routes, the Company has negotiated a reimbursement of the deposit to NAV Canada in the amount of approximately \$73K, which was received by Mexicana on October 29, 2010.
34. The Information Officer has requested confirmation from Mexicana that the Company's suppliers in Canada had, in fact, been paid in the ordinary course since commencement of the CCAA Proceedings. The Company has indicated to the Information Officer that it has accumulated approximately \$1.1 million of post-filing debt ("Post filing debt") since August 5, 2010, representing approximately 66 suppliers, including some of the Information Officer's and Mexicana's Canadian legal advisors' professional fees.
35. The Information Officer has requested from the Company, on several occasions that it be provided with a cash flow of Mexicana's operations. The Company has been unable to provide this information to the Information Officer. Therefore, it is difficult for the Information Officer to establish if the Company will have sufficient liquidities to survive in the next few weeks and pay its Post filing debt. As per our discussions with the Foreign Representative, it is critical that Mexicana urgently resolves its cash flow situation.
36. There are no claims in process in the CCAA Proceedings as all claims are being administered through the Mexican Proceedings.

#### **CHAPTER 15 PROCEEDINGS**

37. The Information Officer has nothing further to report with respect to the US proceedings at this time.

#### **ACTIVITIES OF THE INFORMATION OFFICER**

38. Since the date of the Canadian Recognition Order, the Information Officer's activities have included:
  - Reviewing the draft materials for the CCAA Proceedings and communicating with Mexicana's Canadian counsel Borden Ladner Gervais ("BLG") regarding same;
  - Preparing for the hearing requesting the Canadian Recognition Order;
  - Posting a copy of the Court-filed documents in these CCAA Proceedings to the Information Officer's website at <http://www.deloitte.com/ca/mexicana-airlines>;
  - Coordinating publication of the CCAA Proceedings and Mexican Proceedings in the national edition of The National Post and La Presse on August 13 and August 20, 2010, as required by section 53(b) of the CCAA and paragraph 26 of the Canadian Recognition Order;
  - Various discussions and correspondence with BLG;

- Responding to inquiries of Mexicana's stakeholders since August 5, 2010;
- Preparing and mailing the credit recognition package;
- The Information Officer did not receive any requests by stakeholders' counsel to be added to the service list;
- Participating in conference calls with management of the Company, BLG, the Foreign Representative and the Company's management and advisors to discuss matters relevant to the Mexican Proceedings and CCAA Proceedings; and,
- Preparing the First Report and communicating with BLG regarding the same.

## CONCLUSION

39. Mexicana is presently confronted with a critical liquidity crisis. Since the Company was not able to provide the Information Officer with any financial information it is unclear how long the Company will be able to survive without some kind of temporary financing or transaction.
40. Any potential investor who is trying, with the assistance of the Mexican government, to negotiate new collective agreements with the Unions and to present an acceptable reorganization plan, will have to act quickly if they want to be able to conclude a successful restructuring process.
41. The Information Officer was informed that the Mexican government has been highly involved in the Company's restructuring process as Mexicana operates under a government concession title to provide public transportation services. However, according to Mexicana, the Mexican government has already announced that it will not participate financially in the restructuring of Mexicana's affairs.
42. Mexicana's management informed the Information Officer that the request for an extension of delay on or before November 11, 2010 will highly depend on the ongoing negotiations with potential investors and the Unions. The Information Officer will file a supplemental report to the Court on or before November 11, 2010, should there be any material developments until then.

The Information Officer respectfully submit to the Court, this, its First Report.

DATED AT MONTREAL, this 5<sup>th</sup> day  
of November, 2010.

SAMSON BÉLAIR/DELOITTE & TOUCHE INC.

In its capacity as Information Officer of Compania Mexicana De Aviacion, S.A. de C.V.

Per:



Pierre Laporte, CA, CIRP  
Partner



Jean-François Nadon, CA, CIRP  
Partner



## **Exhibit A**

# SUPERIOR COURT

(Commercial Division)

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

No: 500-11-039418-104

DATE: AUGUST 5, 2010

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BY: **THE HONOURABLE BRIAN RIORDAN**

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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 / Petitioner

And

**SAMSON BELAIR DELOITTE & TOUCHE INC.**

Information Officer

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ORDER

(On a Motion for Recognition of Foreign Proceedings)

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- [ 1 ] **CONSIDERING** the Foreign Representative/Petitioner's *Motion for Recognition of Foreign Proceedings* dated August 5, 2010;
- [ 2 ] **CONSIDERING** the affidavit of Maru E. Johansen dated August 5, 2010, and the exhibits produced in support of the Motion;
- [ 3 ] **GIVEN** the provisions of the *Companies' Creditors Arrangement Act*, R.S.C., 1985, c. C-36, as amended (the "**CCAA**");

**FOR THESE REASONS, THE COURT:**

- [ 4 ] **GRANTS** the *Motion for Recognition of Foreign Proceedings*;
- [ 5 ] **ORDERS** that the time for service of the present Motion is hereby abridged so that this Motion is properly returnable today and hereby dispenses with further service thereof;

**RECOGNITION OF THE MEXICAN CONCURSO PROCEEDINGS**

- [ 6 ] **ORDERS** that the restructuring proceedings commenced by **COMPAÑIA MEXICANA DE AVIACION, S.A. DE C.V.** (the "**Foreign Debtor**") pursuant to Mexico's *Ley de Concursos Mercantiles* (the "**Foreign Proceedings**") be and are hereby recognized as a "foreign main proceeding" for the purposes of section 47 CCAA;
- [ 7 ] **ORDERS** that Maru E. Johansen be and is hereby recognized as the Foreign Debtor's "Foreign representative" as defined in section 45 of the CCAA;

**STAY OF PROCEEDINGS**

- [ 8 ] **ORDERS** from this date and until November 10, 2010 (the "**Stay Period**"), no proceeding or enforcement process in any court or tribunal (each, a "**Proceeding**") shall be commenced or continued against or in respect of the Foreign Debtor, the Foreign Representative, or affecting the business or the property of the Foreign Debtor (the "**Business**" and the "**Property**", respectively), except with the written consent of the Foreign Debtor and the Foreign Representative, or with leave of this Court, and any and all Proceedings currently under way against or in respect of the Foreign Debtor or the Foreign Representative or affecting the Business or the Property are hereby stayed and suspended pending further Order of this Court;
- [ 9 ] **ORDERS** that during the Stay Period, all rights and remedies of any individual, firm, corporation, governmental body or agency, or any other entities (all of the foregoing, collectively being "**Persons**" and each being a "**Person**") against or in respect of the Foreign Debtor or the Foreign Representative, or affecting the Business or the Property, are hereby stayed and suspended except with the written consent of the Foreign Debtor and the Foreign Representative, or leave of this Court, provided that nothing in this Order shall (i) empower the Foreign Debtor to carry on any business which the Foreign Debtor are not lawfully entitled to carry on, (ii) exempt the Foreign Debtor from

compliance with statutory or regulatory provisions relating to health, safety or the environment, (iii) prevent the filing of any registration to preserve or perfect a security interest, or (iv) prevent the registration of a claim for lien;

- [ 10 ] **ORDERS** that during the Stay Period, no Person shall discontinue, fail to honour, alter, interfere with, repudiate, terminate or cease to perform any right, renewal right, contract, agreement, license or permit in favour of or held by the Foreign Debtor, except with the written consent of the Foreign Debtor and the Foreign Representative, or leave of this Court;
- [ 11 ] **ORDERS** that, during the Stay Period, (a) all persons, firms, corporations, governmental authorities, airports or air navigation authorities or any other entity (including, without limitation, NAV Canada, Office of the Superintendent of financial Institutions ("OSFI")), having written or oral agreements with Foreign Debtor (including, without limitation, leases, pooling or consignment agreements, multilateral interline traffic agreements, codeshare agreements, Tier III Commercial Agreements, gate access agreements, frequent flyer programs or statutory or regulatory mandates) for the supply of goods and/or services (including, without limitation, real property, computer software and hardware, aircraft parts, aircraft maintenance services and related equipment, ground handling services and equipment, catering, office supplies and equipment, reservations, employee uniforms, crew accommodations, meals and commissary, communication and other data services, accounting and payroll servicing, insurance or indemnity, clearing, banking, cash management, credit cards or credit card processing, transportation, utility or other required services), by or to Foreign Debtor or any of the Foreign Debtor's Business or Property are hereby restrained until further order of this Court from discontinuing, failing to renew on terms no more onerous than those existing prior to these proceedings, altering, interfering with or terminating the supply of such goods or services so long as the normal prices or charges for such goods and services received after the date of this order are paid in accordance with present payment practices (for greater certainty and notwithstanding the terms of any federal or provincial statute or the terms of any lease or any present payment practices, lessors cannot alter, reconcile or recalculate the amount of any rent, operating, maintenance or other expenses payable by Foreign Debtor so as to recover in whole or in part any amount payable by Foreign Debtor in respect of any period of time prior to August 2<sup>nd</sup>, 2010 or to compensate it in whole or in part for not receiving amounts owing to it by Foreign Debtor in respect of any period of time prior to August 2<sup>nd</sup>, 2010, or as may be hereafter negotiated from time to time, and (b) subject to Section 34(7) of the CCAA, all persons being party to fuel consortia agreements, or agreements or arrangements for hedging the price of, or forward purchasing of fuel, are hereby restrained from terminating, suspending, modifying, cancelling or otherwise interfering with such hedging agreements or arrangements, notwithstanding any provisions in such agreements or arrangements to the contrary, provided that nothing herein shall require any bank to accept bankers acceptances issued after August 2<sup>nd</sup>, 2010.
- [ 12 ] **ORDERS** that all persons involved in the collection and distribution of monies in connection with passenger and air cargo operations (including, without limitation, travel agents, tour operators, general sales agents, air carriers and all persons who are members of or associated with the International Air Transport Association ("IATA")) are restrained from suspending Foreign Debtor from membership in IATA or any other air

carriers or travel organization or from stopping, withholding, redirecting or otherwise interfering with any payments payable to Foreign Debtor whether pursuant to bank settlement plans, Airline Reporting Corporation arrangements, the IATA Clearing House or otherwise, provided that the Foreign Debtor shall make all required payments in accordance with the terms of such plans, arrangements and agreements, after the date of this order.

[ 13 ] **ORDERS** that, notwithstanding anything else contained herein, no creditor of the Foreign Debtor shall be under any obligation after the making of this Order to advance or re-advance any monies or otherwise extend any new credit to the Foreign Debtor;

[ 14 ] **PROHIBITS** the Foreign Debtor from selling or otherwise disposing of, outside the ordinary course of its business, any of its Property in Canada that relates to the Business and prohibits the Foreign Debtor from selling or otherwise disposing of any of its other Property in Canada, without the prior approval of this Honourable Court;

#### **NO INTERFERENCE WITH RIGHTS**

[ 15 ] **ORDERS** that during the Stay Period, no Person shall discontinue, fail to honour, alter, interfere with, repudiate, terminate or cease to perform any right, renewal right, contract, agreement, license or permit in favour of or held by the Foreign Debtor, except with the written consent of the Foreign Representative and the Foreign Debtor, or leave of this Court.

#### **INFORMATION OFFICER**

[ 16 ] **ORDERS** that:

- a) SAMSON BELAIR DELOITTE & TOUCHE INC. is hereby appointed as information officer (in such capacity, the "**Information Officer**");
- b) The Information Officer is hereby authorized and empowered, but not obligated, to provide such assistance to the Foreign Representative in the performance of its duties as the Foreign Representative may require;
- c) The Information Officer is hereby authorized and empowered to respond to reasonable requests for information from stakeholders;
- d) Establish and maintain a Service List of all parties who will have filed a Notice of Appearance with the Information Officer;
- e) The Information Officer shall deliver to the Court a report at least once every three (3) months outlining the status of these proceedings, the Foreign Proceedings and such other information as the Information Officer believes to be material; and

- f) The Foreign Representative and the Information Officer shall incur no liability or obligation as a result of the appointment of the Information Officer or the fulfillment of the duties of the Information Officer in carrying out the provisions of this Order and no action or other proceedings shall be commenced against the Foreign Representative or the Information Officer for the fulfillment of the duties of the Information Officer, except with prior leave of this Court obtained on not less than seven (7) days notice to the Information Officer and the Foreign Representative;

#### AID AND ASSISTANCE OF OTHER COURTS

[ 17 ] **REQUESTS** the aid and recognition of any court or any judicial, regulatory or administrative body in any province or territory of Canada and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada or the legislature of any province or territory of Canada or any court or any judicial, regulatory or administrative body of Mexico and of any other nation or state to act in aid of and to be complementary to this Court in carrying out the terms of this order.

#### ADMINISTRATION CHARGE

[ 18 ] **ORDERS** that COMPANIA MEXICANA DE AVIACION, S.A. DE C.V. shall pay the fees and disbursements of the Foreign Representative, the Foreign Representative's counsel, the Information Officer and the Information Officer's counsel, if any, incurred in connection with or with respect to the Restructuring, whether incurred before or after the present Order, and shall provide each with a reasonable retainer in advance on account of such fees and disbursements, if so requested;

[ 19 ] **DECLARES** that the Petitioner's legal counsel, the Information Officer and the Information Officer's legal counsel, if any, as security for the professional fees and disbursements incurred both before and after the issuance of the present Order, as the case may be, be entitled to the benefit of and are hereby granted a hypothec, mortgage, lien, charge and security interest in the Property, save and except:

- Airbus A319-100 Aircraft, bearing Manufacturer's Serial Number 1630, Aircraft registration mark XA-MXG;
- Airbus A319-100 Aircraft, bearing, Manufacturer's Serial Number 1805, Aircraft registration mark XA-MXJ;
- Airbus A319-100 Aircraft, bearing, Manufacturer's Serial Number 1673;
- Airbus A319-100 Aircraft, bearing, Manufacturer's Serial Number 1742;

the whole for an amount limited to \$250,000 (the "**Administration Charge**");

[ 20 ] **ORDERS** that the filing, registration or perfection of the Administration Charge shall not be required, and that the Administration Charge shall be valid and enforceable for all



purposes, including as against any right, title or interest filed, registered, recorded or perfected subsequent to the Administration Charge coming into existence, notwithstanding any such failure to file, register, record or perfect;

- [ 21 ] **DECLARES** that the Administration Charge shall rank in priority to any and all other hypothecs, mortgages, liens, security interest, priorities, charges, encumbrances or security of whatever nature or kind affecting the Property,

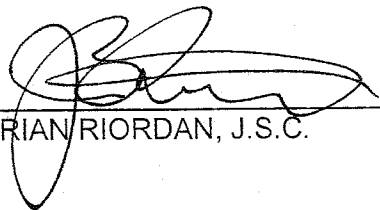
### GENERAL PROVISIONS

- [ 22 ] **ORDERS** that the Information Officer or the Foreign Representative may apply to this Court for advance and direction in connection with the discharge or variation of their powers and duties under this order;
- [ 23 ] **ORDERS** that nothing in this Order shall prevent the Foreign Representative or the Information Officer from acting as an interim receiver, a receiver, a receiver and manager, or a trustee in bankruptcy of the Foreign Debtor, the Business or the Property.
- [ 24 ] **DECLARES** that the order to be rendered on the present Motion and all other orders in these proceedings shall have full force and effect in all provinces and territories in Canada;
- [ 25 ] **ORDERS** that each of the Foreign Representative, the Foreign Debtor and the Information Officer be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order.
- [ 26 ] **ORDERS** that the Foreign Representative shall publish a notice as required by subsection 53(b) of the CCAA in The National Post and La Presse for one (1) day in two (2) consecutive weeks without delay following the issuance of this Order.
- [ 27 ] **ORDERS** that any interested Person may apply to this Court to vary or rescind the Order or seek other relief upon three (3) juridical days notice to the Foreign Representative / Petitioner's attorneys, to the Information Officer, at the coordinates indicated below, and to any other party likely to be affected by the order sought or upon such other notice, if any, as this court may order:

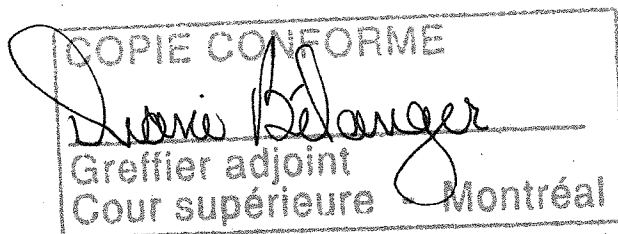
- i) Me. Marc Duchesne  
Me. François D. Gagnon  
Me. Mathieu Lévesque  
BORDEN LADNER GERVAIS LLP  
1000 De La Gauchetière West, Suite 900  
Montréal, Québec, H3B 5H4  
Counsel for the Foreign Representative/Petitioner  
Emails: mduchesne@blgcanada.com  
fgagnon@blgcanada.com  
malevesque@blgcanada.com

ii) Mr. Pierre Laporte  
Mr. Jean-François Nadon  
SAMSON BÉLAIR/DELOITTE TUOCHE INC.  
1, Place Ville-Marie, Suite 3000  
Montréal, Québec, H3B 5K1  
Information Officer  
Emails : pilaporte@deloitte.ca  
          jnadon@deloitte.com

- [ 28 ] **ORDERS** that the Foreign Representative, the Foreign Debtor, the Information Officer, and any party who has filed a Notice of Appearance may serve any court materials in these proceedings by e-mailing a PDF or other electronic copy of such materials to counsels' email addresses as recorded on the Service List to be kept by the Information officer, to the extent practicable, and the Information Officer may post a copy of any or all such materials on its website;
- [ 29 ] **ORDERS** that the present order shall be effective as of 12:00 a.m. eastern standard daylight time on the date of the order;
- [ 30 ] **DECLARES** that the present Order shall be executory notwithstanding appeal;
- [ 31 ] **THE WHOLE WITHOUT COSTS.**

  
BRIAN RIORDAN, J.S.C.

Me François D. Gagnon  
Me Mathieu Lévesque  
BORDEN LADNER GERVAIS s.e.n.c.r.l., l.l.p.  
Attorneys for Foreign Representative / Petitioner





## **Exhibit B**







**MONCTON**  
**DEMANDE DE QUALIFICATION**  
**NO DDQ10-073**  
 Ville de Moncton

**Sélection préalable d'entrepreneurs en construction du barrage du chemin Tower (Turtle Creek, N.-B.)**

Le projet de construction du barrage du chemin Tower comprend la construction d'un barrage en terre avec une nouvelle route, d'un évacuateur et d'une chute de crues en béton, d'un pont en béton et d'une structure de prise d'eau en béton avec tuyauterie et tous les accessoires s'y rattachant.

La présente demande de qualification (DDQ) sert à présélectionner les entrepreneurs désireux de soumissionner dans le cadre d'un appel d'offres à venir (qui sera lancé à l'automne 2010) visant la construction du barrage du chemin Tower et de tous les autres ouvrages du secteur du barrage conformément aux normes de rendement et de qualification appropriées.

Les entrepreneurs désireux de participer à la sélection préalable doivent présenter des renseignements pertinents démontrant leurs qualifications, leurs connaissances, leurs ressources, leur capacité financière, leur expérience dans des projets de génie civil importants similaires ou identiques et leur expérience dans un secteur de bassin hydrologique désigné, comme le précise la DDQ10-073.

**LES DOCUMENTS DE SOUMISSION ÉMIS POUR LA CONSTRUCTION DU BARRAGE DU CHEMIN TOWER SERONT REMIS UNIQUEMENT AUX ENTREPRENEURS PRÉSÉLECTIONNÉS, CONFORMÉMENT AUX PRÉSCRIPTIONS DU PROCESSUS D'ÉVALUATION DÉCRIT DANS LA DDQ10-073.**

Pour obtenir une copie officielle de la Demande de qualification NO DDQ10-073 – Sélection préalable d'entrepreneurs en construction du barrage du chemin Tower (Turtle Creek, N.-B.), qui comprend toutes les modalités de la DDQ, les exigences relatives à la soumission, les critères d'évaluation et les autres renseignements détaillés pertinents, veuillez vous adresser au Service des achats de la Ville de Moncton ou au Réseau de possibilités d'affaires du Nouveau-Brunswick (RPANB).

Pour obtenir une copie officielle du document DDQ, veuillez communiquer avec:

La Ville de Moncton  
 Service des achats  
 655, rue Main, 4e étage  
 Moncton (N.-B.) E1C 1E8  
 Téléphone : 506-853-3535 | Fax : 506-859-2675 | Courriel : info.purchasing@moncton.ca

On peut également obtenir une copie du document DDQ sur le site Web du RPANB à l'adresse [www.gnb.ca/0099/tenders](http://www.gnb.ca/0099/tenders)

**Seules les entreprises ayant obtenu la DDQ directement du Service des achats de la Ville de Moncton OU du Réseau de possibilités d'affaires du Nouveau-Brunswick peuvent répondre à la DDQ.**

**Le vendredi 10 septembre 2010 à 15 h (heure de l'Atlantique)** est la date limite de soumission d'une réponse officielle au document DDQ. Les soumissions reçues après la date limite **ne seront pas examinées** et seront retournées aux soumissionnaires sans avoir été ouvertes.



Tanya Carter, BAA, CPPB  
 Gestionnaire – Services des achats  
 Ville de Moncton

CANADA  
 PROVINCE DE QUÉBEC  
 DISTRICT DE MONTRÉAL  
 COUR N° : 500-11-039418-104  
 COUR SUPÉRIEURE  
 Chambre commerciale

**DANS LE CADRE DES PROCÉDURES DE RÉORGANISATION JUDICIAIRE DE :**

**COMPANIA MEXICANA DE AVIACIÓN, S.A. DE C.V.**, société constituée en vertu des lois du Mexique, ayant son siège av. Xola 535 Col., Del Valle, Mexico D.F., Mexico 03100 et une place d'affaires au 975, rue Roméo-Vachon Nord, bureau 413, Dorval, Québec, H4Y 1H1

Débitrice

**EN VERTU DE L'APPLICATION DE LA PARTIE IV DE LA LOI SUR LES ARRANGEMENTS AVEC LES CRÉANCIERS DES COMPAGNIES, R.S.C. 1985, c. C-36, DANS SA VERSION MODIFIÉE**

**VEUILLEZ PRENDRE NOTE** que le présent avis est publié conformément à une Ordonnance rendue par la Cour supérieure du Québec (Chambre commerciale) (la « *Cour canadienne* ») le 5 août 2010.

Le 2 août 2010, COMPANIA MEXICANA DE AVIACIÓN, S.A. DE C.V. (la « *Débitrice* ») a obtenu une Ordonnance de la Cour des affaires civiles du district fédéral du Mexique (la « *Cour mexicaine* ») qui, entre autres choses, a permis d'entamer des procédures de réorganisation d'entreprise pour la Débitrice en vertu de la Loi sur les réorganisations d'entreprises du Mexique (les « *procédures mexicaines* ») et de nommer M<sup>re</sup> Maru E. Johansen à titre de Représentante Étrangère.

**VEUILLEZ NOTER** qu'une Ordonnance a également été émise par la Cour canadienne en vertu de la Partie IV de la Loi sur les arrangements avec les créanciers des compagnies (l'« *Ordonnance de reconnaissance* ») qui, entre autres choses, i) reconnaît les procédures mexicaines à titre d'instance étrangère principale, ii) suspend l'ensemble des réclamations déposées contre la Débitrice au Canada et iii) nomme Samson Bélair/Deloitte & Touche Inc. (« *Deloitte* ») à titre d'Agent d'information de la Débitrice.

**VEUILLEZ ÉGALEMENT NOTER** que les personnes qui souhaitent recevoir une copie de l'Ordonnance de reconnaissance ou des renseignements supplémentaires à cet égard et/ou à l'égard du contenu du présent avis doivent communiquer avec l'Agent d'information, Deloitte, à l'adresse ci-dessous.

**FINALEMENT, VEUILLEZ PRENDRE NOTE** que l'Ordonnance de reconnaissance ainsi que toute autre ordonnance pouvant être rendue par la Cour canadienne peuvent être consultées à l'adresse [www.deloitte.com/ca/mexicana-airlines](http://www.deloitte.com/ca/mexicana-airlines).

**Samson Bélair/Deloitte & Touche Inc.**  
 En sa qualité d'Agent d'information de Compania Mexicana De Aviación, S.A. DE C.V. 1, Place Ville Marie, bureau 3000  
 Montréal QC H3B 4T9  
 À l'attention de M. Éric St-Pierre, CA  
 Tél. : 514-393-5051  
 Téléc. : 514-390-4103  
 Courriel : [estpierre@deloitte.ca](mailto:estpierre@deloitte.ca)

FAIT À MONTRÉAL, ce 13<sup>e</sup> jour d'août 2010.  
 SAMSON BÉLAIR/DELOITTE & TOUCHE INC.  
 Agent d'information



**AVIS D'APPROBATION D'UNE TRANSACTION DANS L'AFFAIRE RONALD BLANCHET C. VILLE DE LONGUEUIL 505-06-00002-977, COUR SUPÉRIEURE DU DISTRICT DE LONGUEUIL.**

Avis est donné aux membres du groupe suivant: « *Tous les propriétaires (ou locataires) d'immeubles résidentiels en date du 8 novembre 1996 dans la Ville de Saint-Hubert, ayant subi des dommages à leur propriété (mobilière ou immobilière) suite au débordement d'eau ou retournement d'égouts pluviaux consécutifs aux pluies des 8 et 9 novembre 1996.* ». (ci-après « *le Groupe* »), qu'une Transaction est intervenue entre les parties sans admission de responsabilité. Ce Groupe comprend les membres du groupe visés par le dossier *Claude Laroche c. Ville de Longueuil* (505-06-00001-979) n'ayant pas fait l'objet d'une autorisation compte tenu de l'approbation du Groupe dans le Recours Blanchet;

Soyez de plus avisé que dans le cadre du dossier *Ronald Blanchet c. Ville de Longueuil*, les parties demanderont l'approbation d'une Transaction visant un règlement complet et final. La Transaction constitue un compromis destiné à mettre un terme aux procédures judiciaires intentées afin d'éviter les frais et les aléas reliés à l'audition au fond et dans le but d'acheter la paix.

La somme prévue pour la Transaction est au montant de 450 000,00 \$ en règlement complet et final de toute réclamation, à savoir: i) 200 000,00 \$ devant servir à indemniser le représentant du Groupe et l'ensemble des membres du Groupe qui déposeront, sous peine de rejet, dans les 120 jours de la publication d'avis dans les journaux et sur le site Internet de la Ville de Longueuil, une réclamation individuelle complète auprès du Gestionnaire nommé par les parties. Dans l'éventualité où la somme de l'ensemble des réclamations individuelles complètes des membres du Groupe est supérieure à ce montant, les réclamations des membres seront remboursées au prorata des réclamations individuelles complètes. Dans l'éventualité d'un solde, il sera partagé en faveur du Fonds d'aide aux recours collectifs et des procureurs du Groupe; ET, ii) 250 000,00 \$ versé en remboursement de l'aide au Fonds d'aide aux recours collectifs, des honoraires judiciaires, extrajudiciaires et dépens aux procureurs du Groupe dans le dossier 505-06-00002-977 et des frais d'expertise du Groupe.

**La Transaction sera soumise à la Cour supérieure pour approbation le 30 septembre 2010, à 9h 30, devant l'Honorable juge Richard Wagner, j.c.s., au Palais de justice de Longueuil, sis au 1111, boul. Jacques-Cartier Est, à Longueuil, province de Québec, J4 M 2J6, en salle 1.36.**

Les membres du Groupe pourront alors faire valoir à la Cour supérieure leurs représentations sur la Transaction proposée.

La Cour supérieure a approuvé la publication du présent avis en date du 11 août 2010.

LA PRESSE AFFAIRES

L'Allemagne gonflée à bloc

AGENCE FRANCE-PRESSE

BERLIN — La santé éclatante de l'économie allemande devrait lui permettre d'atteindre « environ 3 % de croissance » cette année, un chiffre révisé hier en forte hausse par la Bundesbank et qui va faire des envieux en Europe.

« La dynamique conjoncturelle est favorable actuellement en Allemagne et la reprise devrait se poursuivre au second semestre », a estimé la Bundesbank dans son rapport mensuel. Cette nouvelle prévision de la Bundesbank est largement

supérieure à la précédente, publiée en juin (+1,9%). L'institution se montre également plus optimiste que le ministre de l'Économie, Rainer Brüderle, qui attend « bien plus de 2 % » de croissance. Autre signe positif, le déficit public allemand devrait être un peu moins élevé que prévu cette année. Il sera « nettement sous les 5 % » du PIB, selon la Bundesbank. Elle prévoyait jusqu'ici simplement « moins de 5 % » de déficit.

Bundesbank et gouvernement sont au diapason pour les années suivantes, avec une prévision de déficit de 4 % en 2011 et 3 % en 2012. « Sans surprise après les publications récentes, la Bundesbank a adopté un ton nettement plus positif », a commenté Julian Callow, de Barclays Capital.


L'Allemagne avait défié la semaine dernière les prévisions des analystes, affichant une croissance de 2,2 % au deuxième trimestre, lui jamais vu sur un trimestre depuis la Réunification.

Sur l'année, un taux de croissance d'environ 3 % du PIB ne serait toutefois pas inédit. Le précédent record date ainsi de 2006, avec une croissance de 3,4 %, après 3,2 % en 2000.

L'Allemagne, économie exportatrice qui réagit violemment aux soubresauts de la conjoncture mondiale, est une habituée des fortes variations: l'an dernier, elle avait plus souffert que beaucoup de pays européens avec une récession de 4,7 %. Signe que les rôles sont désormais inversés, la France a un objectif de croissance moitié moindre pour 2010 (1,4 %), et le gouvernement français devrait revoir à la baisse la prévision pour 2011 (2,5 %), jugée trop optimiste, lors de la présentation du budget attendue en septembre.

AVIS LÉGAUX - APPELS D'OFFRES SOUMISSIONS - ENCANS

AVIS LÉGAUX APPELS D'OFFRES SOUMISSIONS - ENCANS



**Ordre des psychologues du Québec**

**Avis de cessation d'exercice de Roger Gourde, psychologue**

Les clients de M. Roger Gourde, psychologue, (n° de permis : 01545-67) qui exerçait sa profession au :

8232 rue Laffèche  
 Montréal QC H1L 2Y1

sont priés de prendre note que, conformément au « *Règlement sur les dossiers d'un psychologue cessant d'exercer sa profession* », le secrétaire de l'Ordre des psychologues du Québec agira à titre de cessionnaire et gardien des dossiers de M. Gourde.

Toute demande d'accès ou de transfert de dossier doit être adressée, par écrit et sous pli confidentiel, à l'adresse suivante:

Monsieur Stéphane Beaulieu  
 Secrétaire général  
 ORDRE DES PSYCHOLOGUES DU QUÉBEC  
 1100, avenue Beaumont, bureau 510  
 Ville Mont-Royal (Québec) H3P 3H5  
 Téléphone : (514) 738-1881

AVIS PUBLIC

**PROJET USINE AP50 JONQUIÈRE, VILLE DE SAGUENAY**

Le projet vise à ajouter deux phases d'expansion à l'usine pilote AP50 actuellement en construction sur le site de Rio Tinto Alcan à Jonquièrre. La production totale d'aluminium atteindra 460 000 tonnes par année lorsque le projet sera complété. Le projet prévoit aussi la construction de services connexes nécessaires à la production d'aluminium. Des investissements de l'ordre de 3,6 milliards de \$ sont prévus afin de réaliser l'ensemble des phases de ce projet.

Cet avis est publié pour informer la population qu'elle peut consulter l'étude d'impact et les autres documents concernant ce projet à compter du 24 août 2010. Ces documents sont disponibles pour consultation aux endroits suivants :

**Bibliothèque de Chicoutimi**  
 155, rue Racine Est  
 Chicoutimi (Québec) G7H 1R5  
 Tél. : 418 698-5350

**Heures d'ouverture jusqu'au 5 septembre :**  
 Lundi au jeudi : 12 h 30 – 20 h  
 Vendredi : 12 h 30 – 17 h  
 Samedi : 12 h – 17 h  
 Dimanche : Fermé

**Heures d'ouverture à partir du 6 septembre :**  
 Lundi au vendredi : 12 h 30 – 20 h  
 Samedi : 10 h – 17 h  
 Dimanche : 12 h – 17 h

**Bibliothèque d'Arvida**  
 2850, Place Davis  
 Jonquièrre (Québec) G7S 2C5  
 Tél. : 418 698-5350

**Heures d'ouverture jusqu'au 5 septembre :**  
 Lundi au mercredi : 10 h – 20 h  
 Jeudi et vendredi : 10 h – 17 h  
 Samedi et dimanche : Fermé

**Heures d'ouverture à partir du 6 septembre :**  
 Lundi au mercredi : 10 h – 20 h  
 Jeudi et vendredi : 10 h – 17 h  
 Samedi : 10 h – 16 h  
 Dimanche : Fermé

ainsi qu'aux centres de documentation du Bureau d'audiences publiques sur l'environnement (BAPE) :

**Université du Québec à Montréal (UQAM)**  
 Bibliothèque des sciences juridiques, Pavillon Hubert-Aquin  
 Section des publications gouvernementales et internationales  
 400, rue Sainte-Catherine  
 Montréal (Québec) H2L 2C5  
 Tél. : 514 987-6184

**Heures d'ouverture :**  
 Lundi au vendredi : 8 h 30 – 22 h  
 Samedi : 11 h – 17 h  
 Dimanche : 11 h – 17 h

**Bureau d'audiences publiques sur l'environnement**  
 Édifice Lomer-Gouin  
 575, rue Saint-Amable, bureau 2.10  
 Québec (Québec) G1R 6A6

**Heures d'ouverture :**  
 Lundi au vendredi : 8 h 30 – 12 h  
 13 h – 16 h 30

Des renseignements supplémentaires peuvent être obtenus aux numéros 418 643-7447 ou sans frais 1 800 463-4732 de même que sur le site Web [www.bape.gouv.qc.ca](http://www.bape.gouv.qc.ca).

SÉANCE D'INFORMATION

Le Bureau d'audiences publiques sur l'environnement tiendra une rencontre d'information :

Le mercredi 15 septembre 2010 à compter de 19 h 30  
 Holiday Inn Saguenay, Salle Chomina  
 2675, boulevard du Royaume, Jonquièrre (Québec)

Toute personne, groupe ou municipalité peut demander par écrit au ministre du Développement durable, de l'Environnement et des Parcs, M. Pierre Arcand, la tenue d'une audience publique relativement à ce projet; cette demande doit être faite au plus tard le 8 octobre 2010 à l'adresse suivante : Édifice Marie-Guyart, 675, boul. René-Lévesque Est, 30<sup>e</sup> étage, Québec (Québec) G1R 5V7.

20 août 2010

Cet avis est publié par Rio Tinto Alcan conformément au Règlement sur l'évaluation et l'examen des impacts sur l'environnement (R.R.Q., 1981 c. Q 2, r.9).

# Pilots warned about escaped vulture that can soar to 30,000 feet

## AVIATION

**Britain's air traffic controllers** put pilots on alert this week after a vulture that can soar as high as 30,000 feet escaped from her handlers during a display. Gandalf, a seven-year-old Ruppell's Vulture with a three-metre wingspan, has not been seen since she caught a warm thermal during a show at the World of Wings centre in

North Lanarkshire, Scotland, on Tuesday. Nats, Britain's air traffic control company, said it had made pilots aware of the possibility of seeing the bird, while the aviation regulator, the Civil Aviation Authority, said bird strike is a constant

threat to aviation. Most airborne collisions involve birds flying into engines, forcing some aircraft into an emergency landing. In January last year, a US Airways crew ditched their plane in the Hudson River in New York, with no human fatalities, after both engines were effectively disabled by a bird strike. *Reuters*

## ECONOMY

# Fed may need to buy more U.S. treasuries: Bullard

## ST. LOUIS PRESIDENT

BY PEDRO NICOLACI  
DA COWSTA

ROGERS, ARK. • The Federal Reserve may need to ramp up its purchases of U.S. treasury debt if price levels in the U.S. economy continue to show signs of softening, St. Louis Fed president James Bullard said yesterday.

Mr. Bullard said such actions were not yet warranted, given expectations for a continued economic expansion.

But he added that, if further signs of easing price pressures were to emerge, the central bank should not be shy about using the remaining tools in its policy arsenal.

"Should economic developments suggest increased disinflation risk, purchases of treasury securities in excess of those required to keep the size of the balance sheet constant may be warranted," he said in prepared remarks.

In a significant policy shift last week, the Fed announced it would begin using the proceeds from maturing mortgage securities in its portfolio to buy treasury notes, an effort to prevent monetary conditions from tightening.

The move was aimed at sustaining an economic recovery that looks increasingly troubled, with persistently high unemployment and a battered housing market denting consumer confidence and inhibiting business investment.

Mr. Bullard suggested this was enough for now, taking comfort in inflation expectations that he described as low but manageable. Any additional treasury buying should be undertaken in a measured, deliberate manner, he said, commensurate with the magnitude of the deflation threat.

"Large, sudden purchases rarely are optimal," he said. "Shock and awe" is almost never a good way to proceed."

In response to the worst financial crisis since the Great



St. Louis Fed president James Bullard says, "Large sudden purchases rarely are optimal."

Depression, the Fed not only slashed interest rates close to zero but also bought more than US\$1.5-trillion in mortgage and treasury securities.

Following a deep recession, the U.S. economy has been growing for four straight quarters. However, the expansion was already losing steam in the second quarter, and many fear the second half of the year will be even more lacklustre.

Against that backdrop, core inflation measures, which exclude volatile food and energy prices and are therefore favoured by Fed officials, remain stuck at their lowest levels in over 40 years.

*Reuters*

'Shock and awe' is almost never a good way to proceed

QILAI SHEN / BLOOMBERG NEWS FILES

## LEGAL

For ad info: T: 416.386.2648  
1.800.668.5617 | F: 416.386.2663

### NOTICE TO CREDITORS AND OTHERS

All claims against the estate of JANINA STEFANIA LUSZCZKI (also known as JANINA STEFANIA ASSMANN), late of the City of Toronto, in the Province of Ontario, who died on or about the 28th day of October, 2009, must be filed with the undersigned Estate Trustees on or before September 15, 2010, thereafter, the undersigned will distribute the assets of the said estate having regard only to the claims then filed.

DATED at Toronto August 10, 2010  
Eugene Kulczycki and George M. Harasymowycz, Estate Trustees, by their Solicitor, George M. Harasymowycz, 2311 Bloor Street West, Suite 200, Toronto, Ontario, M6S 1P1. 416-766-2472

### NOTICE TO CREDITORS AND OTHERS

All claims against the estate of WILLIAM CHYZ (also known as WASYL CZYZ), late of the City of Toronto, in the Province of Ontario, who died on or about the 12th day of October, 2009, must be filed with the undersigned Estate Trustees on or before September 15, 2010, thereafter, the undersigned will distribute the assets of the said estate having regard only to the claims then filed.

DATED at Toronto August 10, 2010  
Lidia Cymbaluk and George M. Harasymowycz, Estate Trustees, by their Solicitor, George M. Harasymowycz, 2311 Bloor Street West, Suite 200, Toronto, Ontario, M6S 1P1. 416-766-2472

## LEGAL

For ad info: T: 416.386.2648  
1.800.668.5617 | F: 416.386.2663

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
COURT N°.: 500-11-039418-104  
SUPERIOR COURT  
Commercial Division

IN THE MATTER OF THE JUDICIAL REORGANIZATION PROCEEDINGS OF:

COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V., a legal person incorporated under the laws of Mexico, having its head office at av. Xola 535 Col., Del Valle, Mexico D.F., Mexico 03100 and a place of business at 975, Romeo-Vachon Street North, Suite 413, Dorval, Quebec, H4Y 1H1  
Debtor

IN THE MATTER OF THE APPLICATION OF THE PARTIE IV OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

PLEASE BE ADVISED that this Notice is being published pursuant to an order of the Quebec Superior Court, Commercial Division (the "Canadian Court"), rendered on August 5<sup>th</sup>, 2010.

On August 2<sup>nd</sup>, 2010, COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V. (the "Debtor") obtained an Order from the Federal District Court of Civil Matters of the Federal District of Mexico (the "Mexican Court") that, among other things, commenced corporate reorganization proceedings for the Debtor under Mexico's Business Reorganization Act (the "Mexican Proceeding") and appointed Ms. Maru E. Johansen as Foreign Representative.

PLEASE TAKE NOTICE that an order was also issued by the Canadian Court under Part IV of the Companies' Creditors Arrangement Act (the "Recognition Order") that, among other things: i) recognizes the Mexican Proceeding as a Foreign Main Proceeding; ii) stays all claims against the Debtor in Canada; and iii) appoints Samson Bélair/Deloitte & Touche Inc. ("Deloitte") as the Information Officer of the Debtor.

PLEASE TAKE FURTHER NOTICE that Persons who wish to receive a copy of the Recognition Order or any further information in respect thereof or in respect of the matters set out in this Notice should contact the Information Officer, Deloitte, at the coordinates below.

PLEASE FINALLY NOTE that the Recognition Order and any other orders that may be rendered by the Canadian Court can be viewed at [www.deloitte.com/mexicana-airlines](http://www.deloitte.com/mexicana-airlines).

Samson Bélair/Deloitte & Touche Inc.  
In its capacity of Information Officer of Compania Mexicana De Aviación, S.A. DE C.V.  
1 Place Ville Marie, Suite 3000  
Montreal QC H3B 4T9  
Attention: Mr. Eric St-Pierre, CA  
Tel: 514-393-5051  
Fax: 514-390-4103  
E-mail: [estpierre@deloitte.ca](mailto:estpierre@deloitte.ca)

DATED AT MONTREAL, this 13<sup>th</sup> day of August 2010.  
SAMSON BÉLAIR/DELOITTE & TOUCHE INC.  
Information Officer

**Deloitte.**

Samson Bélair/Deloitte & Touche

# NATIONAL CLASSIFIED

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### BUSINESS OPPORTUNITY

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Potential candidates do not have to be profitable, however must have a minimum of \$5m in recurring annual revenues.

All inquiries will be held in strict confidence. For more information, contact;

Mr. Larry Kennelly,  
Senior Vice-President, Capital Markets Group  
Harris Brown & Partners Limited  
416.850.1564  
[Larry.Kennelly@harrisbrownpartners.ca](mailto:Larry.Kennelly@harrisbrownpartners.ca)

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### WORKING

**Cucina Manila** at 5183 Joyce St Van & 10294 135 St Sry needs staff exp'd in Filipino cuisine: F/T Cooks for Van (2) & Sry (2) to prep menus, manage staff & operation \$15-18/hr 3-5 yrs exp reqd. ALSO, F/T Asst Cooks for Van (2) & Sry (2) to prep ingredients & cook meals \$12-14/hr 1-3 yrs exp reqd. Drop off resumes or email [cucinamanila@yahoo.ca](mailto:cucinamanila@yahoo.ca)

**PDR TECHNICIAN REQUIRED** immediately for various rural locations in Sask. A minimum of 10 years experience in hail repair **306-949-2613**

Fiera Foods, Toronto location requires a F/T Welder. Experience in structural construction Welding, machinery and equipment repair welding. Wage is competitive in the current market place. Fax or email resumes to 416-746-8369 [dgelbloom@fierafoods.com](mailto:dgelbloom@fierafoods.com)

REQD F/T LIVE-IN-CAREGIVER w/exp to look after disabled person; providing timely meals and helping disabled; providing required medication on time, providing care & assistance; helping in daily activities. Sal: \$11/hr Knowledge of English, Punjabi is required. Email: [jaswinderrewal49@yahoo.ca](mailto:jaswinderrewal49@yahoo.ca) Contact jaswinder @ Ph: 416-726-2603 Location: Brampton, ON

## ICI

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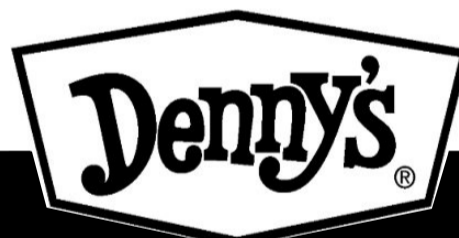
1-866-841-0716

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### WORKING



## YOU ARE WANTED

At Denny's, our employees are our most valuable asset, so if you're looking for a rewarding and fun career experience working with people, we have plenty to offer. We're now hiring - why not come join us?

We're looking for Hosts, Hostesses, Servers, Service Assistants and Line Cooks. We're also seeking Managers and Assistant Managers to play an important part as we grow.

Bring your resume to Denny's at 8001 - 11 Street SE, Calgary from August 20 to August 28, 2010 8 am - 5 pm and let's talk about a bright future.

### WORKING

## JAPAN FOUNDATION

### The Japan Foundation, Toronto (JFT)

Location: 131 Bloor St. W. Suite 213, Toronto, ON

Position: Planning Officer (Japanese Language Education)

#### Job description:

- Plan, organize, coordinate and implement educational events, workshops and seminars.
- Assist teachers on pedagogy, course design, and teaching materials.
- Give presentations at conferences, etc.

#### Requirements:

- Superior Japanese (equivalent or higher than Japanese Language Proficiency Test Level 1) and English-language skills (oral and written)
- B.A or M.A. related to the Japanese-language education area
- More than 5 years of the related experience

#### Working Conditions:

- Full-time (40 hours per week) Monthly Salary CAD \$3,300-\$4,000 Benefits

#### How to apply:

Please check <http://www.jftor.org/about/job.php> for details about the application procedures.



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A BETTER READ.

## **Exhibit C**

CANADA  
PROVINCE DU QUÉBEC  
DISTRICT DE MONTREAL  
COUR No : 500-11-039418-104

COUR SUPÉRIEURE  
Chambre commerciale

**DANS L'AFFAIRE DES PROCÉDURES  
DE RESTRUCTURATION JUDICIAIRE  
DE :**

**COMPANÍA MEXICANA DE AVIACIÓN, S.A.  
DE C.V.**, personne morale incorporée en vertu de lois  
du Mexique, ayant son siège social au av. Xola 535  
Col., Del Valle, Mexico D.F., Mexico 03100, et une  
place d'affaires au 975, rue Romeo-Vachon Nord, Suite  
413, à Dorval, Québec H4Y 1H1

Débitrice

– et –

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.**  
(Jean-François Nadon, CA, CIRP, responsable  
désigné), ayant une place d'affaires au 1, Place Ville  
Marie, bureau 3000, Montréal, Québec, H3B 4T9

Officier d'information

## AVIS AUX CRÉANCIERS

**[Procédure relative au processus de reconnaissance de créance  
et la date limite de dépôt du Formulaire de reconnaissance de créance  
fixée au 3 décembre 2010 à 17 h (heure locale de la ville de Mexico)]**

Le 2 août, 2010, **COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V** (« **Mexicana** » ou la  
« **Débitrice** ») a entamé des procédures sous la *Ley de Concursos Mercantiles* du Mexique (les  
« **Procédures mexicaines** »).

Le 5 août 2010, Maru E. Johansen (le « **Représentant étranger** ») a déposé une requête devant la  
Chambre commerciale de la Cour supérieure du Québec du district de Montréal (le « **Tribunal canadien** »)  
en vertu de la *Loi sur les arrangements avec les créanciers des compagnies*, L.R.C. 1985, c. C-36, en sa  
version modifiée (la « **LACC** ») et a obtenu une ordonnance qui, entre autres : (i) reconnaît les  
Procédures mexicaines comme « instance étrangère »; (ii) protège Mexicana contre ses créanciers en  
vertu de LACC; et (iii) nomme Samson Bélair/Deloitte & Touche Inc. à titre d'officier d'information  
(l' « **Officier d'information** »).

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
COURT No.: 500-11-039418-104

SUPERIOR COURT  
Commercial Division

**IN THE MATTER OF THE JUDICIAL  
REORGANIZATION PROCEEDINGS OF:**

**COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V.**, a legal person incorporated under the laws of Mexico, having its head office at av. Xola 535 Col., Del Valle, Mexico D.F., Mexico 03100 and a place of business at 975, Romeo-Vachon Street North, Suite 413, Dorval, Quebec H4Y 1H1

Debtor

– and –

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.** (Jean-François Nadon, CA, CIRP, responsible), having a place of business at 1 Place Ville Marie, Suite 3000, Montreal, Quebec H3B 4T9

Information Officer

## NOTICE TO CREDITORS

**[Procedures relating to the credit recognition application process and the credit recognition Bar Date set for 5:00 p.m. (Mexico city time) on December 3, 2010]**

On August 2, 2010, **Compania Mexicana De Aviacion, S.A. de C.V.** (“**Mexicana**” or the “**Debtor**”), commenced proceedings under the *Mexico’s Ley de Concursos Mercantiles* (the “**Mexican Proceedings**”).

On August 5, 2010, Maru E. Johansen (the “**Foreign Representative**”), brought an application (the “**CCAA Proceeding**”) before the Commercial Division of the Superior Court for the Judicial District of Montreal (the “**Canadian Court**” pursuant to Part IV of the *Companies Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the “**CCAA**”), and obtained an order, which among other things: (i) recognized the Mexican Proceedings as a “foreign main proceedings”; (ii) granted a stay of proceedings against the Debtor; and (iii) appointed Samson Bélair Deloitte & Touche Inc. (“**Deloitte**”) as Information Officer (the “**Canadian Recognition Order**”).

The Debtor obtained the approval from the Mexican Court authorizing notably a process for creditors to prove their claims.



La Débitrice a obtenu du tribunal mexicain l'autorisation notamment d'entamer un processus dans le cadre duquel les créanciers pourront prouver leurs réclamations.

À cet égard, vous trouvez dans cet envoi :

- Le formulaire officiel de preuve de réclamation, intitulé « *Solicitud de Reconocimiento de Crédito* », en Espagnol;
- Une version non-officielle de la preuve de réclamation, intitulée « *Credit Recognition Application* », en Anglais;
- Une version non-officielle de la preuve de réclamation, intitulée « *Demande de Reconnaissance de Créance* » en Français;
- La version espagnole originale de l'avis aux créanciers donné par le *Conciliador*;
- Une traduction certifiée de l'avis aux créanciers donné par le *Conciliador*;
- La version anglaise des « *Instructions for Completing the Credit Recognition Application* »;
- La version française des « *Instructions pour compléter la Demande de reconnaissance de créance* ».

**SOYEZ TOUTEFOIS AVISÉS QUE SEULE LA VERSION ESPAGNOLE DU « SOLICITUD DE RECONOCIMIENTO DE CREDITO » S'AVÈRE VALIDE ET ACCEPTABLE AUX FINS DU PROCESSUS DE DÉPÔT DE PREUVES DE RÉCLAMATION ET QUE CETTE VERSION DU FORMULAIRE DOIT OBLIGATOIREMENT ÊTRE COMPLÉTÉE, À DÉFAUT DE QUOI VOTRE RÉCLAMATION POURRA ÊTRE PRÉSUMÉE IRRECEVABLE, REJETÉE ET / OU CONSIDÉRÉE DÉFICIENTE QUANT À SA FORME ET / OU SON MÉRITE.**

L'information concernant la procédure en vertu de la LACC se trouve sur le site Web de l'Officier d'information à l'adresse <http://www.deloitte.com/ca/mexicana-airlines-fr>.

Les créanciers qui ont des questions ou qui ne peuvent télécharger un « Formulaire de reconnaissance de Créance » à partir du site Internet de l'Officier d'information doivent communiquer avec celui-ci aux coordonnées suivantes :

**Samson Bélair/Deloitte & Touche Inc.**  
**En sa capacité d'Officier d'information de**  
**COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V**  
**1, Place Ville Marie, bureau 3000**  
**Montréal QC H3B 4T9**  
**Tél. : 514-393-5042**  
**Télec. : 514-390-4103**

FAIT À MONTRÉAL, ce 22<sup>e</sup> jour  
d'octobre 2010.

SAMSON BÉLAIR/DELOITTE & TOUCHE INC.  
Officier d'information

In such respect, please find enclosed herewith:

- The official form of the proof of claim entitled “Solicitud de Reconocimiento de Crédito”, in Spanish
- An unofficial translation entitled “Credit Recognition Application”, in English;
- An unofficial translation entitled “Demande de Reconnaissance de Créance” in French;
- The original Spanish Version of the notice to creditors given by the Conciliador;
- A certified english translation of the notice to creditors by the Concilador;
- The English version of the Instructions for Completing the Credit Recognition Application;
- The French version of the Instructions pour Compléter la Demande de Reconnaissance de Créance.

**PLEASE BE ADVISED THAT THE SPANISH-LANGUAGE VERSION OF THE “SOLICITUD DE RECONOCIMIENTO DE CRÉDITO” IS THE ONLY VALID VERSION AND MUST THEREFORE BE COMPLETED, FAILING WHICH YOUR CLAIM MAY BE DEEMED BARRED, REJECTED AND/OR SUBSTANTIVELY AND PROCEDURALLY DEFECTIVE.**

Information regarding the CCAA proceedings and the claims process is available on the Information Officer’s Website at: <http://www.deloitte.com/ca/mexicana-airlines-fr>.

Creditors who have questions or are unable to download a Recognition Form from the Information Officer’s Website should contact the Information Officer at the coordinates below:

**Samson Bélair/Deloitte & Touche Inc.**  
**In its capacity as Information Officer of**  
**COMPANIA MEXICANA DE AVIACION, S.A. DE C.V**  
**1 Place Ville Marie, Suite 3000**  
**Montreal QC H3B 4T9**  
**Tel.: 514-393-5042**  
**Fax: 514-390-4103**

DATED AT MONTREAL, this 22<sup>th</sup> day  
of October, 2010.

SAMSON BÉLAIR/DELOITTE & TOUCHE INC.  
Information Officer

**AL ACREEDOR DE:  
COMPAÑÍA MEXICANA DE AVIACION S.A. DE C.V.  
Presente**

De conformidad con lo establecido por el artículo 149 de la Ley de Concursos Mercantiles, hago de su conocimiento que fui designado como **CONCILIADOR** en el juicio de Concurso Mercantil descrito al rubro, mismo que se tramita en el **JUZGADO DECIMO PRIMERO DE DISTRITO EN MATERIA CIVIL EN EL DISTRITO FEDERAL** bajo el expediente numero 432/2010-B, procedimiento en el que usted está reconocido como acreedor y para los efectos de realizar las funciones inherentes a mi cargo señalo como domicilio, el ubicado en Hegel 207 3er piso, colonia Chapultepec Morales, C.P.11570 en Mexico, Distrito Federal; así como los teléfonos 0155 8589 8070, 01 777 3121113 y el 01 777 3140644.

En cumplimiento de la obligación que al respecto me imponen los artículos 121 y 123, de la Ley de Concursos Mercantiles, realizaré de oficio las gestiones para el reconocimiento de créditos, adicionalmente y sin perjuicio de lo anterior, si a sus intereses conviene, usted podrá solicitar el reconocimiento de su crédito. La mencionada solicitud debe:

- a) presentarse directamente al suscrito;
- b) precisamente en el domicilio indicado en el párrafo anterior;
- c) en el formato de solicitud de reconocimiento de créditos diseñado por el Instituto Federal de Especialistas de Concursos Mercantiles, ejemplar que puede reproducirse, fotocopiarse e imprimirse del sitio web del expresado instituto: [www.ifecom.cjf.gob.mx](http://www.ifecom.cjf.gob.mx);
- d) deberá anexar a su solicitud el ó los documentos en que se basa su petición, de preferencia en original o copia certificada;
- e) incluir en cada párrafo los datos y entregarse dentro de los plazos que se establecen en los artículos 122 y 125 de la multicitada Ley.

**Atentamente.**

México, D.F.; a 14 de Octubre del 2010.



**JOSÉ GERARDO BADÍN CHERIT**

# (CERTIFIED TRANSLATION)

**TO THE CREDITORS OF:  
COMPAÑÍA MEXICANA DE AVIACION S.A. DE C.V.**

Pursuant to the provisions of article 149 of the Bankruptcy Proceedings Law, I hereby notify you, that I have been appointed as **CONCILIATOR** in the Bankruptcy Proceedings described above, which is being processed in **DISTRICT COURT ELEVEN FOR CIVIL MATTERS IN MEXICO CITY** under file number 432/2010-B, proceedings where you have been recognized as creditor and in order to fulfill the duties inherent to my position I herein appoint the following domicile: Hegel 207 3er piso, colonia Chapultepec Morales, C.P.11570 en Mexico, Distrito Federal; and the following telephone numbers 0155 8589 8070, 01 777 3121113 and 01 777 3140644.

In compliance with the obligation set out to this respect in articles 121 and 123 of the Bankruptcy Proceedings Law, the necessary processes for recognition of credits shall be taken by me, ex officio, and in addition and without detriment to the foregoing, you may, if for the best of your interest, request that your credit be recognized. That request must:

- a) be directly submitted to the undersigned;
- b) be made at the domicile stated in the foregoing paragraph;
- c) be in the form to request the credits recognition provided by the Federal Institute of Experts in Bankruptcy Proceedings, copy which may be downloaded, photocopied and printed from the Institute's web site: [www.ifecom.cif.gob.mx](http://www.ifecom.cif.gob.mx);
- d) include the document(s) on which your request is based to your application, preferably in original or certified copy;
- e) include the data in each paragraph and deliver it (them) within the terms set forth in articles 122 and 125 of said Law.

**Sincerely**

Mexico City October 14, 2010.

**JOSÉ GERARDO BADINCHERIT**

\*\*\*\*\*  
I, Miguel Angel Cárdenas C., Expert Translator duly authorized by the council of the Federal Court of Justice of the Judicial Power of the Federation, as published in the Daily Gazette of the Federation on October 9, 2008, DO HEREBY CERTIFY that the foregoing translation in 1 page, to the best of my knowledge and belief, is true and correct.

Mexico City, October 14, 2010.



CANADA  
PROVINCE DU QUÉBEC  
DISTRICT DE MONTREAL  
COUR No : 500-11-039418-104

COUR SUPÉRIEURE  
Chambre commerciale

**DANS L'AFFAIRE DES PROCÉDURES  
DE RESTRUCTURATION JUDICIAIRE  
DE :**

**COMPANÍA MEXICANA DE AVIACIÓN,  
S.A. DE C.V.**, personne morale incorporée en vertu  
des lois du Mexique, ayant son siège social au av. Xola  
535 Col., Del Valle, Mexico D.F., Mexico 03100, et une  
place d'affaires au 975, rue Romeo-Vachon Nord, Suite  
413, à Dorval, Québec H4Y 1H1

Débitrice

– et –

**SAMSON BÉLAÏR/DELOITTE & TOUCHE INC.**  
(Jean-François Nadon, CA, CIRP, responsable  
désigné), ayant une place d'affaires au 1, Place Ville  
Marie, bureau 3000, Montréal, Québec, H3B 4T9

Officier d'information

**DANS L'AFFAIRE DE LA REQUÊTE EN VERTU DE LA PARTIE IV  
DE LA LOI SUR LES ARRANGEMENTS AVEC LES CRÉANCIERS DES COMPAGNIES,  
R.S.C. 1985, c. C-36, TELLE QU'AMENDÉE**

## **INSTRUCTIONS POUR COMPLÉTER LA DEMANDE DE RECONNAISSANCE DE CRÉANCE**

Afin de vous conformer à la loi applicable au processus de dépôt des preuves de réclamation dans l'affaire de la restructuration commerciale de **COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V.** en vertu de la *Ley de Concursos Mercantiles* du Mexique (les "**Procédures mexicaines**"), et ainsi préserver vos droits relativement à toute distribution de dividende à laquelle vous pourriez être éligible, vous devez compléter et retourner un Formulaire de demande de reconnaissance de créance (le « **Formulaire de demande** »). À cet effet, vous trouverez ci-joint une version espagnole, anglaise et française du Formulaire de Demande.

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
COURT No.: 500-11-039418-104

SUPERIOR COURT  
Commercial Division

**IN THE MATTER OF THE JUDICIAL  
REORGANIZATION PROCEEDINGS OF:**

**COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V.**, a legal person incorporated under the laws of Mexico, having its head office at av. Xola 535 Col., Del Valle, Mexico D.F., Mexico 03100 and a place of business at 975, Romeo-Vachon Street North, Suite 413, Dorval, Quebec H4Y 1H1

Debtor

– and –

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.** (Jean-François Nadon, CA, CIRP, responsible), having a place of business at 1 Place Ville Marie, Suite 3000, Montreal, Quebec H3B 4T9

Information Officer

**IN THE MATTER OF THE APPLICATION UNDER PART IV  
OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

## **INSTRUCTIONS FOR COMPLETING THE CREDIT RECOGNITION APPLICATION**

In order to comply with the applicable law in the claim filing process in the commercial reorganization of **COMPANÍA MEXICANA DE AVIACIÓN, S.A. DE C.V.** under *Mexico's Ley de Concursos Mercantiles* (hereinafter the "**Mexican Proceedings**") and therefore preserve any distribution to which you may be entitled, you must complete and return a Credit Recognition Application Form (hereinafter the "**Application Form**"). Enclosed are a Spanish, an English and a French version of the Application Form.

.../2

SOYEZ TOUTEFOIS AVISÉS QUE **SEULE LA VERSION ESPAGNOLE DU FORMULAIRE DE DEMANDE S'AVÈRE VALIDE ET ACCEPTABLE** AUX FINS DU PROCESSUS DE DÉPÔT DES PREUVES DE RÉCLAMATION ET QUE CETTE VERSION DU FORMULAIRE DOIT OBLIGATOIREMENT ÊTRE COMPLÉTÉE, À DÉFAUT DE QUOI **VOTRE RÉCLAMATION POURRA ÊTRE PRÉSUMÉE IRRECEVABLE, REJETÉE ET / OU CONSIDÉRÉE DÉFICIENTE QUANT À SA FORME ET / OU SON MÉRITE**. AINSI, LES PRÉSENTES INSTRUCTIONS, DE MÊME QUE LA VERSION ANGLAISE ET FRANÇAISE DU FORMULAIRE DE DEMANDE, VOUS SONT FOURNIES UNIQUEMENT DANS LE BUT DE VOUS ASSISTER ET DE VOUS PERMETTRE DE COMPLÈTER LA VERSION ESPAGNOLE DU FORMULAIRE DE DEMANDE.

Le Formulaire de demande (en version espagnole, anglais et française) est également disponible en version électronique sur le site Internet de Deloitte, <http://www.deloitte.com/ca/mexicana-airlines-fr>. Le montant de la réclamation apparaissant dans le Formulaire de demande peut être indiqué dans la devise d'origine, par exemple en dollars américains ou en dollars canadiens.

Le Formulaire de demande doit être accompagné de tous les documents justificatifs requis afin d'attester du montant de la créance et de la validité de celle-ci.

La section « **Nature de la créance** » énumère plusieurs catégories. Les créanciers fournisseurs de biens ou de services ainsi que les créanciers locataires devraient cocher la case « **Ordinaire** ». Les créanciers garantis doivent quant à eux cocher la case « Intérêt garanti sur les biens meubles ».

La section « **Priorité** » vise les créanciers réclamant un traitement préférentiel ou prioritaire en vertu des Procédures mexicaines, par exemple les créances découlant des obligations d'emploi. Si un créancier ne bénéficie pas d'un rang prioritaire statutaire, où dans l'éventualité où un créancier ignore si sa créance bénéficie d'un tel rang prioritaire statutaire, celui-ci peut indiquer à la section « **Priorité** » « *Conforme a la prelación que marca la ley de Concursos Mercantiles* », ce qui signifie essentiellement « la priorité dont la créance bénéficie en vertu des Procédures mexicaines ».

La section « **Caractéristiques de la créance** » doit comporter une brève description des dispositions contractuelles et / ou des conditions sur lesquelles se fondent la créance. Ces termes et conditions se retrouvent généralement dans un contrat de vente, un contrat de fourniture de biens ou de services ou encore dans un contrat de louage. En l'absence de contrat écrit ou d'entente, le créancier peut inscrire la période de paiement indiquée sur les factures usuelles, par exemple 30 jours suivant la réception de la facture.

Les autres sections du Formulaire de demande nécessitent certaines informations qui devraient être facilement identifiables et disponibles pour chaque créancier.

UN EXEMPLAIRE ORIGINAL, SIGNÉ À L'ENCRE, DE LA VERSION ESPAGNOLE DU FORMULAIRE DE DEMANDE DEVRA ÊTRE DÉPOSÉ. **LES PHOTOCOPIES, TÉLÉCOPIES ET / OU COURRIELS SONT INSUFFISANTS**. LE FORMULAIRE DE DEMANDE **DOIT** INCLURE LE NOM ET LA SIGNATURE DU CRÉANCIER LUI-MÊME, S'IL S'AGIT D'UNE PERSONNE PHYSIQUE, OU DE SON REPRÉSENTANT LÉGAL AUTORISÉ, S'IL S'AGIT D'UNE ENTITÉ CORPORATIVE, AUQUEL CAS LE CRÉANCIER DEVRA ÉGALEMENT FOURNIR UNE PREUVE DE LA CAPACITÉ LÉGALE ET DE L'AUTORITÉ DUDIT REPRÉSENTANT À SIGNER LE FORMULAIRE DE DEMANDE AU NOM DE LA COMPAGNIE, À DÉFAUT DE QUOI LE FORMULAIRE DE DEMANDE **SERA CONSIDÉRÉ INVALIDE**.

**PLEASE BE ADVISED THAT THE SPANISH-LANGUAGE VERSION OF THE APPLICATION FORM IS THE ONLY VALID VERSION AND MUST THEREFORE BE COMPLETED. FAILING WHICH YOUR CLAIM MAY BE DEEMED BARRED, REJECTED AND/OR SUBSTANTIVELY AND PROCEDURALLY DEFECTIVE. THESE INSTRUCTIONS AND THE ENGLISH AND FRENCH VERSIONS OF THE APPLICATION FORM ATTACHED ARE PROVIDED SOLELY FOR YOUR ASSISTANCE IN COMPLETING THE SPANISH VERSION OF THE APPLICATION FORM.**

The Application Form (in Spanish, English and French ) is also available electronically on Deloitte's website, <http://www.deloitte.com/ca/mexicana-airlines-fr>.

The amount claimed in the Application Form may be listed in the original currency, *e.g.* US dollars or Canadian dollars.

The application form must be accompanied by documents sufficient to demonstrate the amount and validity of any claim.

The **Nature of Claim** box lists several categories. Providers of goods or services and lessors should mark the box **Common**, unless they are secured creditors. Secured creditors should mark the box Security Interest on Personal Property.

The **Priority** box is intended for creditors claiming any priority treatment recognized under the Mexican Proceedings, *e.g.* employment obligations. If a creditor does not have a statutory higher priority, or is uncertain of whether its claim is entitled to such priority it may state: "*Conforme a la prelación que marca la ley de Concursos Mercantiles,*" which in substance means "the priority to which the claim is entitled under the Mexican Proceedings."

The **Characteristics of Credit** box should contain a brief description of the credit terms and/or conditions on which the claim is based. Such terms are most commonly found in the contract for sale or supply of goods or services or in the lease contract. If there was no written contract or agreement the credit period stated on the regular invoices could be used, *e.g.* 30 days from receipt of invoice.

The remaining boxes in the Application Form require information that should be readily available and identifiable by each creditor.

**AN ORIGINAL, INK-SIGNED, SPANISH APPLICATION FORM MUST BE FILED. PHOTOCOPIES, FAXES AND/OR EMAILS ARE INSUFFICIENT. THE APPLICATION FORM MUST INCLUDE THE NAME AND SIGNATURE OF THE INDIVIDUAL CREDITOR OR LEGAL REPRESENTATIVE OF SUCH CREDITOR (AND PROVIDE PROOF OF SUCH REPRESENTATIVE'S CAPACITY AND AUTHORITY TO FILE ANY SUCH CLAIM) OR IT WILL BE INVALID.**



Le Formulaire de demande doit être **REÇU** par le bureau du *Conciliador* **AU PLUS TARD LE 3 DÉCEMBRE 2010 À 17H00 (HEURE LOCALE DE LA VILLE DE MEXICO) AFIN D'ÊTRE CONSIDÉRÉ COMME ÉTANT DÉPOSÉ EN TEMPS UTILE**. Le Formulaire de demande doit être acheminé à l'adresse suivante par voie de service de messagerie ou par courrier prioritaire (nous déconseillons fortement l'usage des services postaux réguliers) :

**Hegel 207, 3rd Floor,  
Colonia Chapultepec Morales  
Delegación Miguel Hidalgo,  
C.P. 11570  
Mexico City  
Tel. : 0155 8589 8070**

Le dépôt d'un Formulaire de demande directement auprès du *Conciliador* de la manière décrite aux présentes constitue le seul moyen par lequel les créanciers peuvent présenter un réclamation à être traitée dans le cadre des Procédures mexicaines.

FAIT À MONTRÉAL, ce 22<sup>e</sup> jour  
d'octobre 2010

SAMSON BÉLAIR/DELOITTE & TOUCHE INC.  
Officier d'information

The Application Form must be **RECEIVED** by the *Conciliador*'s office by **NO LATER THAN 5:00 P.M. (MEXICO CITY TIME) ON DECEMBER 3, 2010 IN ORDER TO BE TIMELY.**  
The Application Form should be sent by messenger or courier (we strongly recommend not to use the regular postal service) to the following coordinates:

**Hegel 207, 3rd Floor,  
Colonia Chapultepec Morales  
Delegación Miguel Hudalgo,  
C.P. 11570  
Mexico City  
Tel. : 0155 8589 8070**

The submission of an Application Form directly to the *Conciliador* as noted herein is the only means by which creditors can submit claims to be processed as part of the Mexican proceedings.

DATED AT MONTREAL, this 22<sup>nd</sup> day  
of October 2010.

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.**  
Information Officer

## DEMANDE DE RECONNAISSANCE DE CRÉANCE

<b>Expert</b> : Gerardo Badin Conformément à l'article 125 de la Loi de la faillite, je demande à être reconnu comme créancier de la société en faillite.	<b>Cour</b> : District fédéral – Circonscription no 1 <b>Société</b> : Companía Mexicana De Aviación, S.A. De C.V. <b>Dossier de faillite n°</b> : 432/2010
<b>Informations concernant le créancier</b>	
Nom	
Adresse de correspondance	
<b>Créance contre la Société</b>	<b>Montant dû par le créancier à la Société</b>
Montant (en chiffres et en lettres)	Montant (en chiffres et en lettres)
Devise d'origine ou UDI (devise mexicaine)	Devise d'origine ou UDI (devise mexicaine)
<b>Nature de la créance</b>	
<input type="radio"/> Employé par l'actif de la faillite <input type="radio"/> Diligence au profit de l'actif de la faillite <input type="radio"/> Taxes relative à une hypothèque <input type="radio"/> Taxes dues à la IMSS <input type="radio"/> Frais d'inhumation <input type="radio"/> Taxes non relative à une hypothèque <input type="radio"/> Frais d'administration de l'actif de la faillite <input type="radio"/> Frais de maladie <input type="radio"/> Autres obligations relatives à l'emploi <input type="radio"/> Fais pour mesures conservatoires de l'actif de la faillite <input type="radio"/> Intérêt garanti sur les biens meubles <input type="radio"/> Privilégiée <input type="radio"/> Intérêt garanti sur les biens immeubles <input type="radio"/> Ordinaire	
Priorité	
<b>Caractéristiques de la créance</b>	
Sûretés, termes, conditions et autres. En cas de rachat de la dette, indiquez les changements.	
Document(s) à l'appui de la demande de reconnaissance de crédit et identification de l'endroit où elle est située.	
<b>Une procédure a-t-elle été intenté contre la société?</b> <input type="radio"/> oui <input type="radio"/> non	
Cause n° :	Cour, autorité judiciaire, médiation :
Parties concernées par la procédure :	
Étape de la procédure :	Dans le cas d'un jugement, d'une ordonnance ou d'une remise, précisez la date où ils ont été rendus
<b>Signature</b>  Endroit et date (jj/mm/aa)	<b>Signature</b>  Endroit et date (jj/mm/aa)
Nom et signature du créancier ou de son représentant légal autorisé	Nom et signature du récipiendaire

CREDIT RECOGNITION APPLICATION

<p><b>Expert:</b> Gerardo Badin</p> <p>Pursuant to that set forth in article 125 of the Bankruptcy Law, I request you to recognize me as creditor of bankrupted company.</p>	<p><b>Court:</b> Distrito Federal Circuito 1</p> <p><b>Company:</b> <u>Compania Mexicana de Aviacion, S.A. de C.V.</u></p> <p><b>Bankruptcy File. No.:</b> 432/2010</p>
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**Creditor Data**

**Name:** \_\_\_\_\_

**Address (to receive notices):** \_\_\_\_\_

Claim Against Company	Amount Owed by Creditor in favor of Company
<p><b>Amount (In number and words):</b> _____</p> <p>Original Currency or UDI _____</p>	<p><b>Amount (In number and words):</b> _____</p> <p>Original Currency or UDI _____</p>

**Nature of Claim:**

<input type="checkbox"/> Employment by estate in bankruptcy	<input type="checkbox"/> Diligence in benefit of bankruptcy estate	<input type="checkbox"/> Tax with security interest
<input type="checkbox"/> Tax in favor of IMSS	<input type="checkbox"/> Burial expenses	<input type="checkbox"/> Tax without security interest
<input type="checkbox"/> Management of Estate in Bankruptcy	<input type="checkbox"/> Illness expenses	<input type="checkbox"/> Other employment obligations
<input type="checkbox"/> Safety, spare part or preservation of estate in bankruptcy	<input type="checkbox"/> Security Interest in real property	<input type="checkbox"/> With special privilege
	<input type="checkbox"/> Security Interest on personal property	<input type="checkbox"/> Common

**Priority:** \_\_\_\_\_

**Characteristics of Credit**

Security, terms, conditions, other. In the event of transmitted credit, establish changes

\_\_\_\_\_

Documents on which this Credit Recognition Application are based and identification of the place where they are located:

\_\_\_\_\_

**Has a related lawsuit or proceeding been filed?** Yes  No

<b>File (Case) No.:</b> _____	<b>Court, Authority or arbitrator:</b> _____
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**Parties to the proceeding:** \_\_\_\_\_

<b>Stage of Proceedings:</b> _____	In the event a judgment, resolution or award, state the <b>date such judgment, resolution or award was made or entered:</b> _____
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**SIGNATURE:**

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