

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

N^o.: 500-17-060010-108

SUPERIOR COURT
(Civil Division)

AIR CANADA, body corporate duly constituted under the laws of Canada, having its head office at 7373, Côte-Vertu West boulevard, City of Dorval, district of Montreal, Province of Québec, H4Y 1C2

Plaintiff

-vs-

COMPAÑIA MEXICANA DE AVIACION, S.A. DE C.V. (Doing business as Mexicana Airlines), body corporate constituted under the laws of Mexico, having a place of business at 975, Roméo-Vachon North boulevard, City of Dorval, district of Montreal, H2Y 1H4

Defendant

DECLARATION OF SETTLEMENT OUT OF COURT

The parties hereby declare the present Motion to Institute Proceedings settled out of Court, upon terms agreed to by the parties, by immediately handing over full, final and unrestricted possession of the Aircraft to Air Canada;

The seizure before judgment is therefore lifted and the legal guardian is instructed to relinquish immediate control of the Aircraft to Air Canada.

MONTREAL, August 20, 2010

Stikeman Elliott

STIKEMAN ELLIOTT LLP
(Me Louis P. Bélanger)
Counsel for Air Canada

Borden Ladner Gervais

BORDEN LADNER GERVAIS LLP
(Me Marc Duchesne)
Counsel for Mexicana