BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

AVIATION

Berger Singerman's Business Reorganization Team has market-leading experience in matters involving financially distressed companies representing many different sectors in the aviation industry. We take particular pride in our favorable professional relationships with leading aviation industry operators, consultants, investment bankers, lenders and other attorneys serving this business sector. This deep restructuring experience offers a significant resource to sophisticated investors considering an investment in distressed aviation related assets.

In addition to our aviation industry representations of financial distress situations, our aviation attorneys also handle complex aircraft transactions and other aviation related legal services for a wide range of aviation industry participants.

The Firm's aviation attorneys have experience representing:

- Airports and aviation authorities, including development activities within and adjacent to airports
- Cargo and Passenger Airlines providing scheduled passenger and cargo service and charter operations, including establishing charter operations and related contractual arrangements
- Fixed-Base Operators
- Aircraft management and charter businesses Maintenance, Repair and Overhaul businesses Aviation training facilities
- Engine, Landing Gear and other Parts and Component businesses
- Buyers, Sellers, Lenders, Brokers, Lessors and Lessees participating in aviation transactions in both commercial and the private aviation contexts, including transactions with aircraft manufacturers and secondary market participants

Our experience in representing aviation industry participants includes the following activities:

- Purchase, sale, financing and leasing of aircraft, engines, parts and other equipment, in both commercial and private markets
- FBO operations, and aircraft management and charter agreements
- Corporate acquisitions and divestitures, including purchase and sale arrangements for passenger and cargo airlines, and aircraft manufacturers
- Restructuring businesses throughout the aviation sector within and outside of reorganization proceedings

Representative Matters

ACQUISITION OF FLY IN/FLY OUT COMMUNITY

Berger Singerman served as legal counsel for work on the acquisition of a proposed 800 acre fly in/fly out community including a self-contained FAA and Florida Department of Transportation licensed airport.

ALOHA AIRLINES
Berger Singerman represented Aloha Airlines and affiliates in their Debtor-In-Possession financing from Cerberus Capital; their bankruptcy sale to Yucaipa investment funds; and their subsequent sale of cargo operations.

AMERIJET, INC.
Berger Singerman represented Amerijet International, Inc., a cargo airline, in connection with Amerijet's financing for its 2016 leveraged buy out by a private equity firm, and also represented management and minority shareholders of Amerijet.

ATLAS AIR
Berger Singerman served as Debtor's counsel to Atlas Air; and represented Atlas Air in certain matters subsequent to Atlas' purchase of Southern Air, Inc.

AVENSA
Berger Singerman attorneys represented Avensa, then the largest private Venezuelan airline, in several aircraft purchase, sale, lease and financing transactions, including the first 757 placed into service in Latin America.

BOCA RATON AIRPORT AUTHORITY
Berger Singerman has served as Legal Counsel to the Boca Raton Airport Authority since 2006.

CIRRUS AIRCRAFT
Berger Singerman represented Cirrus Aircraft in connection with its consideration of strategic alternatives that ultimately led to its sale to foreign interests.

COMMERCIAL JET AIRCRAFT FINANCING
Berger Singerman attorneys represented lessors of commercial jet aircraft to various airlines, including Aero Mexico, in connection with financing and other transactions.

CORPORATE RECOVERY GROUP AND BOEING CAPITAL CORPORATION
Berger Singerman provided representation of Corporate Recovery Group and Boeing Capital Corporation in a joint venture to acquire Hawaiian Airlines under a competing plan of reorganization in the Hawaiian Airlines Chapter 11 case. Co-counsel to the Ad Hoc Committee of Class A Equipment Trust Certificate Holders in the 2004 Atlas Air Chapter 11 in connection with $1.6 billion due under leases subject to Section 1110 of the Bankruptcy Code for jet aircraft, engines and equipment.***

DHL AVIATION
Berger Singerman represented DHL Aviation in connection with several cargo jet, jet engine and other aviation related transactions.

DHL EXPRESS
Berger Singerman represented DHL Express regarding airport facilities leases throughout the U.S. and overseas.

FALCON AIR EXPRESS
Berger Singerman represented Falcon Air in successful removal of excise tax claims by the IRS accumulated over years. IRS agreed with every aspect of the defense, reversing all of the claimed taxes and all penalties and interest.

FINE AIR SERVICES CORP
Berger Singerman participated in the representation of Fine Air Services Corp., Arrow Air, and its other affiliates, a Miami-based international cargo airline with over $275 million in debt, as debtors in Chapter 11 reorganization.

FLIGHT ATTENDANT'S UNION
Berger Singerman represented the American Airlines' Flight Attendant's Union in aircraft mortgage transaction with the airline.

FORT LAUDERDALE/HOLLYWOOD INTERNATIONAL AIRPORT
Berger Singerman spearheaded a successful lobbying effort to open the news and gifts concession at the Fort Lauderdale/ Hollywood International Airport to competitive bidding for the first time in two decades. We also lead the lobbying effort for the successful vendor for the food and beverage services.

GEMINI AIR CARGO
Berger Singerman served as Debtor's counsel to Gemini Air Cargo.

GPA AVIATION
Berger Singerman attorneys represented GPA Aviation in connection with Latin American commercial jet transactions.

GULFSTREAM INTERNATIONAL GROUP
Berger Singerman represented Gulfstream International Group and its affiliates in connection with its bankruptcy reorganization, including pre-petition negotiations and agreements for aircraft and engine lease arrangements, debtor- in-possession financing, and ultimately, the sale of the going concern pursuant to a contested auction under Section 363. These transactions involved more than a $50 million of debt and other obligations.

PIPER AIRCRAFT
Berger Singerman represented Piper Aircraft, the leading manufacturer of general aviation aircraft in the United States, in all general corporate and business matters during Piper's 4 year reorganization proceedings, culminating in a $100 million sale of assets from bankruptcy; and the Piper Aircraft Irrevocable Trust, organized to pay future claims. Berger Singerman's subsequent Piper-related engagements included its out-of-court workout (2003), secured debt restructuring (2005), and sale to foreign interests (2009). We have also represented Piper Trust in a variety of product liability cases.

PRIVATE AIRCRAFT
Berger Singerman has represented many participants in all aspects of the private aviation market, including purchase, sale, finance and lease transactions with the manufacturers and within the secondary market, charter operations including establishing contractual arrangements for charter operations, and purchase, sale and financing of FBOs and Part 135 operators, aircraft management arrangements, aircraft brokerage, fractional ownership programs and all other private aviation activities and transactions.

PURCHASE OF PACIFIC JET
Berger Singerman represented a jet charter company in the purchase of a 135 operator, Pacific Jet.

RESTRUCTURING OF SECURED DEBT ON AIRCRAFT
Berger Singerman represented one of the largest independent executive jet dealers in a successful out of court restructuring of more than $500 million of secured debt on aircraft.

SKYLINK AVIATION
Berger Singerman represents Skylink Aviation, an aviation services company, in connection with various matters including its acquisition of a 135 operator.

SOUTHERN AIR
Berger Singerman represented Southern Air in connection with all matters arising after its 2013 bankruptcy reorganization through its highly successful sale to Atlas Air, including (a) 777 and 737 transactions with its major customer, DHL involving aircraft with aggregate value exceeding $500,000,000, (b) its successful $90 million debt for preferred equity swap, (c) its acquisition of Florida West Airlines, and (d) numerous transactions involving the lease, transfer, lease termination, and financing of aircraft and other business operations.