

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): _____ Chapter 15

☐ Check if this is an amended filing

Official Form 401

Chapter 15 Petition for Recognition of a Foreign Proceeding

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name Comair Limited (In Business Rescue)

2. Debtor's unique identifier

For non-individual debtors:

☐ Federal Employer Identification Number (EIN) ____ - ____ - ____

☒ Other 1967/006783/06. Describe identifier Registration Number.

For individual debtors:

☐ Social Security number: xxx - xx- ____ - ____

☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - ____ - ____

☐ Other _____. Describe identifier _____.

3. Name of foreign representative(s)

Shaun Collyer and Richard A. Ferguson

4. Foreign proceeding in which appointment of the foreign representative(s) occurred

Business Rescue under Ch. 6 of the South African Companies Act 71 of 2008

5. Nature of the foreign proceeding

Check one:

- ☒ Foreign main proceeding
☐ Foreign nonmain proceeding
☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☐ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.
- ☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.
- ☒ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.
Board Resolution and Notice of Beginning of Business Rescue
Proceedings (Form CoR123.1)

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)
- ☒ Yes

Debtor Comair Limited (In Business Rescue) Case number (if known) _____
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8. Others entitled to notice

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

9. Addresses

Country where the debtor has the center of its main interests:

South Africa

Debtor's registered office:

1 Marignane Drive

Number Street

Bonaero Park, Kempton Park

P.O. Box

Gauteng 1619

City State/Province/Region ZIP/Postal Code

South Africa

Country

Individual debtor's habitual residence:

Number Street

P.O. Box

City State/Province/Region ZIP/Postal Code

Country

Address of foreign representative(s):

33 Bell Crescent

Number Street

Westlake Business Park, Westlake, 7945

P.O. Box

Tokai, Cape Town

City State/Province/Region ZIP/Postal Code

South Africa

Country

10. Debtor's website (URL)

https://www.comair.co.za

11. Type of debtor

Check one:

☐ Non-individual (check one):

☒ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☐ Other. Specify: _____

☐ Individual

Debtor Comair Limited (In Business Rescue) Case number (if known) _____
Name

12. Why is venue proper in this district?

Check one:

- ☒ Debtor's principal place of business or principal assets in the United States are in this district.
- ☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:
- _____
- ☐ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:
- _____

13. Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

X /s/ Shaun Collyer

Signature of foreign representative

Shaun Collyer

Printed name

Executed on 02/16/2021
MM / DD / YYYY

X /s/ Richard A. Ferguson

Signature of foreign representative

Richard A. Ferguson

Printed name

Executed on 02/16/2021
MM / DD / YYYY

14. Signature of attorney

X /s/ John A. Pintarelli

Signature of Attorney for foreign representative

Date 02/16/2021

MM / DD / YYYY

John A. Pintarelli

Printed name

Pillsbury Winthrop Shaw Pittman LLP

Firm name

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