

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**In re:** :  
: **Chapter 11 Case No.**  
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**DELTA AIR LINES, INC., et al.,** : **05-17923 (ASH)**  
:  
: **(Jointly Administered)**  
: **Reorganized Debtors.**<sup>1</sup>  
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**ORDER DISMISSING CLASS PROOF OF CLAIM  
AND MOTION FOR CLASS CERTIFICATION**

Upon (i) the proofs of claim dated August 7, 2007 (Claim Nos. 8601 & 8604) (together, the “**Class Proof of Claim**”) filed on behalf of George T. Baker, Herbert Summers, Charles L. Strickland and Donald F. Mairose (the “**Named Claimants**”), (ii) the Motion dated August 7, 2007 of Class Claimants for Certification of Class Under Federal Rule of Bankruptcy Procedure 7023 and to Appoint Counsel (the “**Motion**”), (iii) the Reorganized Debtors’ Objection dated October 31, 2007 (including the Memorandum in support thereof, the “**Objection**”) to the Class Proof of Claim and the Motion, (iv) the Declaration of Margaret M. McDaniel dated October 31, 2007 in support of the Objection (the “**McDaniel Declaration**”), (v) the Reply Memorandum dated November 7, 2007 of Class Claimants in Further Support of the Motion for Certification of Class Under Federal Rule of Bankruptcy Procedure 7023 and to Appoint Counsel (the “**Reply**”) and

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<sup>1</sup> The Reorganized Debtors are the following entities: ASA Holdings, Inc.; Comair Holdings, LLC; Comair, Inc.; Comair Services, Inc.; Crown Rooms, Inc.; DAL Global Services, LLC; DAL Moscow, Inc.; Delta AirElite Business Jets, Inc.; Delta Air Lines, Inc.; Delta Benefits Management, Inc.; Delta Connection Academy, Inc.; Delta Loyalty Management Services, LLC; Delta Technology, LLC; Epsilon Trading, LLC; and Kappa Capital Management, LLC.

(vi) the Reorganized Debtors' Sur-Reply dated November 13, 2007 (the "Sur-Reply"); and the Court having jurisdiction to consider these matters pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York dated July 19, 1984 (Ward, Acting C.J.); and such consideration being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and upon all of the proceedings had before the Court, it is

ORDERED that, in light of the parties' settlement, described and "So Ordered" at the hearing on November 14, 2007, which was approved and authorized by all four Named Claimants and by DP3, the Class Proof of Claim and the Motion are each hereby dismissed with prejudice; and it is further

ORDERED that Epiq Bankruptcy Solutions, LLC, as the Reorganized Debtors' claims agent, is hereby directed to amend the Reorganized Debtors' register of claims to reflect the dismissal of the Class Proof of Claim (comprising Claim Nos. 8601 and 8604); and it is further

ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of the settlement or this Order.

Dated: New York, New York  
November 14, 2007

S/ Adlai S. Hardin  
UNITED STATES BANKRUPTCY JUDGE