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

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In re: :
: **CHAPTER 11**
: **EOS AIRLINES, INC.** :
: **CASE NO. 08-22581 (ASH)**
Debtor :
:
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**NOTICE OF MOTION FOR ENTRY OF AN ORDER (A) APPROVING
ADEQUACY OF DISCLOSURE STATEMENT; (B) FIXING A VOTING
RECORD DATE; (C) ESTABLISHING PROCEDURES FOR SOLICITATION
AND TABULATION OF VOTES TO ACCEPT OR REJECT THE PLAN; (D)
APPROVING FORM OF SOLICITATION PACKAGE AND NOTICES;
AND (E) SCHEDULING CERTAIN DATES IN CONNECTION THEREWITH**

PLEASE TAKE NOTICE THAT:

PLEASE TAKE NOTICE that on October 30, 2008, Eos Airlines, Inc., debtor and debtor-in-possession in the above-captioned proceeding (the “Debtor”), filed a motion (the “Motion”) for entry of an order (a) approving the adequacy of the Disclosure Statement,¹ (b) fixing a voting record date, (c) establishing procedures for solicitation and tabulation of votes to accept or reject the Plan, (d) approving the form of the Solicitation Package (as defined in the

¹ Capitalized terms not defined herein shall have the meaning ascribed to them in the Plan, filed on October 24, 2008 [Doc. 338].



Motion) and notices to be distributed with respect thereto, and (e) scheduling certain dates in connection therewith.

PLEASE TAKE FURTHER NOTICE that a hearing (the “Disclosure Statement Hearing”) will be held before the Honorable Adlai S. Hardin, United States Bankruptcy Judge, on **November 25, 2008 at 11:30 a.m.**, or as soon thereafter as counsel may be heard, in Courtroom 520, United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601, to consider the Motion.

PLEASE TAKE FURTHER NOTICE that, at the Disclosure Statement Hearing, the Debtor shall seek to establish November 25, 2008 as the Voting Record Date.

PLEASE TAKE FURTHER NOTICE that you need not appear at the Disclosure Statement Hearing if you do not object to the relief requested in the Motion.

PLEASE TAKE FURTHER NOTICE that the Disclosure Statement Hearing may be continued or adjourned from time to time without further notice other than an announcement of the adjourned date or dates at the Disclosure Statement Hearing or at a later hearing.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion must comply with the Bankruptcy Rules and the Local Rules of the United States Bankruptcy Court for the Southern District of New York, must be set forth in a writing describing the basis therefor and must be filed with the Court electronically in accordance with General Orders M-182 and M-193 by registered users of the Court’s electronic case filing system (the User’s Manual for the Electronic Case Filing System can be found at www.nysb.uscourts.gov, the official website of the Bankruptcy Court) and, by all other parties in interest, on a 3-1/2 inch disk, preferably in PDF, Word Perfect or any other Windows-based word processing format (with a hard copy delivered directly to Chambers) and served in

accordance with General Order M-182 or by first-class mail upon each of the following: (i) Judge Hardin's Chambers, Room 530, United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601; (ii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004, Attn: Brian Masumoto; (iii) attorneys for the Debtor, Squire, Sanders and Dempsey L.L.P., 2000 Huntington Center, 41 South High Street, Columbus, Ohio 43215, Attn: Tim J. Robinson; and (iv) attorneys for the Official Committee of Unsecured Creditors, Cohen Tauber Spievack & Wagner P.C., 420 Lexington Avenue, Suite 2400, New York, New York 10170, Attn: Joseph M. Vann; so as to be received no later than **5:00 p.m. prevailing Eastern Time on November 20, 2008.**

PLEASE TAKE FURTHER NOTICE that unless objections are received by that time, the relief requested in the Motion may be granted without further hearing.

Dated: October 30, 2008

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

/s/ Tim J. Robinson

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