RECHTSANWÄLTE AVOCATS ATTORNEYS AT LAW

WENGER PLATTNER

BASEL·ZÜRICH·BERN

CH-8700 KÜSNACHT-ZÜRICH GOLDBACH-CENTER SEESTRASSE 39 TELEFON +41 (0)1 914 27 70 TELEFAX +41 (0)1 914 27 88 ZUERICH@WENGER PLATTNER CH WWW.WENGER-PLATTNER CH

DR WERNER WENGER DR JÜRG PLATTNER DR. PETER MOSIMANN STEPHAN CUENI \* PROF DR. GERHARD SCHMID DR. JÜRG RIEBEN DR. MARKUS METZ DR. DIETER GRÄNICHER KARL WÜTHRICH FILIPPO TH BECK MC I

DR. STEPHAN NETZLE, LL M DR. BERNHARD HEUSIER DR ALEXANDER GUTMANS LL M \* PETER SAHLL\*\* DR. THOMAS WETZEL SUZANNE ECKERT DOMINIQUE PORTMANN DR FELLX LIHLMANN II M

DR. FRITZ ROTHENBÜHLER

JASCHA PREUSS, LL.M. PROF. DR. MARKUS MÜLLER CHEN ROLAND MATHYS THOMAS REBSAMEN DR. MARC S. NATER LL.M. DR. ASTRID BOOS HERSBERGER, ILM

MARTIN SOHM BRIGITTE UMBACH SPAHN LL M GUDRUN ÖSTERREICHER SPANIOL DR. MARKUS SCHOTT JAMES KOCH

DR. CHRISTOPH MÜLLER, LL M DR. BORIS GRELL DR SIMONE BRAUCHBAR AYESHA CURMALLY

CLAUDIUS GELZER MARIE-CHRISTINE GERSTER NAOKI D TAKEI

DR. BARBARA GRAHAM SIEGENTHALER, LL M MICHAEL SALZER

CORNELIA WEISSKOPF GANZ OLIVER ALBRECHT LORENZ AEBERSOLD DR. ROBERT BAUMANN

DR ROGER GRONER II M DR CHRISTOPH ZIMMERLI LL M

ANDREAS MAESCHI \* AUCH NOTARE IN BASEL

KONSULENT

\*\* INHABER ZURCHER NOTARPATENT ALS RECHTSANWALT NICHT ZUGELASSEN

BÜRO BASEL: CH-4010 BASEL AESCHENVORSTADT 55 TELEFON +41 (0)61 279 70 00 TELEFAX +41 (0)61 279 70 01 BASEL@WENGER-PLATTNER.CH

BÜRO BERN: CH 3000 BERN 6 JUNGFRAUSTRASSE 1 TELEFON +41 (0)31 356 49 43 TELEFAX +41 (0)31 351 28 83 BERN@WENGER-PLATTNER.CH To the creditors of SAirLines, in debt restructuring liquidation

Küsnacht, July 2003 Wü/cb

Ladies and Gentlemen

# SAirLines in debt restructuring liquidation; Circular no. 1

This Circular provides information on the status of the SAirLines debt restructuring proceedings, as well as the next steps that are planned in the debt restructuring liquidation process.

#### 1. STATUS OF PROCEEDINGS

In his ruling dated 20 June 2003, the competent debt restructuring judge in Zurich approved the SAirLines debt restructuring agreement involving the assignment of assets. He also declared it binding on those creditors who did not vote in favour of the agreement. The ruling became final and absolute on 26 June 2003.

The debt restructuring assets will be liquidated by the following bodies:

- Liquidators: Karl Wüthrich and Dr. Roger Giroud
- Creditors' Committee: Urs Bürgi and Dr. Daniel Hunkeler.

Dr. Andreas Casutt, who was also elected at the Meeting of Creditors, has informed Liquidator Karl Wüthrich that he is retiring from the Creditors' Committee. The Creditors' Committee will have to

determine his successor at its first meeting in application of subclause 6 of the debt restructuring agreement.

# 2. NEXT STEPS IN THE DEBT RESTRUCTURING LIQUIDATION PROCESS

## 2.1 Proceedings to determine the Schedule of Claims

Proceedings to determine the schedule of claims will be held in accordance with Articles 244-251 of the Swiss Debt Enforcement and Bankruptcy Law (DEBL) in order to determine legally valid and legally effective those creditors who are entitled to a share of the liquidation proceeds, as well as their order of distribution and the amount of their claims – in particular the securities that have been asserted. The schedule of claims will be based on SAirLines business records and the lodged claims. No further call for creditors' claim will be published.

As part of the proceedings to determine the schedule of claims, the Liquidators will examine the individual claims that have been lodged and decide together with the Creditors' Committee the extent to which they can be approved in the form submitted. All creditors whose claims are rejected entirely or in part, or whose claims are reallocated to a different class, will receive the Liquidators' written ruling when the schedule of claims is available for inspection. Should a creditor wish to contest the Liquidators' ruling, he or she will have the opportunity to bring an action regarding the Schedule of Claims with the competent judge.

It is planned that the Schedule of Claims will be drawn up during 2004 and then be available for inspection to the creditors.

#### 2.2 Realisation of assets

SAirLines' remaining assets will be realised at the best possible price after consultation with the Creditors' Committee. As the corresponding regulations are more liberal for liquidation proceedings than for compulsory winding-up proceedings, there is no time pressure. We thus expect higher realisation proceeds to be achieved than if the company had been wound up compulsorily.

### 3. Information to creditors

The Liquidators are obliged to produce an activity and status report on realised and as-yet unrealised assets at the end of each calendar year. This report must be submitted to the Creditors' Committee for approval within two months of the end of the calendar year, and must also be lodged with the debt restructuring judge. The report will be available for inspection to the creditors at the same time. Each creditor will also receive a summary of the report.

In addition, we will inform creditors of important events during the year by circular letter. Furthermore, Karl Wüthrich will continue to report regularly on the progress of proceedings on the website <a href="www.liquidator-swissair.ch">www.liquidator-swissair.ch</a>.

Yours sincerely

Liquidators

Karl Wüthrich

Dr. Roger Giroud