

## Information for Consumers Regarding the Cessation of Service by Tower Air

Tower Air, which filed for protection under Chapter 11 of the bankruptcy code on February 29, 2000, ceased all scheduled service on May 1, 2000. The airline surrendered its FAA air carrier operating certificate on November 28, 2000. Set forth below are certain alternatives available to Tower customers who have paid for transportation that they did not receive or who have other claims against the carrier.

### 1. Transportation options

Tower is not required to reroute passengers on other airlines, and other airlines are not required to accept Tower tickets or honor Tower fares. Some carriers have stated that they will waive the advance-purchase restriction on their discount fares to allow Tower passengers to purchase a lower priced replacement ticket than would otherwise be available. Since the level of assistance may vary among airlines, passengers should contact their travel agents or the airlines for specifics.

### 2. Refunds

Tower is making no refunds at this time, even if a refund had been requested prior to the February 29 bankruptcy filing. The carrier is currently under the protection of the bankruptcy court.

If you charged your Tower transportation with a credit card (whether or not you received the ticket) and your flight is cancelled, you may be able to have the cost of your unused Tower ticket credited to your credit card account as described below if you cannot use any substitute service that Tower might offer. You can also pursue such a claim if you had requested a refund of a refundable ticket before the bankruptcy filing, even if your flight was not canceled.

Write to the credit card issuer, being sure to state your account number. Enclose a photocopy of the ticket, itinerary or receipt if possible, or indicate the price of the transportation and the date it was purchased. If the transportation was partially used, identify the used and unused segments. State that Tower is in bankruptcy and that you will not receive the services that you charged to your account, and that you are requesting a credit pursuant to the [Fair Credit Billing Act](#).

This notice must be received by the credit card issuer no later than 60 days after the date that you received the first **monthly statement** that listed the charge for the Tower transportation, although credit card companies sometimes waive this deadline for future transportation. Some credit card issuers may ask for the original unused tickets. If these are requested, keep photocopies and send the originals certified mail. Do not send the originals unless they are requested.

If you cannot take advantage of any of the transportation or refund options described above, you can file a claim in the bankruptcy proceeding. Get a bankruptcy "Proof of Claim" form from any

U.S. Courthouse or at <http://www.uscourts.gov/bankform/formb10new.pdf> Fill it out, keep a photocopy if possible, and send the original to:

U.S. Bankruptcy Court  
District of Delaware  
Marine Midland Plaza, 6<sup>th</sup> floor  
824 Market Street  
Wilmington, DE 19801

Make reference to case 00-1280. If possible, send a photocopy of your ticket or receipt. Do not send the original, unless it is requested. Such a filing does not guarantee a refund. If a refund is made, it may not be for the full amount of the claim. The process will probably take several months at a minimum.

### **3. Baggage**

As with refunds, Tower is making no payments at this time for baggage or cargo claims (e.g., loss/damage/pilferage) concerning transportation that took place before the February 29 bankruptcy filing. You should send a copy of such claims with a completed "Proof of Claim" form to the bankruptcy court.

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