

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF LOUISIANA

<b>In re:</b>	§	
	§	<b>Case No. 20-10846</b>
<b>THE ROMAN CATHOLIC CHURCH</b>	§	
<b>OF THE ARCHDIOCESE OF NEW</b>	§	<b>Section “A”</b>
<b>ORLEANS,</b>	§	
	§	<b>Chapter 11</b>
<b>Debtor.</b> <sup>1</sup>	§	

**ORDER FIXING TIME FOR FILING PROOFS OF CLAIMS; APPROVING PROOF OF CLAIM FORMS; PROVIDING FOR CONFIDENTIALITY PROTOCOLS; AND APPROVING FORM AND MANNER OF NOTICE**

Considering the Ex Parte Motion for an Order Establishing Deadlines for Filing Proofs of Claims; Approving Proof of Claim Forms; and Approving Form and Manner of Notice Thereof (the “**Motion**”) [Docket No. 200] filed by The Roman Catholic Church of the Archdiocese of New Orleans, Debtor-In-Possession (the “**Debtor**”). It appears that the Motion was brought in compliance with the Federal Rules of Bankruptcy Procedure (“**Bankruptcy Rules**”) and Louisiana Eastern District Local Bankruptcy Rules (“**Local Rules**”); that a preliminary objection, as supplemented (the “**Objection**”), was filed by the Official Committee of Unsecured Creditors appointed in this case (the “**Committee**”); the Court having considered the Motion, the Objection, the representations and arguments of counsel at the hearing on the Motion; the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and § 157, and this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); that notice of the Motion is appropriate and no other or further notice is required; that the relief requested in the Motion, as modified and granted herein, is in the

<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 8966. The Debtor’s principal place of business is located at 7887 Walmsley Ave., New Orleans, LA 70125.

best interest of the Debtor's estate, its creditors, and other parties-in-interest, and necessary and appropriate for establishing procedures; and that sufficient cause exists. Therefore,

IT IS HEREBY ORDERED that:

1. The Motion is granted, as modified and set forth in this Order.

#### **FORMS**

2. The Sexual Abuse Proof of Claim Form, the General Claims Bar Date Notice, the General Creditor Proof of Claim Form, the Permitted Party Confidentiality Agreement, the Sexual Abuse Claims Bar Date Notice, and the Publication Notice, in substantially the forms annexed hereto as Exhibits A, B, C, D, E, and F, respectively, and the Publication Notice Plan and Protocol (the "**Publication Plan**"), set forth on Exhibit G hereto, are approved.

#### **NOTICE**

3. The form and manner of notices as approved herein fulfill the notice requirements of the Bankruptcy Rules and the Local Rules, and notice of the bar dates in the form and manner as approved herein is fair and reasonable, and will provide sufficient and due notice to all creditors of their rights and obligations in connection with claims they may assert against the Debtor's estate in this chapter 11 case. Accordingly, the Debtor is authorized and directed to serve and/or publish the notices in the manner described herein.

#### **BAR DATES**

4. The General Claims Bar Date: Except as provided in paragraph 7 of this Order, any entity holding a pre-petition claim against the Debtor **must** submit a proof of claim in accordance with the procedures described herein **so that it is received on or before November 30, 2020, 5:00 p.m. (Central Time)** (the "**General Claims Bar Date**"). The General Claims Bar Date applies to all persons and entities excluding governmental units and Sexual Abuse Claimants, addressed in

paragraph 6, that assert claims, as defined in § 101(5) of the Bankruptcy Code, 11 U.S.C. §101 et seq. (the “**Bankruptcy Code**”) against the Debtor (whether secured, unsecured priority, or unsecured non-priority) that arose prior to or on May 1, 2020 (the “**Petition Date**”). The General Claims Bar Date shall be identified in the General Claims Bar Date Notice and the Publication Notice.

5. The Government Unit Claims Bar Date: Except as provided in paragraph 7 of this Order, any government unit holding a pre-petition claim against the Debtor **must** submit a proof of claim in accordance with the procedures described herein **so that it is received on or before November 30, 2020, 5:00 p.m. (Central Time)** (the “**Government Unit Claims Bar Date**”). The Government Unit Bar Date applies to all persons and entities excluding General Claims and Sexual Abuse Claimants, addressed in paragraph 6, that assert claims, as defined in § 101(5) of the Bankruptcy Code, against the Debtor (whether secured, unsecured priority, or unsecured non-priority) that arose prior to or on the petition date. The Government Unit Claims Bar Date shall be identified in the General Claims Bar Date Notice and the Publication Notice.

6. Except as provided in paragraph 7 of this Order, any entity holding a prepetition claim arising from Sexual Abuse for which the individual believes the Debtor may be liable, **must** submit a proof of claim in accordance with the procedures described herein **so that it is received on or before March 1, 2021, 5:00 p.m. (Central Time)** (the “**Sexual Abuse Claims Bar Date**”). The Sexual Abuse Claims Bar Date shall be identified in the Sexual Abuse Claims Bar Date Notice and the Publication Notice. For the purposes of this Order, Sexual Abuse is defined as any of the following acts:

- a. Touching by the abuser of the person’s intimate body parts (genitals, breasts, or buttocks), the touching by the person of the abuser’s intimate body parts, showing pictures of the person’s body or other persons’ bodies, taking pictures of the person’s body, showing

pornography, or making images of the person while naked or engaged in any sexual activity, or any sexualized interaction including observing the person in bathing, toileting, or undressing that was made possible by the abuser's position of authority, or by the inducement of the abuser, or;

b. sexual intercourse, simulated intercourse, masturbation, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, to the genital or anal openings:

(i) Of the person's body by any part of the abuser's body or any object used by the abuser for this purpose; or

(ii) Of the person's body by any part of the body of the abuser or by any part of the body of another person, or by any object used by the abuser or another person for this purpose; or

c. Inappropriate physical contact and/or contact that infringes upon another's personal, physical boundaries including but not limited to groping, kissing, extended hugging, and/or any unwelcomed touching; or

d. Grooming or trying to create a special relationship, including but not limited to: talk of a sexual nature, talk of a romantic nature, communications expressing individual love to the person, as opposed to a salutation, providing material resources or experiences which induce the person into a relationship where trust is then violated.

### FILING PROOFS OF CLAIM

7. The following entities, whose claims otherwise would be subject to the General Claims Bar Date, the Government Claims Bar Date or the Sexual Abuse Claims Bar Date, shall **not** be required to file proofs of claim in this chapter 11 case:

a. Any person or entity that has already properly filed a proof of claim against the Debtor with the Clerk of the Court for the United States Bankruptcy Court for the Eastern District of Louisiana (the "**Court**") or with Donlin, Recano & Company, Inc., the Debtor's claims, noticing and solicitation agent ("**DRC**"). Notwithstanding the foregoing, **Sexual Abuse Claimants that previously filed with the Court a proof of claim on account of a Sexual Abuse Claim using a form other than the Sexual Abuse Proof of Claim Form, including Official Bankruptcy Form No. 410, will subsequently be notified that such claimant must refile his or her claim using the Sexual Abuse Proof of Claim form. Any such refiled Sexual**

**Abuse Proof of Claim shall relate back for purposes of timeliness to the date that such claimant's original claim was filed, *provided* it is refiled no later than 45 days after written notice is given to such claimant to refile his or her claim.;**

b. Any person or entity: (i) whose claim is listed in the Debtor's filed schedules or any amendments thereto; and (ii) whose claim is not described therein as "disputed," "contingent," or "unliquidated;" and (iii) who does not dispute the amount or classification of its claim as set forth in the schedules;

c. Professionals retained by the Debtor or the Committee pursuant to orders of this Court, who assert administrative claims for payment of fees and expenses subject to the Court's approval pursuant to §§ 330, 331, and 503(b) of the Bankruptcy Code;

d. Any person or entity that asserts an administrative expense claim against the Debtor pursuant to § 503(b) and § 507(a)(2) of the Bankruptcy Code;

e. Any person or entity whose claim against the Debtor has been allowed by an Order of the Court entered on or before the applicable bar date;

f. Any person or entity whose claim has been paid in full. For the avoidance of doubt, this does not include Sexual Abuse Claimants who were paid pursuant to settlement agreements but believe they have additional claims against the Debtor beyond what was agreed to in the settlement (a "**Settling Abuse Survivor**"); and

g. Any holder of a claim for which a separate deadline is (or has been) fixed by this Court.

8. By virtue of the foregoing, the following entities **must** file or submit a proof of claim on or before the applicable bar date:

a. Any person or entity whose prepetition claim against the Debtor is not listed in the Debtor's schedules or whose prepetition claim is listed in the Schedules but is listed as disputed, contingent or unliquidated, and that desires to participate in this case or share in any distribution in this case;

b. Any person or entity that believes that its prepetition claim is improperly classified in the schedules or is listed in an incorrect

amount and that desires to have its claim allowed in a classification or amount other than that identified in the schedules; and

c. Any Sexual Abuse Claimant who believes that he or she has a claim against the Debtor, including but not limited to, Sexual Abuse Claimants who have previously filed lawsuits against the Debtor, Sexual Abuse Claimants who previously gave notice to the Debtor or a Parish<sup>2</sup> or any Non-Debtor Catholic Service Entity<sup>3</sup> of their Sexual Abuse (including informal notice thereof), and Sexual Abuse Claimants who have never filed a lawsuit, entered into a settlement or reported their sexual abuse to the Debtor or any Parish or Non-Debtor Catholic Service Entity.

9. Any entity or person that is required to file a proof of claim in this chapter 11 case pursuant to the Bankruptcy Code, the Bankruptcy Rules, or this Order with respect to a particular claim against the Debtor, but that fails to submit its claim by the applicable bar date, may not be treated as a creditor with respect to such claim for the purposes of voting on and distribution under any chapter 11 plan proposed and/or confirmed in this case and may be barred from asserting claims against the Debtor. Claimants should refer to the Sexual Abuse Bar Date Notice and / or the Publication Notice regarding Sexual Abuse Claims against any Parish, School, or Non-Debtor Catholic Service Entity.

10. The Debtor shall retain the right to: (i) dispute, or assert offsets or defenses, including but not limited to any declinatory, dilatory, or peremptory exceptions as may be applicable, against any filed claim or any claim listed or reflected in the schedules as to nature, amount, liability, classification, or otherwise; and (ii) subsequently designate any claim as disputed, contingent, or unliquidated.

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<sup>2</sup> “Parish” shall mean any of the entities listed on Exhibit H annexed which includes Suppressed Parishes.

<sup>3</sup> “Non-Debtor Catholic Service Entity” shall mean any of the entities listed on Exhibit I annexed hereto.

## REQUIREMENTS FOR PROOF OF CLAIM FORMS

11. Each general creditor proof of claim form must: (a) be written in English; (b) be denominated in lawful currency of the United States as of the petition date; (c) have attached copies of any writings upon which the claim is based, including evidence that a security interest has been perfected for any secured claims; and (d) be originally executed and delivered to Donlin, Recano & Company, Inc.

If sent by mail, send to: Donlin, Recano & Company, Inc., Re: The Roman Catholic Church of the Archdiocese of New Orleans, P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219.

If sent by hand delivery or overnight delivery service, send to: Donlin, Recano & Company, Inc., Re: The Roman Catholic Church of the Archdiocese of New Orleans, 6201 15<sup>th</sup> Avenue, Brooklyn, NY 11219.

To submit a General Creditor Proof of Claim Form electronically, log on to the website portal located at: [www.NOLAchurchclaims.com](http://www.NOLAchurchclaims.com) (the “**DRC Claims Portal**”) and follow the instructions set forth therein.

Proof of claim forms sent by mail, hand delivery, or overnight courier must be received by the General Claims Bar Date or the Government Unit Claims Bar Date as applicable. (proofs of claim sent by facsimile or e-mail **other than** as set forth in the DRC Claims Portal will **not** be accepted).

12. In addition to being available in English, the Sexual Abuse Proof of Claim Form will also be available in Spanish and Vietnamese because of the large Hispanic and Vietnamese communities in the geographic territory of the Debtor (the “**Region**”). To obtain a copy of a Sexual Abuse Proof of Claim Form please visit Donlin, Recano & Company Inc.’s website at <https://www.donlinrecano.com/Clients/rcano/Static/ProofOfClaim>. Each Sexual Abuse Proof of Claim Form filed must: (a) be written in English, Spanish, or Vietnamese, as applicable and (b) be

signed, and delivered, to Donlin, Recano & Company, Inc., on or before the Sexual Abuse Claims Bar Date.

If sent by mail, send to: Donlin, Recano & Company, Inc., Re: The Roman Catholic Church of the Archdiocese of New Orleans, P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219.

If sent by hand delivery or overnight courier, send to: Donlin, Recano & Company, Inc., Re: The Roman Catholic Church of the Archdiocese of New Orleans, 6201 15th Avenue, Brooklyn, NY 11219.

All Sexual Abuse Proof of Claim Forms sent by mail, hand delivery, or overnight courier must be received by the Sexual Abuse Claims Bar Date. In addition to mail or hand delivery, Sexual Abuse Proof of Claim Forms may be submitted electronically.

To submit a Sexual Abuse Proof of Claim Form electronically, log on to the website portal located at: <https://www.donlinrecano.com/Clients/rcano/FileSexualAbuseClaim> (the “**DRC Claims Portal**”) and follow the instructions set forth therein.

Sexual Abuse Claims filed electronically through the DRC Claims Portal must be submitted before the Sexual Abuse Claims Bar Date. Sexual Abuse Proofs of Claim sent by facsimile or by e-mail **other than** as set forth in the DRC Claims Portal will **not** be accepted.

13. To be valid, a proof of claim form must be signed by the Claimant. Electronic signatures will be accepted as valid. If the Claimant is deceased or incapacitated, the form must be signed by the Claimant’s court-appointed representative or attorney for the Claimant’s estate. If the Claimant is a minor, the form must be signed by the Claimant’s parent or legal guardian or attorney. Any proof of claim form signed by a representative or legal guardian must attach documentation establishing such person’s authority to sign the proof of claim form for the Claimant. The Debtor, in consultation with the Committee, may agree to waive any defects or irregularities as to any Sexual Abuse Proof of Claim.



## CONFIDENTIALITY PROTOCOLS

14. Sexual Abuse Proof of Claim Forms shall be submitted pursuant to the following

Confidentiality Protocol:

- a Sexual Abuse Claimants are directed to mail or deliver the original Sexual Abuse Proof of Claim Form to Donlin, Recano & Company, Inc. If sent by mail, send to: Donlin, Recano & Company, Inc., Re: The Roman Catholic Church of the Archdiocese of New Orleans, P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219, or if sent by hand delivery or overnight courier, send to: Donlin, Recano & Company, Inc., Re: The Roman Catholic Church of the Archdiocese of New Orleans, 6201 15<sup>th</sup> Avenue, Brooklyn, NY 11219. Sexual Abuse Proof of Claim Forms may also be submitted electronically on the DRC Claims Portal located at <https://www.donlinrecano.com/Clients/rcano/FileSexualAbuseClaim>.
- b Sexual Abuse Proof of Claim Forms submitted by Sexual Abuse Claimants will not be available to the general public unless a Sexual Abuse Claimant affirmatively indicates his or her desire that the proof of claim be made public in Part 1 of the Sexual Abuse Proof of Claim Form. The Confidentiality Protocol is for the benefit of the Sexual Abuse Claimants. Accordingly, Sexual Abuse Claimants may elect to make any of the information contained in a Sexual Abuse Proof of Claim Form public, even if they elected to file the Proof of Claim confidentially; provided, however, that notwithstanding that a Sexual Abuse Claimant may disclose information on such claimant's Sexual Abuse Proof of Claim, such disclosure shall not constitute a waiver of confidentiality and no other party may disclose any information from such Sexual Abuse Proof of Claim, except as allowed by Permitted Parties, as defined below.
- c Sexual Abuse Proof of Claim Forms submitted by a Sexual Abuse Claimant shall be held and treated as confidential by the Debtor and Debtor's counsel and upon request to the parties listed below (the "**Permitted Parties**"), subject to each Permitted Party executing and returning to Debtor's counsel a confidentiality agreement in the form of Exhibit D annexed hereto (the "**Confidentiality Agreement**"), and to such other persons as the Court determines.<sup>4</sup> Executed Confidentiality Agreements shall be provided to counsel to the Debtor and counsel to the Committee. Permitted Parties shall

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<sup>4</sup> Unless otherwise specified herein, access to the Sexual Abuse Proof of Claim Forms extends only to the natural person who executes the Confidentiality Agreement. A separate Confidentiality Agreement must be signed by each natural person who seeks access to the records on behalf of a Permitted Party.

not disclose the contents of any Sexual Abuse Claim Form unless expressly authorized pursuant to Part 1 of the Sexual Abuse Claim Form, even if the Sexual Abuse Claimant disclosed some or all of the information contained in the form. Counsel to the Debtor and the Committee shall only be required to execute a single Confidentiality Agreement per law firm.

- d The Permitted Parties (the “**Permitted Party List**”) includes:
- i. Counsel to the Debtor retained pursuant to an order of the Bankruptcy Court, including partners, counsel, associates, and employees of such counsel;
  - ii. The Archbishop of the Archdiocese of New Orleans (the “**Archbishop**”) and employees of the Debtor or Parish or Non-Debtor Catholic Service Entity who are necessary to assist the Archbishop in reviewing and analyzing the Sexual Abuse Claims;
  - iii. Counsel for the Committee, including partners, counsel, associates, and employees of such counsel. For the avoidance of doubt, counsel for the Committee does not include counsel to members of the Committee;
  - iv. Insurance companies or their successors, including any authorized claim administrators of such insurance companies, that issued or allegedly issued policies to the Debtor that may cover the claims described in the Sexual Abuse Proof of Claim Forms, and their reinsurers and attorneys, upon consent of the Debtor and the Committee;
  - v. Any unknown claims or future claims representative appointed pursuant to an order of the Court in this case;
  - vi. DRC, the claims, noticing, and solicitation agent in this case, and any employees of DRC;
  - vii. Any mediator appointed pursuant to an order of this Court to mediate the terms of a settlement or Plan of reorganization in this case;
  - viii. Any special arbitrator/claims reviewer appointed to review and resolve the claims of Sexual Abuse Claimants;

- ix. Any trustee, or functional equivalent thereof, appointed to administer payments to Sexual Abuse Claimants including pursuant to a plan of reorganization or a proposed plan of reorganization;
- x. Authorized representatives of a department of corrections if the Sexual Abuse Claimant is incarcerated but only to the extent disclosure is mandated under applicable non-bankruptcy law;
- xi. Members of the Committee (after the Sexual Abuse Proof of Claim Form has been redacted to remove the Sexual Abuse Claimant's name, address, and any other information identified in Part 2(A) of the Sexual Abuse Proof of Claim Form and the signature block);
- xii. Any person with the express written consent of the Debtor and the Committee; provided, however, that any such determination shall be made on no less than 10 days' notice to the affected Sexual Abuse Claimants;
- xiii. Such other persons as the Court determines should have the information in order to evaluate Sexual Abuse Claims; provided, however, that any such determination shall be made on no less than 10 days' notice to the affected Sexual Abuse Claimants.

**In addition, Sexual Abuse Claimants are advised that information in Sexual Abuse Proof of Claims may be required to be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions. Sexual Abuse Claimants will be notified at the time of the disclosure of their Sexual Abuse Proof of Claim.**

#### **TIMING AND FORM OF NOTICE**

15. Within fourteen (14) days of the entry of this Order, the Debtor shall serve by United States mail, first-class postage prepaid, the General Claims Bar Date Notice upon: (a) the Office of the United States Trustee for the Eastern District of Louisiana; (b) counsel to the Committee; (c) all entities who have filed a notice of appearance in the Debtor's case; (d) all entities listed in Debtor's schedules; (e) all parties to executory contracts and unexpired leases of the Debtor; (f) all entities that have previously filed proofs of claims in the Debtor's case; (g) any

other entities or their counsel, including governmental units, known to the Debtor as entities who may have claims against the estate; and (h) such additional persons and entities as deemed appropriate by the Debtor.

16. The Debtor shall make the following available to the public by posting on the DRC website for the Debtor and by posting on the Debtor's website homepage via a "one click" link under "NOLA Catholic New" and labeled "Claim Deadline Notices and Forms": (i) a notice of the Sexual Abuse Bar Date substantially in the form attached hereto as Exhibit E and incorporated herein by reference (the "**Sexual Abuse Bar Date Notice**," and together with the General Creditor Bar Date Notice, each a "**Bar Date Notice**" and collectively, the "**Bar Date Notices**");<sup>5</sup> (ii) a Sexual Abuse Proof of Claim Form, substantially in the form attached hereto as Exhibit A; (iii) a list of diocesan and religious order priests and clergy in the Archdiocese and Parishes against whom the Debtor or Parishes has vetted reports of Sexual Abuse through the internal processes of the Archdiocese (the "**Listed Clergy**") substantially in the form attached hereto as Exhibit J, and (iv) the Bar Date Order (together with the Sexual Abuse Bar Date Notice and the Sexual Abuse Proof of Claim Form, the "**Sexual Abuse Bar Date Notice Package**," and together with the General Creditor Bar Date Package, the "**Bar Date Packages**"). Exhibit J shall contain the following statement: "Please refer to the Committee website located at [www.NOLACHurchCommittee.com](http://www.NOLACHurchCommittee.com) for lists prepared by the Committee of additional clergy against whom Sexual Abuse lawsuits have been filed and clergy accused of Sexual Abuse by other religious orders and dioceses".

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<sup>5</sup> The Parishes and the Non-Debtor Catholic Service Entities are sometimes collectively referred to in the Bar Date Notices as the "Non-Debtor Catholic Entities".

17. The Debtor shall provide notice of the Sexual Abuse Bar Date by causing the Sexual Abuse Bar Date Notice Package to be served on the individuals identified in paragraph 18(i)-(vii) below (the “**Sexual Abuse Notice Parties**”) no later than forty-five (45) days after entry of the Bar Date Order and by causing the Sexual Abuse Bar Date Notice Package, Sexual Abuse Bar Date Notice, or other notice authorized herein, as applicable, to be published as set forth below.

18. The Sexual Abuse Notice Parties shall include the following:

- (i) All individuals who have filed or ever threatened in writing to file lawsuits against the Archdiocese, Parishes, Non-Debtor Catholic Service Entities, or Orphanages<sup>6</sup> who allege Sexual Abuse.
- (ii) All individuals known to the Archdiocese who contacted the Archdiocese or any Parish, Non-Debtor Catholic Service Entity, or Orphanage to report that they were Sexually Abused, whether or not that individual’s claim was considered to be substantiated or unsubstantiated and whether or not the report was written or verbal.
- (iii) All individuals known to the Archdiocese to whom payment or counseling reimbursement has ever been made by or on behalf of the Archdiocese or any Parish, Non-Debtor Catholic Service Entity, or Orphanage as a result of an allegation of Sexual Abuse, as well as all individuals who participated in any mediation or settlement process with the Archdiocese or any Parish, Non-Debtor Catholic Service Entity, or Orphanage but did not enter into a settlement agreement.

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<sup>6</sup> Orphanages shall mean Hope Haven, Madonna Manor, and St. Elizabeth’s.

Notwithstanding the foregoing, the Archdiocese shall not be required to send a Sexual Abuse Claims Notice Package to any person who is not required to file a Proof of Claim pursuant to Paragraph 7 of this Order.

- (iv) All individuals known to the Archdiocese whose names were given by an alleged abuser (“**Alleged Abuser**”), or by any third party during interviews, or as part of an investigation of Sexual Abuse to the Archdiocese, to any Parish, to any representative of the Archdiocese or Parish or to any Parish or diocesan and religious order priests and clergy in the Archdiocese or Parish.
- (v) All individuals that the Archdiocese or any Parish, or Non-Debtor Catholic Service Entity, or Orphanage has a record of who contacted the Archdiocese about their children or other children being in close contact with an Alleged Abuser or about some problem with the Alleged Abusers and their child or another child.
- (vi) All individuals whom the Debtor has ever provided or referred to for counseling, spiritual direction, or therapy support related to Sexual Abuse.
- (vii) Where any of the Sexual Abuse Notice Parties listed above have an attorney of record, notice shall also be sent to the attorney of record.

19. To obtain the information requested above, the Debtor will review all records and documents it has within its possession, custody, or control including but not limited to the archives under Canon 490 related to all Listed Clergy and Alleged Abusers and any Sexual Abuse allegations related to such Listed Clergy and Alleged Abusers as well as the records of the

Archdiocesan Review Board. The Debtor will search for current addresses using Social Security numbers and otherwise use reasonable efforts to find current addresses for each individual identified under paragraph 18 and will promptly serve each such individual with the Sexual Abuse Bar Date Notice Package. Notices that are returned as non-deliverable will be re-mailed to any address indicated by the United States Postal Service (the “USPS”) in the case of an expired automatic forwarding order. Notices returned as non-deliverable, but for which a new address is not indicated by the USPS, will be further searched through a third-party vendor to obtain a more current address. If any such address is found, the notice will be re-mailed to such addresses. The Debtor will also make a written request (an “**Information Request**”) to each of the Parishes and Non-Debtor Catholic Service Entities requesting that they conduct the same review, by letter signed by Archbishop Aymond, in his capacity as the Debtor’s officer/director and, if applicable, in his capacity as an officer of each Parish and Non-Debtor Catholic Service Entity (in the case of any Parish and Non-Debtor Catholic Service Entity in which Archbishop Aymond is an officer or director, such request shall be phrased as an instruction). The Debtor will file a declaration (the “**Declaration**”) attesting to the efforts it made to comply with these procedures (which will include copies of each Information Request sent by the Debtor and a statement setting forth whether or not a response was received from the Parishes and Non-Debtor Catholic Service Entities and what that response was) with the Court and serve it on counsel to the Committee within thirty (30) days of service of the Sexual Abuse Bar Date Packages and shall file additional Declarations and reports monthly thereafter until service on all individuals listed in paragraph 18 has been effectuated. The Declarations shall be filed under seal and shall be subject to Attorneys-Eyes Only treatment. At the same time, the Debtor will provide the counsel to the Committee the names and addresses of all Sexual Abuse Notice Parties and all Listed Clergy. If additional Sexual Abuse claimants or

Listed Clergy are identified to the Debtor after the initial service of the Sexual Abuse Bar Date Packages, the Debtor shall, within ten (10) days of their identification, serve a copy of the Sexual Abuse Bar Date Package on the additional Sexual Abuse claimants. The Debtor will provide counsel to the Committee the names and addresses of all subsequently identified Sexual Abuse Notice Parties and Listed Clergy.

20. The Sexual Abuse Bar Date Notice will include the name of each Listed Clergy against whom claims of Sexual Abuse have been vetted, identified on Exhibit J hereto, as well as the name of the Parish or School owned and operated by the Archdiocese or Orphanage or other Non-Debtor Catholic Service Entity for which the Listed Abuser worked or served, the Listed Abuser's position within said Parish, School, or Orphanage and the dates of their assignments. For the purpose of this Order and for notice of the Sexual Abuse Bar Date, Listed Clergy include but are not limited to the individuals listed on Exhibit J as well as any others identified during the course of the due diligence efforts required by paragraphs 18 and 19 above. It shall also include a picture, at least 3" by 5" in dimension, of each Listed Clergy taken at or close to the time of the Sexual Abuse, to the extent that the Debtor has such a picture. If a picture from such time period is not available, a photograph from a different time period will suffice. It shall also include the following disclaimer:

This list is not exhaustive. There may be additional priests or clergy who may have committed acts of Sexual Abuse but on whom the Archdiocese does not have a report or for whom the allegation of Sexual Abuse was not substantiated through the Archdiocese process or a civil authority. In addition, the list does not include other potential offenders who are not members of the clergy, such as teachers, nuns, or members of religious orders. The fact that this list may not include the name of the Alleged Abuser who sexually abused you does not mean that you should not file a Sexual Abuse Proof of Claim Form.



Please refer to the Committee website located at [www.NOLAchurchCommittee.com](http://www.NOLAchurchCommittee.com) for lists prepared by the Committee of additional clergy against whom Sexual Abuse lawsuits have been filed and clergy accused of Sexual Abuse by other religious orders and dioceses.

21. For Sexual Abuse claimants who are represented, the Debtor shall serve the Sexual Abuse Bar Date Packages to their attorneys of record. All other Sexual Abuse Claimants shall be served, first class mail, at their last known home address, after the Debtor has used reasonable efforts to locate a current address for each Sexual Abuse claimant. The names and addresses of all parties served (including any updated addresses which were discovered when mail was returned or otherwise) shall be included on the proof of service, and the proof of service should be filed under seal, with a copy provided to counsel to the Committee, pursuant to Attorneys Eyes Only Designation.

22. Beginning no later than ten (10) days after the date of entry of this Order and through and including the Bar Date, the Debtor, all Parishes (which includes 115 Parish entities), Non-Debtor Catholic Service Entity, and Catholic Charities Archdiocese of New Orleans will post a link on their respective websites to the General Claims Bar Date Notice and General Proof of Claim form, and to the Sexual Abuse Claims Bar Date Notice and the Sexual Abuse Proof of Claim form. In addition, sixty (60) days prior to the Bar Date, the Debtor will send a direct email to approximately 49,000 registered Catholic households with a direct link to the General Claims Bar Date Notice and General Proof of Claim form, and to the Sexual Abuse Claims Bar Date Notice and the Sexual Abuse Proof of Claim form.

23. The Debtor shall also provide notice of the Sexual Abuse Claims Bar Date and the General Claims Bar Date by causing a copy of the Publication Notice to be published as detailed in the Publication Notice Plan, attached hereto as Exhibit G.

24. The Court finds that the form and manner of giving notice of the bar dates as approved herein fulfills the notice requirements of the Bankruptcy Rules and is reasonably calculated under the circumstances to apprise both known and potential unknown creditors of the Debtor of the establishment of the bar dates and the need to file a proof of claim, consistent with the due process rights of all parties under the standards established in *Mullane v. Central Hannover Bank & Trust Co.*, 339 U.S. 306 (1950). Accordingly, the Debtor is authorized and directed to serve and/or publish notice of the Bar Date deadline in the manner described herein.

25. Nothing contained in this Order is intended or should be construed as a finding as to the validity of any claim against the Debtor, and all parties retain all rights to dispute any claim on any grounds. All parties retain the right to dispute, or asset offsets or defenses to, any claim (whether or not reflected on the Schedules or any amendment thereto) as to amount, liability, classification, or otherwise, and to subsequently designate any claim as contingent, unliquidated, or disputed.

26. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order.

27. This Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

New Orleans, Louisiana, October 1, 2020.



MEREDITH S. GRABILL  
UNITED STATES BANKRUPTCY JUDGE