

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

In re:

The Roman Catholic Diocese of Rockville  
Centre, New York,

Debtors.

Chapter 11

**Case No. 20-12345 (SCC)**

**ASSOCIATED INTERNATIONAL INSURANCE COMPANY'S JOINDER IN LMI'S  
RESPONSE TO THE DIOCESE'S MOTION FOR AN ORDER ESTABLISHING  
DEADLINES FOR FILING PROOFS OF CLAIM AND GRANTING RELATED RELIEF**

Evanston Insurance Company (successor by merger to Associated International Insurance Company) ("Associated International") responds to the Motion of the Roman Catholic Diocese of Rockville Centre, New York ("Diocese") for Entry of an Order Establishing Deadlines for Filing Proofs of Claim and Granting Related Relief (the "Motion") as follows:

1. By way of the Motion, the Diocese seeks the following relief: (1) entry of an Order Establishing Deadlines for Filing Proofs of Claim and Approving the Form and Manner of Notice ("Bar Date Order"); (2) establishment of a Bar Date for Sexual Abuse Claims; approval of protocol for maintaining the confidentiality of certain claims ("Confidentiality Protocol") and a proposed form of confidentiality agreement ("Confidentiality Agreement"); (3) approval of a Sexual Abuse Proof of Claim ("POC") form; and (4) other relief.

2. Associated International joins in the response of Certain Underwriters at Lloyd's, London and Certain London Market Insurance Companies (collectively, "LMI") to the Motion.

3. The Diocese has sought coverage from Associated International under an excess insurance policy in connection with certain Sexual Abuse Claims. See Adversary Proceeding No. 20-01227, Doc. No. 1, Adversary Complaint, filed 10/01/20.

4. Similar to LMI, Associated International requires information from the claimants and the Diocese to assess the Diocese's potential liability to the claimants and to evaluate its alleged coverage obligations, if any. Because the relief sought by the Motion does not adequately address the exchange of such information, Associated International joins LMI's requests for modifications to the proposed Bar Date Order, the Confidentiality Agreement, and the Sexual Abuse POC Form. See LMI's Response, Doc. 199, ¶¶6-8. As LMI notes, these changes will minimize the need for formal discovery and claims objections in this case, as well as discovery in the Adversary Proceeding.

5. By way of this joinder, Associated International does not waive any rights under its policy, by law, in equity, or otherwise, including its right to seek information directly from the Diocese that is relevant to the Diocese's claim that it is entitled to insurance coverage from Associated International. Associated International also does not waive its right to seek withdrawal of the reference of the Adversary Proceeding.

WHEREFORE, Associated International requests that: (1) the Bar Date Order be modified to provide that each of the Diocese's Insurers will receive all of the POC forms; (2) the Confidentiality Agreement be modified to provide that each of the Insurers will be permitted to use all POC forms to evaluate and litigate any and all underlying claims; and (3) the Sexual Abuse POC Form be modified by the revisions set forth above.

Dated: December 1, 2020

Respectfully submitted,

**KENNEDYS CMK LLP**

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