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*Proposed Counsel for The Diocese of Camden, New Jersey,
Chapter 11 Debtor and Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

THE DIOCESE OF CAMDEN, NEW JERSEY,

Debtor.

Chapter 11

Case No. 20-21257 (JNP)

Hearing Date and Time:
November 12, 2020 at 10:00 a.m.

**NOTICE OF THE DIOCESE'S MOTION FOR ENTRY OF
AN ORDER ESTABLISHING A DEADLINE FOR FILING
PROOFS OF CLAIM AND APPROVING THE FORM AND
MANNER OF NOTICE THEREOF**

PLEASE TAKE NOTICE that on **November 12, 2020 at 10:00 a.m.**, or as soon thereafter as the movant may be heard, The Diocese of Camden, New Jersey, Chapter 11 debtor and debtor-in-possession (the "Diocese"), by and through its proposed undersigned counsel, shall move before the United States Bankruptcy Court, U.S. Post Office and Courthouse, 401 Market Street, Camden, NJ 08101, for entry of an order: (i) establishing deadlines to file proofs of claim against the Diocese, including but not limited to all claims of setoff or recoupment and claims arising under section 503(b)(9) of the Bankruptcy Code; (ii) approving the form and manner of notice of the Bar Dates (as defined in the Motion); (iii) approving the proposed forms to be used for filing proofs of claim; (iv) approving procedures for maintaining the confidentiality of certain

claims; (v) authorizing the Diocese to publish notice of the Bar Dates; and (vi) granting related relief (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the Diocese will rely upon the brief filed in support of the relief requested.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy in accordance with D.N.J. LBR 9013-1.

PLEASE TAKE FURTHER NOTICE that unless an objection is timely filed and served, the Motion will be deemed uncontested in accordance with D.N.J. LBR 9013-3(d) and the relief may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that an order granting the relief requested herein is submitted herewith and made part of the Motion herein.

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

*Proposed Counsel for Debtor and Debtor-in-
Possession, The Diocese of Camden, New Jersey*

By: /s/ Richard D. Trenk
RICHARD D. TRENK

Dated: October 14, 2020

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Chapter 11 Debtor and Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

THE DIOCESE OF CAMDEN, NEW JERSEY,

Debtor.

Chapter 11

Case No. 20-21257 (JNP)

Hearing Date and Time:
November 12, 2020 at 10:00 a.m.

**BRIEF IN SUPPORT OF MOTION FOR ENTRY OF AN
ORDER ESTABLISHING A DEADLINE FOR FILING
PROOFS OF CLAIM AND APPROVING THE FORM AND
MANNER OF NOTICE THEREOF**

The Diocese of Camden, New Jersey, Chapter 11 debtor and debtor-in-possession (the “Diocese”), by and through its proposed undersigned counsel, submits this motion (the “Motion”) for entry of an order: (i) establishing deadlines to file proofs of claim against the Diocese, including but not limited to all claims of setoff or recoupment and claims arising under section 503(b)(9) of the Bankruptcy Code; (ii) approving the form and manner of notice of the Bar Dates (defined below); (iii) approving the proposed forms to be used for filing proofs of claim; (iv) approving procedures for maintaining the confidentiality of certain claims; (v) authorizing the Diocese to publish notice of the Bar Dates, and (vi) granting related relief. In support of this Motion, the Diocese respectfully states as follows:

JURISDICTION

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, entered on July 23, 1984, and amended on September 18, 2012. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. The statutory predicates for the relief sought in this Motion are sections 105, 107, 501, 502, 503 and 1111(a) of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”), Rules 2002, 3003, 5005, and 9008 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and D.N.J. LBR 3003-1.

BACKGROUND

3. The Diocese filed its voluntary chapter 11 petition on October 1, 2020 (the “Petition Date”).

4. The Diocese continues to maintain its operations to fulfill its mission and manage its affairs as a debtor-in-possession pursuant to Bankruptcy Code sections 1107(a) and 1108. As of the filing of this Motion, no trustee, examiner or creditors’ committee has been appointed in this case.

5. The Diocese is a Roman Catholic diocese of the Latin Church in New Jersey in which there are sixty-two (62) separately constituted parishes and approximately 486,000 Catholic parishioners in the six (6) southern New Jersey counties of Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem. The Diocese is a not for profit religious corporation organized under the laws of the State of New Jersey.

6. A more detailed history and description of the Diocese and its operations, together with the reasons for its chapter 11 filing, are set forth in the First Day Declaration of Rev. Robert E. Hughes, Vicar General [ECF 3] and the Amended First Day Declaration of Laura J. Montgomery [ECF 43], which are incorporated herein as if set forth in their entirety.

Prior Notice Given to Abuse Claimants

7. Beginning on June 15, 2019, the Roman Catholic Archdiocese of Newark and the dioceses of Camden, Metuchen, Paterson and Trenton established the Independent Victim Compensation Program (“IVCP”) to begin accepting claims related to the abuse of minors by priests of these dioceses.

8. The IVCP completed an extensive program to contact potential survivors of abuse (“Abuse”) by priests of the Diocese (each an “Abuse Claimant” and collectively, the “Abuse Claimants”).

9. In this regard, a letter was sent on behalf of the Victim Assistance Coordinator of the Diocese to every individual who had reported abuse by a diocesan priest but who had not entered into a settlement with the Diocese, *i.e.*, each potential Abuse Claimant of whom the Diocese was aware at the time, informing each of them of the IVCP and his/her ability to participate in the program. 107 such letters were sent (and 69 individuals consequently filed claims with the IVCP).

10. In addition, the following advertising was completed on behalf of the Diocese between June 15, 2019 and February 10, 2020:

a. **Google Search Ads:** During this time period, the Diocese, along with the Dioceses of Metuchen, Trenton and Paterson and the Archdiocese of Newark, conducted an advertising campaign on Google’s search engine. Anyone using Google in the state of New Jersey, eastern Pennsylvania, northern Delaware and the New York City Metropolitan area, was directed to the IVCP website if the user used any combination of the following words: (i) Archdiocese of Newark; (ii) child sex abuse; (iii) Diocese of

Camden; (iv) Diocese of Metuchen; (v) Diocese of Newark; (vi) Diocese of Paterson; (vii) Diocese of Trenton; (viii) Priest sex abuse; (ix) Theodore McCarrick; (x) Victim Compensation; and (xi) Catholic. When these words were searched for, an ad would appear directing the user to www.njdiocesesivcp.com. The campaign resulted in 100,994 impressions and 1,188 click throughs the IVCP website. The campaign cost \$3,075.92.

b. **Catholic Star Herald:** The *Catholic Star Herald* is the official Catholic newspaper of the Diocese, with a circulation of 44,000. On average, the newspaper is read by a third of all registered parishioners of a parish. The newspaper prints 36 times per year. During the IVCP campaign, each edition of the paper included a ¼ page ad directing those who were, or knew of someone who was, abused by a clergy member to go to the IVCP website to learn more about the program.

c. **Secular news outlets:** All newspapers and radio/television news stations received a press release announcing the opening of the IVCP before its public start date on June 15, 2019.

d. **Parish bulletins:** All 62 parishes in the Diocese received a graphic ad, in addition to a text only version, to be included in all bulletins for the length of the campaign.

e. **Social media announcements:** A graphic ad was used to promote the opening of the IVCP program on social media beginning June 17, 2019 and was reposted intermittently on social media throughout the campaign.

11. Since the statute of limitations was opened, victims' attorneys have placed hundreds of advertisements on television (cable and major networks), the internet, daily and Sunday newspapers of general circulation, websites for news outlets and other sites. All of this advertising has notified people of the change in the law and encouraged people to seek redress.

12. The IVCP was covered in local news. See, e.g. <https://www.nj.com/news/2020/01/catholic-fund-has-paid-out-millions-to-nj-priest-sex-abuse-victims-friday-is-the-last-day-to-apply.html>.

13. The Diocese's bankruptcy filing has also been extensively covered by local news agencies in southern New Jersey. See, e.g. <https://www.inquirer.com/news/camden-diocese-bankruptcy-bishop-dennis-sullivan-clergy-abuse-claims-20201001.html>;

(ii) <https://www.inquirer.com/wires/ap/camden-diocese-becomes-latest-file-bankruptcy->

[20201001.html](#); (iii) <https://www.nj.com/camden/2020/10/catholic-diocese-filed-for-bankruptcy-cites-priest-abuse-lawsuits-coronavirus-pandemic.html>; and (iv) https://pressofatlanticcity.com/camdens-roman-catholic-diocese-declares-bankruptcy-citing-covid-19-costs-and-priest-abuse-claims/article_bdb0a10d-a7aa-581f-a122-b8791e76f808.html.

RELIEF REQUESTED

14. By this Motion, the Diocese respectfully requests that the Court enter an order (the “Bar Date Order”), substantially in the form of the proposed order simultaneously filed with this Motion, pursuant to sections 105(a) and 501 of the Bankruptcy Code and Bankruptcy Rules 2002, 3003 and 9008: (i) establishing (a) **February 26, 2021 at 11:59 p.m. (prevailing Eastern time)** as the deadline by which all creditors, including Abuse Claims and creditors asserting claims pursuant to section 503(b)(9) of the Bankruptcy Code, other than governmental units (as defined in section 101(27) of the Bankruptcy Code), must file proofs of claim (the “General Bar Date”), and (b) establishing **March 30, 2021 at 11:59 p.m. (prevailing Eastern time)** as the date by which governmental units must file proofs of claim (the “Governmental Bar Date,” and together with the General Bar Date, collectively, the “Bar Dates”); (ii) approving the proposed forms of proof of claim appended to the Bar Date Order as **Exhibit A** and **Exhibit B**; (c) approving a protocol for maintaining the confidentiality of certain claims and claimants and the proposed form of confidentiality agreement appended to the Bar Date Order as **Exhibit C**; (d) approving the proposed forms of notice of the Bar Dates appended to the Bar Date Order as **Exhibit D** and **Exhibit E**, and the manner of distribution of such notices; and (e) granting related relief.

THE BAR DATES

15. Bankruptcy Rule 3003(c)(2) provides that any creditor whose claim is not scheduled or whose claim is scheduled as disputed, contingent or unliquidated must file a proof of claim. Bankruptcy Rule 3003(c)(3) provides that the Court shall fix the time within which proofs of claim must be filed. Accordingly, the Diocese requests that the Court establish the General Bar Date and Governmental Bar Date.

16. Setting the General Bar Date over four months from the date of this Motion will allow for more than sufficient time for the Diocese to provide notice to potential claimants, and for those claimants to complete and submit a proof of claim.

17. The Governmental Bar Date is at least 180 days after the Petition Date as required by section 502(b)(9) of the Bankruptcy Code. This Chapter 11 Case was filed on October 1, 2020.

18. The fixing of the Bar Dates will enable the Diocese to administer this Chapter 11 Cases as efficiently and expeditiously as possible. The Diocese submits that the proposed notice procedures set forth below will provide creditors with sufficient time to prepare and timely file proofs of claim. The Diocese requests that the Court order that all such proofs of claim be deemed timely filed only if they are actually received by Prime Clerk (defined below) on or before the applicable Bar Date.

WHO MUST FILE PROOFS OF CLAIM

19. The Bar Date Order provides that except as set forth below, all persons and entities holding prepetition claims, including, without limitation, the following entities, must file proofs of claim on or before the applicable Bar Date:

a. Any person or entity who believes its prepetition claim was omitted from the Diocese's Schedules of Assets and Liabilities (as amended) filed in this Chapter 11

case (the “Schedules”), or whose prepetition claim is listed in the Schedules, but is designated as being “contingent,” “unliquidated,” or “disputed,” and who may be entitled to any distributions to creditors that may be made in this Chapter 11 case;

b. Any person or entity who 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 as identified in the Schedules; and

c. Any Abuse Claimant who wishes to assert an Abuse claim (“Abuse Claim”) against the Diocese, regardless of whether such person has previously filed a lawsuit against the Diocese or otherwise has given formal or informal notice of such claims to the Diocese, including any person whose claim may be barred by a statute of limitations or repose in effect as of the applicable Bar Date.

20. Pursuant to the proposed Bar Date Order, the following persons or entities are not required to file a proof of claim at this time:

a. Any person or entity that has already properly filed a proof of claim against the Diocese with the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, except that, any person who has asserted an Abuse Claim must submit a completed Abuse Proof of Claim;

b. Any person or entity: (a) whose claim is listed in the Schedules or any amendments thereto; and (b) whose claim is not identified therein as “contingent,” “unliquidated,” or “disputed,” and (c) who does not dispute the amount or classification of its claim as set forth in the Schedules;

c. Any professionals retained by: (i) the Diocese or; (ii) any committee appointed by the Office of the United States Trustee pursuant to orders of this Court, who assert administrative claims for payment of fees and expenses subject to the Court’s approval, pursuant to sections 330, 331(a) and 503(b) of the Bankruptcy Code;

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

e. Any person or entity whose claim against the Diocese is allowed by an order of the Court entered on or before the applicable Bar Date; and

f. Any person or entity whose claim has been previously settled or paid in full or released.

PROPOSED PROOF OF CLAIM FORMS

21. The Diocese proposes to use different proof of claim forms for (i) general creditors; and (ii) abuse claimants.

The General Proof of Claim

22. The Diocese proposes that the form of proof of claim appended to the proposed Bar Date Order as **Exhibit A** (the “General Proof of Claim Form”) be used by all claimants to provide proof of any claims that are not Abuse Claims (each, a “General Claim,” and each such completed and timely submitted form, a “General Proof of Claim”). The General Proof of Claim Form is the Official Bankruptcy Form 410. The Diocese proposes to provide with the Bar Date Notice mailed to each creditor listed on its Schedules (except those listed only as having potential Abuse Claims) a copy of the General Proof of Claim Form.

23. The proposed Bar Date Order provides that, in order to be considered valid, each General Proof of Claim submitted in this Chapter 11 Case 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 in accordance with Bankruptcy Rules 3001(c) and 3001(d) (including for secured claims, evidence that the security interest has been perfected) unless such writings are voluminous or confidential, in which case a summary must be attached or an explanation provided as to why such writings are not available and such writings will be provided to the Diocese and/or committee (if any) upon request, and (d) be actually received by the Diocese’s claims and noticing agent, Prime Clerk LLC (“Prime Clerk”), on or before the applicable Bar Date. Proofs of claim may be filed (i) electronically using the interface available on Prime Clerk’s website at <https://cases.primeclerk.com/camdendiocese/EPOC-Index>, or (ii) by mail, overnight courier, or hand delivery to Prime Clerk’s address below:

The Diocese of Camden, New Jersey Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

24. In the event that a completed General Proof of Claim is mailed to or personally delivered to the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, the proposed Bar Date Order directs the Clerk of the Court to place the General Proof of Claim Form in a sealed envelope, mark the envelope with the date and time of receipt, and transmit the sealed envelope to Prime Clerk at the address for receipt of General Proofs of Claim Forms above.

Abuse Proof of Claim Form

25. The Diocese proposes that the form of proof of claim appended to the proposed Bar Date Order as **Exhibit B** (the “Abuse Proof of Claim Form”) be used by all claimants to provide proof of any Abuse Claims (each such completed and timely submitted form, an “Abuse Proof of Claim”).

26. The Diocese respectfully submits that the uniquely personal and unliquidated nature of Abuse Claims requires the collection of additional information not normally included on Official Bankruptcy Form 410 in order to properly evaluate such claims, and to determine whether there may be insurance coverage available to satisfy such claims, at least in part. Accordingly, the Diocese proposes that persons wishing to assert an Abuse Claim (each, an “Abuse Claimant”) utilize the Abuse Proof of Claim Form which, similar to those employed in other diocesan bankruptcies, has been specifically tailored to ensure that sufficient information is collected to allow a proper assessment of such claims. Because detailed information is needed to process Abuse Claims, the Diocese proposes that, if a claimant submits a proof of claim asserting an Abuse Claim using the General Proof of Claim Form, on or before the applicable Bar Date, such claim will be treated as timely filed only if such claimant submits a completed Abuse Proof of Claim prior to the earlier of the applicable Bar Date and the date which is thirty (30) days

following receipt of written notice from the Diocese of the need to complete and submit an Abuse Proof of Claim.

27. The Diocese submits that the information requested in the Abuse Proof of Claim Form is necessary and appropriate in order to assist the Diocese, a committee (if any), and potential insurance companies in evaluating Abuse Claims asserted against the Diocese's estate. Moreover, the Diocese submits that the Abuse Proof of Claim Form and the information requested therein is similar to what has been approved in other diocesan bankruptcies. Because such information is sensitive in nature, and consistent with the Court's *Order Authorizing the Debtor to File Portions of Schedule F and The Master Creditor Mailing Matrix, Under Seal* [ECF 54], the Diocese requests that Abuse Proof of Claim Forms (and General Proof of Claim Forms that assert or appear to assert an Abuse Claim) be sealed, and dissemination of the information therein be limited as set forth herein.

28. The Diocese submits that the proposed Abuse Proof of Claim Form and the confidentiality procedures proposed in connection therewith are appropriate to protect the privacy of abuse victims and to ensure that sufficient information regarding their claims can be collected and analyzed as the Diocese attempts to formulate a chapter 11 plan. Other courts have approved similar alterations to the official proof of claim form in order to collect additional necessary information under appropriate circumstances. See In re A.H. Robins Co., 862 F.2d 1092 (4th Cir. 1988); In re I.G. Servs., Ltd., 244 B.R. 377, 383-84 (Bankr. W.D. Tex. 2000) (citing In re A.H. Robins Co., 862 F.2d at 1092) (noting that "[p]rocedures and forms for claiming against a bankruptcy estate may be established by the court in special circumstances."). Further, in A.H. Robins, the court recognized that substantial alteration to Official Proof of

Claim Form 410 may be necessary when dealing with tort claims. See In re A.H. Robins, 862 F.2d at 1092.

29. Bankruptcy Rule 9009 was recently amended effective December 1, 2017 to provide that “[t]he Official Forms prescribed by the Judicial Conference of the United States shall be used without alteration, *except as otherwise provided in these rules, in a particular Official Form, or in the national instructions for a particular Official Form.*” Fed. R. Bankr. P. 9009(a) (emphasis added). However, with respect to proofs of claim, Bankruptcy Rule 3001(a) requires only that such proof of claim “conform substantially to the appropriate Official Form.” Fed. R. Bankr. P. 3001(a).

30. The Diocese respectfully submits that the proposed Abuse Proof of Claim Form conforms substantially with Official Bankruptcy Form 410 because it requires claimants to provide the same substantive information required by the Official Form, while also soliciting additional information needed to properly assess the Abuse Claims. Accordingly, the Diocese respectfully submits that this Court may authorize the use of the Abuse Proof of Claim Form for the submission of Abuse Claims pursuant to Bankruptcy Rule 3001(a) and its inherent equitable authority under section 105 of the Bankruptcy Code to “issue any order, process or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” In re Caesars Entertainment Operating Co., Inc., 808 F.3d 1186, 1188 (7th Cir. 2015) (“Though section 105(a) does not give the bankruptcy court carte blanche—the court cannot, for example, take an action prohibited by another provision of the Bankruptcy Code—it grants the extensive equitable powers that bankruptcy courts need in order to be able to perform their statutory duties.”) (internal citations omitted).

31. Similar forms have been approved in cases similar to this one involving the assertion of abuse claims. See, e.g., In re The Diocese of Rochester, Case No. 19-20905 (Bankr. W.D.N.Y., Feb. 25, 2020) [ECF 425]; In re Roman Catholic Church of the Archdiocese of Santa Fe, Case No. 18-13027 (Bankr. D. N.M., March 19, 2019) [ECF 130] (order entered after effective date of revised Bankruptcy Rule 9009); In re Roman Catholic Bishop of Great Falls, Montana, Case No. 17-60271 (Bankr. D. Mont., June 7, 2017) [ECF 121]; In re Diocese of Helena, Case No. 14-60074 (Bankr. D. Mont., May 6, 2014) [ECF 242], In re Catholic Diocese of Wilmington, Inc., Case No. 09-13560 (Bankr. D. Del., Feb. 2, 2010) [ECF 308]; In re Roman Catholic Church of the Diocese of Tucson, Case No. 04-0721 (Bankr. D. Ariz., Nov. 5, 2005) [ECF 118]; In re Catholic Bishop of Northern Alaska, Case No. 08-00110 (Bankr. D. Alaska , May 29, 2014) [ECF 174]; In re Diocese of Davenport, Case No. 06-02229 (Bankr. S.D. Iowa, Mar. 16, 2007) [ECF 97]; In re Roman Catholic Bishop of San Diego, Case No. 07-00939 (Bankr. S.D. Cal., Aug. 20, 2007) [ECF 1061]; and In re Roman Catholic Church of the Diocese of Gallup, Case No. 13-13676 (Bankr. D.N.M., April 10, 2014) [ECF 218].

32. The proposed Bar Date Order provides that, in order to be considered valid, each Abuse Proof of Claim must: (a) be written in English or include a translation to English, (b) contain responses to all requests for information set forth therein to the best of the Abuse Claimant's knowledge at the time the form is signed, (c) be signed by the Abuse Claimant (or if such Abuse Claimant is a minor, legally incapacitated, or deceased, by such Abuse Claimant's parent, legal guardian or executor), and (d) be actually received by the Diocese's claims and noticing agent, Prime Clerk, on or before the applicable Bar Date. Proofs of claim may be filed (i) electronically using the interface available on Prime Clerk's website at Prime Clerk's website

at <https://cases.primeclerk.com/camdendiocese/EPOC-Index>, or (ii) by mail, overnight courier, or hand delivery to the Claims Agent's address below:

The Diocese of Camden, New Jersey Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

33. In the event that a completed Abuse Proof of Claim is mailed to or personally delivered to the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, the proposed Bar Date Order directs the Clerk of the Court to place the Abuse Proof of Claim Form in a sealed envelope, mark the envelope with the date and time of receipt, and transmit the sealed envelope to Prime Clerk at the address for receipt of Abuse Proofs of Claim Forms above.

CONFIDENTIALITY PROTOCOLS

34. Due to the sensitive nature of the information requested in the Abuse Proof of Claim Form, the Diocese seeks approval through this Motion, of the following confidentiality protocol ("Confidentiality Protocol") to apply to all Abuse Proofs of Claim (and General Proofs of Claim that assert or appear to assert an Abuse Claim) submitted by Abuse Claimants:

a. All claimants asserting an Abuse Claim are directed to submit such claims directly to Prime Clerk, the Diocese's Claims and Noticing Agent, using the Abuse Proof of Claim Form. Such claims should not be filed with the Court.

b. Abuse Proofs of Claim received by Prime Clerk will be treated as confidential and will be made available only to Authorized Parties (as defined below) unless an Abuse Claimant affirmatively elects to have their Abuse Proof of Claim disclosed publicly. Any claim that appears to be an Abuse Claim that is filed as a General Claim shall be treated by Prime Clerk as a confidential claim pending resolution of the claimant's intent regarding confidential treatment of such claim. The Confidentiality Protocol is for the sole and exclusive benefit of the Abuse Claimants. Accordingly, any Abuse Claimant may elect to make information contained in his or her personal Abuse Proof of Claim public, even if he or she does not elect to have his or her personal Abuse Proof of Claim disclosed publicly. For the avoidance of doubt, Abuse Claimants are not bound by the confidentiality provisions of the Bar Date Order with respect to disclosures

regarding their own Abuse or any information disclosed by an Abuse Claimant in his or her Abuse Claim.

c. Abuse Proofs of Claim received by Prime Clerk shall be held and treated as confidential by Prime Clerk, and copies thereof shall be provided or made available only to the following parties (the “Authorized Parties”):

i. The Bishop of the Diocese, officers of the Diocese, and such other current or former employees of the Diocese who are necessary to assist the Diocese in reviewing and analyzing the Abuse Proofs of Claim. For the avoidance of doubt, any person that was disclosed to the Diocese as an individual who had allegedly committed an act of abuse, as well as any person identified as an alleged abuser in an Abuse Proof of Claim Form or who is otherwise acknowledged by the Diocese as someone who committed Abuse, shall not be an Authorized Person *provided, however*, that the Diocese is authorized to discuss the contents of any Abuse Proof of Claim, (other than the claimant’s name, address, and other information identified in Parts 1 and 2(a) of the Abuse Proof of Claim Form, the signature block and any other information which could reasonably be used to personally identify an Abuse Claimant or any witness to the abuse disclosed in the Abuse Proof of Claim Form), with a person identified as an alleged abuser who was not previously disclosed to the Diocese as an individual who had committed an act of abuse, *provided, further*, that if the Diocese seeks to disclose information that could reasonably be used to identify an Abuse Claimant or a witness identified in an Abuse Proof of Claim Form to an alleged abuser, the Diocese may do so upon written consent from any committee. If a committee does not consent, the Diocese may contact the Court to arrange a telephonic conference seeking such authorization upon no less than three (3) days’ notice to the affected Abuse Claimant(s), a committee and the Diocese;

ii. Counsel to the Diocese (including any special counsel or other counsel) or any committee retained pursuant to an order of the Bankruptcy Court, including partners, counsel, associates, and employees of such counsel;

iii. Members of any committee and their individual counsel (after the Abuse Proof of Claim has been redacted to remove the claimant’s name, address, and other information identified in Parts 1 and 2(a) of the Abuse Proof of Claim Form, the signature block and any other information which could reasonably be used to personally identify an Abuse Claimant);

iv. Upon the consent of the Diocese, any insurance company that provided insurance or reinsurance that may cover the claims described in any Abuse Proof of Claim, together with their respective successors, reinsurers and counsel;

v. Any person appointed pursuant to an order of the Bankruptcy Court to serve as a mediator, as a representative for unknown or future claimants, or as a special arbitrator/claims reviewer appointed to review and resolve Abuse

Claims, in this Chapter 11 Case or any adversary proceeding filed in this Chapter 11 Case;

vi. Any trustee, or functional equivalent thereof, appointed to administer payments to Abuse Claimants, including pursuant to a plan of reorganization or a proposed plan of reorganization;

vii. Any person upon express written consent of the affected Abuse Claimant, *provided, however*, that if the Abuse Claimant filed his or her claim *pro se*, then consent of the Abuse Claimant and counsel to any committee shall be obtained before disclosing such claimant's proof of claim to any person;

viii. Any person with the express written consent of the Diocese and the committee (if any), upon 10 business days' notice to the affected Abuse Claimant(s);

ix. Such other persons as the Court may authorize to access to one or more of the Abuse Proofs of Claim pursuant to subsequent order; *provided, however*, that any such determination shall be made on no less than 7 days' notice to the affected Abuse Claimant(s), any committee and the Diocese; and

x. Counsel of record to any Authorized Party upon execution of a Confidentiality Agreement by such counsel.

d. Notwithstanding the designation of Authorized Parties above, no person or entity may obtain copies of any Abuse Proof of Claim prior to the execution of a confidentiality agreement substantially in the form attached to the proposed Bar Date Order as **Exhibit C** (the "Confidentiality Agreement"); *provided, however* that a mediator appointed in the case shall not be required to execute a confidentiality agreement if such mediator is currently a Bankruptcy Judge, a District Court Judge, or a State Court Judge. Counsel of record to any Authorized Party shall only be required to execute a single Confidentiality Agreement, which shall be deemed binding on their entire firm. Access to the Abuse Proofs of Claim for all other Authorized Parties shall be restricted to the natural person who executes a Confidentiality Agreement, and a separate Confidentiality Agreement must be signed by each natural person seeking access to the Abuse Proofs of Claim on behalf of an Authorized Party. Copies of all Confidentiality Agreements shall be provided to the Diocese and the Committee through their respective counsel.

e. Authorized Parties in possession of any Abuse Proof(s) of Claim shall keep such Abuse Proof(s) of Claim confidential and shall not use or disclose any information provided in any Abuse Proof(s) of Claim except in accordance with the terms of the Bar Date Order, the Confidentiality Agreement or pursuant to an order of this Court, unless the Abuse Claimant has elected to make his or her Abuse Proof of Claim public by indicating such consent in Part 1 of the Abuse Proof of Claim Form. Authorized Parties may not contact a witness identified in an Abuse Proof of Claim Form based upon information obtained solely from the Abuse Proof of Claim Form;

f. Prime Clerk shall assign to each claimant asserting an Abuse Claim a unique identifier code and shall maintain a confidential list of the identities of the Abuse Claimants, their corresponding identifier code, and their respective Abuse Proof(s) of Claim. The confidential list of the identities of Abuse Claimants shall be provided only to such parties that are Authorized Parties entitled to the personally identifying information of Abuse Claimants pursuant to the Bar Date Order.

g. Abuse Proofs of Claim received by Prime Clerk, including any attachments thereto, shall not be made publicly available on the Diocese's case website and shall be redacted on the claims register. For the avoidance of doubt, only the claim number and claim amount will be made publicly available on the case website and only such information will be included in the publicly available claims register.

35. The Diocese respectfully submits that the proposed Confidentiality Protocol is both necessary and appropriate under the circumstances of this Chapter 11 Case. The Diocese is sensitive to the privacy and other concerns which might otherwise impede an Abuse Claimant's willingness to assert a claim against the Diocese's estate and believes that the Confidentiality Protocol appropriately addresses those issues. Through the Confidentiality Protocol and the Abuse Proof of Claim Form, the Diocese is attempting to obtain the information that it needs in order to evaluate the Abuse Claims and the availability of insurance, while at the same time providing a claim submission process that will not discourage Abuse Claimants from coming forward and asserting their claims.

NOTICE PROCEDURES

36. In order to satisfy the requirements of due process, notice of the Bar Dates must be reasonably calculated to apprise interested persons of deadlines. See Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950). Whether notice is reasonable or adequate depends on whether a creditor is known or unknown to the Diocese. See Grant v. U.S. Home Corp. (In re U.S.H. Corp. of NY), 223 B.R. 654, 658 (Bankr. S.D.N.Y. 1998); see also Chemetron Corp. v. Jones, 72 F.3d 341, 346 (3d Cir. 1995). "Known" creditors must receive actual notice of bankruptcy proceedings. See id. at 345. By contrast, notice by media

publication is sufficient to satisfy the requirements of due process for “unknown” creditors. See id. at 346-47.

37. A “known” creditor is one whose identity is either known or “reasonably ascertainable by the Debtor.” Chemetron Corp., 72 F.3d at 346 (citing Tulsa Professional Collection Serv., Inc. v. Pope, 485 U.S. 478 (1988)). In identifying a “known” creditor, due process requires Debtors to perform reasonable diligence of their books and records—but it does not require that Debtors engage in “impracticable and extended searches.” Mullane, 339 U.S. at 317; Chemetron Corp., 72 F.3d at 346-47 (stating that “[p]recedent demonstrates that what is required is not a vast, open ended investigation The requisite search instead focuses on the debtor’s own books and records. Efforts beyond a careful examination of these documents are generally not required. Only those claimants who are identifiable through a diligent search are ‘reasonably ascertainable’ and hence ‘known’ creditors.”); see also In re Thompson McKinnon Securities, Inc., 130 B.R. 717, 720 (Bankr. S.D.N.Y. 1991) (noting that the Debtor is not required to search out each conceivable possible creditor).

38. By contrast, the Supreme Court has held that an “unknown” creditor is one whose “interests are either conjectural or future or, although they could be discovered upon investigation, do not in due course of business come to the knowledge” of the debtor. Mullane, 339 U.S. at 317. In such cases, the Supreme Court has recognized that notice by publication can satisfy due process. Id. (“[I]n the case of persons missing or unknown, employment of an indirect and even a probably futile means of notification is all that the situation permits and creates no constitutional bar to a final decree foreclosing their rights.”) (citing Cunnius v. Reading School District, 198 U.S. 458 (1905)).

39. In assessing the adequacy of notice by publication, the Supreme Court has taught that “[t]he means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it.” Mullane, 547 U.S. at 238. The Second Circuit has suggested that publishing a notice multiple times, or via publication in multiple outlets and different media, increases the likelihood that such publication notice meets the due process standards under the Constitution. Hecht v. United Collection Bureau, Inc., 691 F.3d 218 (2d Cir. 2012) (noting that “when courts have approved notice by publication, they have tended to do so where the notices either ran more than once or appeared in more than one publication”) (collecting cases).

40. Moreover, particularly in the bankruptcy context, when determining whether a creditor is “known” or “unknown,” and therefore assessing the appropriate form of notice, and the level of resources required to be devoted to providing notice, courts recognize that they must balance the interests of the debtor’s existing and potential creditors as well as other parties in interest. See Vancouver Women’s Health Collective Soc. v. A.H. Robins, Inc., 820 F.3d 1359, 1364 (4th Cir. 1987) (“In bankruptcy, the court has an obligation not only to the potential claimants, but also to existing claimants The court must balance the needs of notification of potential claimants with the interest of existing creditors and claimants”); In re Circuit City Stores, Inc., 439 B.R. 652, 660 (Bankr. E.D. Va. 2010) (noting that “factors to be considered include: (1) whether the identity of the creditors or their claims are conjectural or can be reasonably ascertained, (2) whether the cost of giving actual notice would consume a disproportionate share of the debtor’s resources, and (3) the obligation of the court to the existing creditors . . . and the balance of the debtor’s resources.”) (internal citations omitted); accord In re BGI, Inc., 476 B.R. 812, 823 (Bankr. S.D.N.Y. 2012) (noting that “a debtor is not obligated to

try to find and serve notice on any individual who could potentially be a creditor” and finding that publication once in the national edition of The New York Times was sufficient to provide constructive notice to unknown claimants) aff’d on other grounds Beeman v. BGI Creditors’ Liquidating Trust, 772 F.3d 102 (2d Cir. 2014); Fogel v. Zell, 221 F.3d 955, 963 (7th Cir. 2000); In re GAC Corp., 681 F.2d 1295, 1300 (11th Cir. 1982).

41. At the time that the IVCP was initiated a letter was sent on behalf of the Diocese’s Victim Assistance Coordinator to every individual who had reported abuse by a diocesan priest but who had not entered into a settlement with the Diocese.

42. The Diocese seeks to ensure that, subsequent to reorganization, it will be free from the threat of additional claims being brought after its emergence from chapter 11. In order to provide any person who believes he or she has a claim notice of the applicable Bar Date and the opportunity to assert their claim in this Chapter 11 Case, the Diocese proposes to implement the noticing protocol set forth below.

A. Direct Mail Notice to Known Creditors.

43. Within fifteen (15) days following entry of the Bar Date Order, the Diocese shall serve by United States mail, first-class postage prepaid: (i) notice of the Bar Dates, substantially in the form attached to the proposed Bar Date Order as Exhibit D and incorporated herein by reference (the “Bar Date Notice”); and (ii) a copy of the General Proof of Claim Form (together with the General Bar Date Notice, the “General Claim Notice Package”), upon (a) the Office of the United States Trustee; (b) counsel to any committee; (c) all entities who have filed a notice of appearance in the Diocese’s case; (d) all creditors listed in the Diocese’s Schedules (except those creditors listed on the portions of Schedule F filed under seal relating to Abuse Claimants); (e) all parties to executory contracts and unexpired leases of the Diocese; (f) all entities that have

previously filed proofs of claim in the Diocese's Chapter 11 Case; (g) any other entities or their counsel, including governmental units, known to the Diocese as entities who may reasonably be expected to have claims against the estate; and (h) such additional persons and entities as deemed appropriate by the Diocese.

44. Within fifteen (15) days following entry of the Bar Date Order, the Diocese shall serve by United States mail, first-class postage prepaid: (i) the Bar Date Notice, (ii) a copy of the Bar Date Order (without exhibits or schedules), and (iii) an Abuse Proof of Claim Form (together with the Bar Date Notice and Bar Date Order, the "Abuse Claim Notice Package"), upon each person, or their respective counsel, who, (a) is listed on that portion of the Diocese's Schedule F filed under seal, or (b) to the knowledge of the Diocese as determined after a review of the Diocese's books and records has (1) filed, or threatened to file, a lawsuit against the Diocese alleging that such Abuse Claimant was subjected to Abuse by an individual for whom the Diocese was allegedly responsible; (2) otherwise contacted the Diocese to report that they were subjected to Abuse by an individual for whom the Diocese was allegedly responsible, whether or not that individual's claim was considered to be substantiated and whether or not the report was written or verbal, in either case where contact information for such person or his or her attorney is included in the Diocese's books and records; (3) been identified to the Diocese as an individual who was subjected to Abuse by an individual for whom the Diocese was allegedly responsible to the extent contact information for such person or his or her attorney is included in the Diocese's books and records; or (4) previously filed a proof of claim in the Diocese's Chapter 11 Case asserting a claim based on Abuse. Notwithstanding the foregoing, the Diocese shall not be required to send an Abuse Claim Notice Package to any person who has previously

entered into a settlement with the Diocese regarding a claim based on Abuse if the Diocese has performed all of its obligations under the terms of such settlement.

45. The Diocese believes this timeframe and manner of giving notice of the Bar Dates is reasonable and sufficient to provide all claimants adequate time to prepare and submit proofs of their claim, especially with respect to Abuse Claims as attorneys representing the vast majority of those claimants, among others, have already been conducting extensive outreach and advertising campaigns targeted to make potential claimants aware of the opportunity to pursue their claims and the commencement of the Diocese's Chapter 11 Case.

B. Publication Notice to Unknown Creditors

46. The Diocese has determined that it would be in the best interest of its estate to give supplemental notice of the Bar Dates by publication pursuant to Bankruptcy Rule 2002(l) so that unknown claimants will be notified of the Bar Dates and the requirement to file a proof of claim. Accordingly, subject to applicable publication guidelines and submission deadlines, the Diocese proposes to cause a notice in substantially the form attached to the proposed Bar Date Order as **Exhibit E** (the "Publication Notice") to be published as follows: Twice, with the first publication no later than sixty (60) prior to the Bar Dates and the second publication no later than thirty (30) days prior to the Bar Dates in *The Philadelphia Inquirer*, *The Courier-Post*, *South Jersey Times*, *The Daily Journal*, *The Press of Atlantic City* and *The Cape May County Herald*.

47. In addition to the foregoing publication, the Diocese intends to provide notice of the Bar Dates by taking the following measures as soon as soon as practicable following entry of the Bar Date Order:

a. Beginning within fifteen (15) days of the Bar Date Order and at least through the General Bar Date, the Diocese will cause prominent, one-click links to the General Claim Notice Package and the Abuse Claim Notice Package to be posted on the case management website maintained by Prime Clerk.

b. The Diocese will establish and maintain, or cause Prime Clerk to establish and maintain, a telephone number which may be used by claimants to ask questions or to request copies of the General Claim Notice Package, the Abuse Claim Notice Package, or parts thereof;

c. Beginning within fifteen (15) days of the Bar Date Order and at least through the General Bar Date, the Diocese will cause links to the General Claim Notice Package and the Abuse Claims Notice Package to be posted on the Diocese's website homepage.

d. Within fifteen (15) days of entry of the Bar Date Order, the Diocese will issue a press release regarding the General Bar Date and including the Bar Date Notice to the news departments of the following newspapers: *The Philadelphia Inquirer*, *The Courier-Post*, *South Jersey Times*, *The Daily Journal*, *The Press of Atlantic City* and *The Cape May County Herald*.

e. Beginning within fifteen (15) days of the Bar Date Order through the General Bar Date, the Diocese will cause a copy of the Publication Notice to be read on KYW News Radio.¹

f. The Diocese will mail a copy of the Publication Notice to each parish and ministry (except primary and secondary schools) affiliated with the Diocese with a request to display the Publication Notice in a prominent place until expiration of the General Bar Date.

g. The Diocese will place a copy of the Publication Notice in each edition of the *Catholic Star Herald* until the General Bar Date.

h. The Diocese will mail a copy of the Bar Date Notice to the following on the Diocese's stationary and shall request that the party post the Bar Date Notice in a prominent place until the expiration of the General Bar Date:

i. the Attorney General of the State of New Jersey; and

ii. For each of the counties of Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem:

- (1) the prosecutor's office;
- (2) sheriff's office;
- (3) at least one public health agency in each county; and
- (4) at least one substance abuse agency or hospital (if any).

¹ KYW News Radio reaches the entire Delaware Valley, the Philadelphia suburbs, and southern New Jersey.

48. In the Diocese's judgment, the publication schedule and additional means of dissemination of notice of the Bar Dates described above are reasonably calculated to apprise unknown or otherwise unreachable creditors, who without such measures might not receive notice, of the pendency of the Diocese's Chapter 11 Case and the upcoming Bar Dates.

49. Additionally, the Bar Date Notice and Publication Notice will: (i) provide notice of the Bar Dates; (ii) advise creditors of the possible need to file a proof of claim; and (iii) alert creditors to the consequences of failing to timely file a proof of claim. The Diocese respectfully suggests that the publication protocol outlined above is appropriate and that the Bar Date Notice and Publication Notice will provide creditors with sufficient information to file properly prepared and executed proofs of claim in a timely manner.

BASIS FOR RELIEF REQUESTED

50. Bankruptcy Rule 3003(c)(3) provides that the Court shall fix a time within which proofs of claim may be filed in a chapter 11 case pursuant to section 501 of the Bankruptcy Code. Bankruptcy Rule 3003(c)(2) further provides that any creditor who asserts a claim against the Diocese and whose claim is either (i) not included in the Schedules or (ii) is listed on the Schedules as contingent, unliquidated, or disputed, must file a proof of claim, and that any creditor who fails to do so shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.

51. The Diocese submits that the proposed Bar Dates will provide potential claimants with an adequate amount of time after mailing of the Bar Date Notice and publication of the Publication Notice within which to review the Schedules, compare the information contained therein and, if necessary, prepare and file proofs of claim. This includes governmental units who will receive the required 180 days after the Petition Date to file their proofs of claim.

52. The establishment of a deadline to file claims against the Diocese is essential for this Chapter 11 Case to progress. Establishing with certainty the universe of claims asserted against the Diocese will greatly facilitate the Diocese's mediation and negotiations with the Committee, insurance carriers, creditors and other parties in interest as the Diocese seeks to formulate a plan of reorganization. In order to provide this certainty, the Diocese proposes that any person or entity who, pursuant to Bankruptcy Rule 3003(c)(2), is required to file a proof of claim, but fails to do so on or before the Bar Dates, be prohibited from voting to accept or reject any chapter 11 plan or participating in any distribution in this Chapter 11 Case on account of such claim, and shall not be entitled to receive any further notice in this Chapter 11 Case regarding such claim.

CONSEQUENCES OF FAILING TO FILE A CLAIM

53. A person, entity or governmental unit that is required to file a proof of claim in the form and manner specified in the Bar Date Order and that fails to do so on or before the applicable Bar Date: (i) shall not, with respect to such claim, be treated as a creditor of the Diocese for the purpose of voting upon any chapter 11 plan, (ii) shall not receive or be entitled to receive any payment or distribution of property from the Diocese, its estate, or its successors or assigns with respect to such alleged claim; and (iii) shall be forever barred from asserting such alleged claim against the Diocese, its estate, or their successors or assigns, unless otherwise ordered by the Court.

RESERVATION OF RIGHTS

54. Nothing contained herein is intended or should be construed as an admission as to the validity of any claim against the Diocese or a waiver of the Diocese's rights to dispute any claim on any grounds, including, but not limited to, the passing of the applicable statutes of

limitations. The Diocese reserves its right to dispute, or to assert offsets or defenses to, any claim (whether or not reflected on the Schedules or any amendments thereto) as to amount, liability, classification, or otherwise, and to subsequently designate any claim as contingent, unliquidated or disputed. Nothing set forth herein is intended or should be construed as a waiver by the Diocese of any rights under the Code of Canon law, or any applicable State or Federal law.

WAIVER OF MEMORANDUM OF LAW

55. Because the legal basis upon which the Diocese relies is incorporated herein and the Motion does not raise any novel issues of law, the Diocese respectfully requests that the Court waive the requirement to file a separate memorandum of law pursuant to D.N.J. LBR 9013- 1(a)(3).

NO PRIOR REQUEST

56. No prior request for the relief sought herein has been made by the Diocese to this or any other court.

NOTICE

57. Notice of this Motion has been given to: (i) the Office of the United States Trustee for the District of New Jersey, One Newark Center, Suite 2100, Newark, NJ 07102; (ii) the Internal Revenue Service, 2970 Market Street, Mail Stop 5-Q30.133, Philadelphia, PA 19104-5016; (iii) the New Jersey Division of Taxation Compliance and Enforcement - Bankruptcy Unit, 50 Barrack Street, 9th Floor, Trenton, NJ 08695; (iv) the Office of the Attorney General of the State of New Jersey, Division of Law, Richard J. Hughes Justice Complex, 25 Market Street, Trenton, NJ 08625; (v) the Office of the United States Attorney, Peter Rodino Federal Building, 970 Broad Street, Suite 700, Newark, NJ 07102; (vi) those parties who have filed a notice of appearance and request for service of pleadings in these

Chapter 11 Cases pursuant to Fed. R. Bankr. P. 2002; and (vii) the Diocese's twenty largest unsecured creditors. In light of the nature of the relief requested herein, the Diocese respectfully submits that no other or further notice is required.

CONCLUSION

WHEREFORE, the Diocese respectfully requests that this Court: (i) enter an order, substantially in the form submitted herewith, granting the relief requested herein; and (ii) grant the Diocese such other and further relief as the Court deems just and proper.

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

*Proposed Counsel for Debtor and Debtor-in-
Possession, The Diocese of Camden, New Jersey*

By: /s/ Richard D. Trenk
RICHARD D. TRENK

Dated: October 14, 2020

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1(b)	
McMANIMON, SCOTLAND & BAUMANN, LLC 75 Livingston Avenue, Second Floor Roseland, NJ 07068 (973) 622-1800 Richard D. Trenk (rtrenk@msbnj.com) Robert S. Roglieri (rroglieri@msbnj.com) <i>Proposed Counsel for The Diocese of Camden, New Jersey, Chapter 11 Debtor and Debtor-in-Possession</i>	
In re: THE DIOCESE OF CAMDEN, NEW JERSEY, Debtor.	

Chapter 11

Case No. 20-21257 (JNP)

Hearing Date and Time:
November 12, 2020 at 10:00 a.m.

**ORDER ESTABLISHING A DEADLINE FOR FILING
PROOFS OF CLAIM AND APPROVING THE FORM AND
MANNER OF NOTICE THEREOF**

The relief set forth on the following pages, numbered two (2) through five (5), be and
hereby is **ORDERED**.

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Debtor: The Diocese of Camden, New Jersey

Case No.: 20-21257 (JNP)

Caption of Order: Order Establishing a Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof

THIS MATTER is before the Court upon the motion (the “Motion”)¹ of The Diocese of Camden, New Jersey, the debtor and debtor-in-possession (the “Diocese”) in this chapter 11 case (the “Chapter 11 Case”) requesting entry of an order: (a) establishing deadlines to file proofs of claim against the Diocese, including but not limited to claims arising under section 503(b)(9) of the Bankruptcy Code, (b) approving the form and manner of notice of the Bar Dates (defined below), (c) authorizing the Diocese to publish notice of the Bar Dates, and (d) granting related relief; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, as amended on September 18, 2012; and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notice of the Motion being sufficient under the circumstances; and it appearing that no other or further notice need be provided; and the Court having determined that the relief sought in the Motion is in the best interests of the Diocese, its estate and creditors; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. **February 26, 2021 at 11:59 p.m. (prevailing Eastern time)** is the deadline for all persons and entities, including Abuse Claimants and claims under 11 U.S.C. § 503(b)(9), but

¹ Capitalized terms used but not defined herein shall have the same meaning ascribed to such terms in the Motion.

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excluding Governmental Units, to file prepetition claims in this Chapter 11 Case (the “General Bar Date”).

3. All governmental units (as defined in section 101(27) of the Bankruptcy Code) (“Governmental Units”) that assert a claim (as defined in section 101(5) of the Bankruptcy Code), against the Diocese which arose or is deemed to have arisen on or prior to the Petition Date, shall file a proof of such claim so that it is actually received on or before **March 30, 2021, at 11:59 p.m. (prevailing Eastern time)** (the “Governmental Bar Date,” and together with the General Bar Date, the “Bar Dates”).

4. The General Proof of Claim Form, Abuse Proof of Claim Form, Confidentiality Agreement, Bar Date Notice, and the Publication Notice, in the forms annexed hereto as **Exhibits A, B, C, D, and E**, respectively, are hereby approved.

5. Except as provided in paragraph 7 of this Order, any person or entity holding a prepetition claim against the Diocese must file a proof of claim in accordance with the procedures described herein by the Bar Dates, as applicable. The General Bar Date applies to all persons and entities (excluding Governmental Units), that assert Claims, as defined in § 101(5) of the Bankruptcy Code, against the Diocese (whether secured, unsecured priority or unsecured non-priority) that arose prior to or on the Petition Date, including, without limitation, any Abuse Claims. For purposes of this Order, an “Abuse Claim” is as defined in the Abuse Proof of Claim Form. The Governmental Bar Date applies to all Governmental Units that assert Claims, as defined in § 101(5) of the Bankruptcy Code, against the Diocese (whether secured, unsecured priority or unsecured non-priority) that arose prior to or on the Petition Date

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6. Any person or entity who is required to file a proof of claim pursuant to this Order but fails to do so on or before the applicable Bar Dates (i) shall not be treated as a creditor with respect to such Claim and shall not be entitled to vote to accept or reject, or to share in any distribution under, any Chapter 11 plan proposed and/or confirmed in this Chapter 11 Case; and (ii) **shall be forever barred, estopped, and enjoined from asserting such Claim against the Diocese (or filing a proof of claim with respect thereto), and the Diocese and its property shall be forever discharged from any and all indebtedness or liability with respect to such Claim.**

7. **The following persons or entities must file a proof of claim on or before the applicable Bar Dates:**

- (a) Any person or entity who believes its prepetition claim was omitted from the Diocese's Schedules of Assets and Liabilities (as amended) filed in this Chapter 11 Case (the "Schedules"), or whose prepetition claim is listed in the Schedules, but is designated as being "contingent," "unliquidated," or "disputed," and who may be entitled to any distributions to creditors that may be made in this Chapter 11 Case;
- (b) Any person or entity who 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 as identified in the Schedules; and
- (c) Any Abuse Claimant who wishes to assert an Abuse claim ("Abuse Claim") against the Diocese, regardless of whether such person has previously filed a lawsuit against the Diocese or otherwise has given formal or informal notice of such claims to the Diocese, including any person whose claim may be barred by a statute of limitations or repose in effect as of the General Bar Date.

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Debtor: The Diocese of Camden, New Jersey

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8. **The following persons or entities are not required to file proofs of claim at this time:**

- (a) Any person or entity that has already properly filed a proof of claim against the Diocese with the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, except that, any person who has asserted an Abuse Claim must submit a completed Abuse Proof of Claim;
- (b) Any person or entity: (a) whose claim is listed in the Schedules or any amendments thereto; and (b) whose claim is not identified therein as “contingent,” “unliquidated,” or “disputed,” and (c) who does not dispute the amount or classification of its claim as set forth in the Schedules;
- (c) Any professionals retained by: (i) the Diocese or; (ii) any committee appointed by the Office of the United States Trustee pursuant to orders of this Court, who assert administrative claims for payment of fees and expenses subject to the Court’s approval, pursuant to sections 330, 331(a) and 503(b) of the Bankruptcy Code;
- (d) Any person or entity that asserts an administrative expense claim against the Diocese pursuant to sections 503(b) or 507(a)(2) of the Bankruptcy Code;
- (e) Any person or entity whose claim against the Diocese is allowed by an order of the Court entered on or before the Bar Dates; and
- (f) Any person or entity whose claim has been previously settled or paid in full or released.

9. **Proofs of claim may not be filed with the Court** or with the Clerk of the Court.

Instead, **all proofs of claim must be submitted to Prime Clerk**, the Diocese’s Claims and Noticing Agent (“Prime Clerk”), as set forth in paragraphs 9 and 10 below.

10. All claimants, except for those asserting Abuse Claims, shall submit their proof of claim using the General Proof of Claim Form, a copy of which is attached hereto as **Exhibit A**. In order to be considered valid, each General Proof of Claim submitted in this Chapter 11 Case must: (a) be written in English, (b) be denominated in lawful currency of the United States as of

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Debtor: The Diocese of Camden, New Jersey

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the Petition Date, (c) have attached copies of any writings upon which the claim is based in accordance with bankruptcy Rules 3001(c) and 3001(d) (including for secured claims, evidence that the security interest has been perfected) unless such writings are voluminous or confidential, in which case a summary must be attached or an explanation provided as to why such writings are not available and such writings will be provided to the Diocese and/or the Committee upon request, and (d) be actually received by Prime Clerk on or before the applicable Bar Dates. Proofs of claim may be filed (i) electronically using the interface available on Prime Clerk's website at <https://cases.primeclerk.com/camdendiocese/EPOC-Index>, or (ii) by mail, overnight courier, or hand delivery to Prime Clerk's address. Proofs of claim sent by facsimile, telecopy, or e-mail will not be accepted. In the event that a completed General Proof of Claim is mailed to or personally delivered to the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, the Clerk of the Court is directed to mark the Proof of Claim with the date and time of receipt, place the Proof of Claim Form in a sealed envelope, and transmit the sealed envelope to Prime Clerk at the address for receipt of General Proofs of Claim Forms above.

11. All claimants asserting Abuse Claims shall submit their proof of claim using the Abuse Proof of Claim Form, a copy of which is attached hereto as **Exhibit B**. In order to be considered valid, each Abuse Proof of Claim must: (a) be written in English or include a translation to English, (b) contain responses to all requests for information set forth therein to the best of the Abuse Claimant's knowledge at the time the form is signed, (c) be signed by the Abuse Claimant (or if such Abuse Claimant is a minor, legally incapacitated, or deceased, by

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such Abuse Claimant's parent, legal guardian or executor), and (d) be actually received by Prime Clerk on or before the applicable Bar Dates. Proofs of claim may be filed (i) electronically using the interface available at <https://cases.primeclerk.com/camdendiocese/EPOC-Index>, or (ii) by mail, overnight courier, or hand delivery to Prime Clerk's address. Proofs of claim sent by facsimile, telecopy, or e-mail will not be accepted. In the event that a completed Abuse Proof of Claim is mailed to or personally delivered to the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, the Clerk of the Court is directed to mark the Abuse Proof of Claim with the date and time of receipt, place the Abuse Proof of Claim in a sealed envelope, and transmit the sealed envelope to Prime Clerk at the address for receipt of Abuse Proofs of Claim above. An Abuse Claim may only be made on account of Abuse of an individual. Any other claim may be asserted as General Claim.

12. If a claimant submits a timely proof of claim that asserts or appears to assert an Abuse Claim on a document that is not an Abuse Proof of Claim Form, such claim will be treated as timely filed only if such claimant submits a completed Abuse Proof of Claim as of the later of the General Bar Date and the date which is thirty days following written notice by the Diocese to such Abuse Claimant from the Diocese of the need to complete and submit an Abuse Proof of Claim. The Diocese shall provide a copy of such notice to the committee (if any) at the same time the notice is sent to the claimant.

13. Due to the nature of the information requested in the Abuse Proof of Claim Form, the following confidentiality protocol ("Confidentiality Protocol") shall apply to all Abuse

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Proofs of Claim (and General Proofs of Claim that assert or appear to assert an Abuse Claim)
submitted by Abuse Claimants:

- (a) All claimants asserting an Abuse Claim are directed to submit such claims directly to Prime Clerk, the Diocese's Claims and Noticing Agent, using the Abuse Proof of Claim Form. Such claims should not be filed with the Court.
- (b) Abuse Proofs of Claim received by Prime Clerk will be treated as confidential and will be made available only to Authorized Parties (as defined below) unless an Abuse Claimant affirmatively elects to have their Abuse Proof of Claim disclosed publicly. Any claim that appears to be an Abuse Claim that is filed as a General Claim shall be treated by Prime Clerk as a confidential claim pending resolution of the claimant's intent regarding confidential treatment of such claim. The Confidentiality Protocol is for the sole and exclusive benefit of the Abuse Claimants. Accordingly, any Abuse Claimant may elect to make information contained in his or her personal Abuse Proof of Claim public, even if he or she does not elect to have his or her personal Abuse Proof of Claim disclosed publicly. For the avoidance of doubt, Abuse Claimants are not bound by the confidentiality provisions of the Bar Date Order with respect to disclosures regarding their own Abuse or any information disclosed by an Abuse Claimant in his or her Abuse Claim.
- (c) Abuse Proofs of Claim received by Prime Clerk shall be held and treated as confidential by Prime Clerk, and copies thereof shall be provided or made available only to the following parties (the "Authorized Parties"):
 - i. The Bishop of the Diocese, officers of the Diocese, and such other current or former employees of the Diocese who are necessary to assist the Diocese in reviewing and analyzing the Abuse Proofs of Claim. For the avoidance of doubt, any person that was disclosed to the Diocese as an individual who had allegedly committed an act of abuse, as well as any person identified as an alleged abuser in an Abuse Proof of Claim Form or who is otherwise acknowledged by the Diocese as someone who committed Abuse, shall not be an Authorized Person *provided, however*, that the Diocese is authorized to discuss the contents of any Abuse Proof of Claim, (other than the claimant's name, address, and other information identified in Parts 1 and 2(a) of the Abuse Proof of Claim Form, the signature block and any other information which could reasonably be used to personally identify an Abuse Claimant or any witness to the abuse disclosed in the Abuse

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Debtor: The Diocese of Camden, New Jersey

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Proof of Claim Form), with a person identified as an alleged abuser who was not previously disclosed to the Diocese as an individual who had committed an act of abuse, *provided, further*, that if the Diocese seeks to disclose information that could reasonably be used to identify an Abuse Claimant or a witness identified in an Abuse Proof of Claim Form to an alleged abuser, the Diocese may do so upon written consent from any committee. If a committee does not consent, the Diocese may contact the Court to arrange a telephonic conference seeking such authorization upon no less than three (3) days' notice to the affected Abuse Claimant(s), a committee and the Diocese;

- ii. Counsel to the Diocese (including any special counsel or other counsel) or any committee retained pursuant to an order of the Bankruptcy Court, including partners, counsel, associates, and employees of such counsel;
- iii. Members of any committee and their individual counsel (after the Abuse Proof of Claim has been redacted to remove the claimant's name, address, and other information identified in Parts 1 and 2(a) of the Abuse Proof of Claim Form, the signature block and any other information which could reasonably be used to personally identify an Abuse Claimant);
- iv. Upon the consent of the Diocese, any insurance company that provided insurance or reinsurance that may cover the claims described in any Abuse Proof of Claim, together with their respective successors, reinsurers and counsel;
- v. Any person appointed pursuant to an order of the Bankruptcy Court to serve as a mediator, as a representative for unknown or future claimants, or as a special arbitrator/claims reviewer appointed to review and resolve Abuse Claims, in this Chapter 11 Case or any adversary proceeding filed in this Chapter 11 Case;
- vi. Any trustee, or functional equivalent thereof, appointed to administer payments to Abuse Claimants, including pursuant to a plan of reorganization or a proposed plan of reorganization;
- vii. Any person upon express written consent of the affected Abuse Claimant, *provided, however*, that if the Abuse Claimant filed his or her claim *pro se*, then consent of the Abuse Claimant and counsel to

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any committee shall be obtained before disclosing such claimant's proof of claim to any person;

viii. Any person with the express written consent of the Diocese and the committee (if any), upon 10 business days' notice to the affected Abuse Claimant(s);

ix. Such other persons as the Court may authorize to access to one or more of the Abuse Proofs of Claim pursuant to subsequent order; *provided, however*, that any such determination shall be made on no less than 7 days' notice to the affected Abuse Claimant(s), any committee and the Diocese; and

x. Counsel of record to any Authorized Party upon execution of a Confidentiality Agreement by such counsel.

(d) Notwithstanding the designation of Authorized Parties above, no person or entity may obtain copies of any Abuse Proof of Claim prior to the execution of a confidentiality agreement substantially in the form attached to the proposed Bar Date Order as **Exhibit C** (the "Confidentiality Agreement"); *provided, however* that a mediator appointed in the case shall not be required to execute a confidentiality agreement if such mediator is currently a Bankruptcy Judge, a District Court Judge, or a State Court Judge. Counsel of record to any Authorized Party shall only be required to execute a single Confidentiality Agreement, which shall be deemed binding on their entire firm. Access to the Abuse Proofs of Claim for all other Authorized Parties shall be restricted to the natural person who executes a Confidentiality Agreement, and a separate Confidentiality Agreement must be signed by each natural person seeking access to the Abuse Proofs of Claim on behalf of an Authorized Party. Copies of all Confidentiality Agreements shall be provided to the Diocese and the Committee through their respective counsel.

(e) Authorized Parties in possession of any Abuse Proof(s) of Claim shall keep such Abuse Proof(s) of Claim confidential and shall not use or disclose any information provided in any Abuse Proof(s) of Claim except in accordance with the terms of the Bar Date Order, the Confidentiality Agreement or pursuant to an order of this Court, unless the Abuse Claimant has elected to make his or her Abuse Proof of Claim public by indicating such consent in Part 1 of the Abuse Proof of Claim Form. Authorized Parties may not contact a witness identified in an Abuse Proof of Claim Form based upon information obtained solely from the Abuse Proof of Claim Form;

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- (f) Prime Clerk shall assign to each claimant asserting an Abuse Claim a unique identifier code and shall maintain a confidential list of the identities of the Abuse Claimants, their corresponding identifier code, and their respective Abuse Proof(s) of Claim. The confidential list of the identities of Abuse Claimants shall be provided only to such parties that are Authorized Parties entitled to the personally identifying information of Abuse Claimants pursuant to the Bar Date Order.
- (g) Abuse Proofs of Claim received by Prime Clerk, including any attachments thereto, shall not be made publicly available on the Diocese's case website and shall be redacted on the claims register. For the avoidance of doubt, only the claim number and claim amount will be made publicly available on the case website and only such information will be included in the publicly available claims register.

14. Notwithstanding anything herein to the contrary, Prime Clerk shall be exculpated from liability² for, and shall be under no obligation or duty to advise claimants and/or make determinations as to whether the appropriate proof of claim form was used; *provided however*, to the extent that a claimant seeks such advice, Prime Clerk shall refer the claimant to the instructions detailing the proof of claim forms in the Bar Date Notice and to Prime Clerk's proof of claim website for these cases at <https://cases.primeclerk.com/camdendiocese/>; *further provided, however*, that in no event shall Prime Clerk be exculpated in the case of its own bad faith, self-dealing, breach of fiduciary duty (if any), gross negligence or willful misconduct.

15. Within fifteen (15) days following entry of the Bar Date Order, the Diocese shall serve by United States mail, first-class postage prepaid: (i) notice of the Bar Dates, substantially in the form attached to the proposed Bar Date Order as **Exhibit D** and incorporated herein by reference (the "**Bar Date Notice**"); and (ii) a copy of the General Proof of Claim Form (together

² Whenever Prime Clerk is acting on behalf of the Clerk of the Court, the exculpation provision in this Order shall also apply to the Clerk of the Court.

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with the General Bar Date Notice, the “General Claim Notice Package”), upon (a) the Office of the United States Trustee; (b) counsel to any committee; (c) all entities who have filed a notice of appearance in the Diocese’s case; (d) all creditors listed in the Diocese’s Schedules (except those creditors listed on the portions of Schedule F filed under seal relating to Abuse Claimants); (e) all parties to executory contracts and unexpired leases of the Diocese; (f) all entities that have previously filed proofs of claim in the Diocese’s Chapter 11 Case; (g) any other entities or their counsel, including governmental units, known to the Diocese as entities who may reasonably be expected to have claims against the estate; and (h) such additional persons and entities as deemed appropriate by the Diocese.

16. Within fifteen (15) days following entry of the Bar Date Order, the Diocese shall serve by United States mail, first-class postage prepaid: (i) the Bar Date Notice, (ii) a copy of the Bar Date Order (without exhibits or schedules), and (iii) an Abuse Proof of Claim Form (together with the Bar Date Notice and Bar Date Order, the “Abuse Claim Notice Package”), upon each person, or their respective counsel, who, (a) is listed on that portion of the Diocese’s Schedule F filed under seal, or (b) to the knowledge of the Diocese as determined after a review of the Diocese’s books and records has (1) filed, or threatened to file, a lawsuit against the Diocese alleging that such Abuse Claimant was subjected to Abuse by an individual for whom the Diocese was allegedly responsible; (2) otherwise contacted the Diocese to report that they were subjected to Abuse by an individual for whom the Diocese was allegedly responsible, whether or not that individual’s claim was considered to be substantiated and whether or not the report was written or verbal, in either case where contact information for such person or his or her attorney

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is included in the Diocese's books and records; (3) been identified to the Diocese as an individual who was subjected to Abuse by an individual for whom the Diocese was allegedly responsible to the extent contact information for such person or his or her attorney is included in the Diocese's books and records; or (4) previously filed a proof of claim in the Diocese's Chapter 11 Case asserting a claim based on Abuse. Notwithstanding the foregoing, the Diocese shall not be required to send an Abuse Claim Notice Package to any person who has previously entered into a settlement with the Diocese regarding a claim based on Abuse if the Diocese has performed all of its obligations under the terms of such settlement.

17. In addition to providing direct notice to known creditors as set forth above, subject to applicable publication guidelines and submission deadlines, the Diocese shall cause a notice in substantially the form attached hereto as **Exhibit E** (the "Publication Notice") to be published as follows: Twice, with the first publication no later than sixty (60) prior to the General Bar Date and the second publication no later than thirty (30) days prior to the General Bar Date in *The Philadelphia Inquirer*, *The Courier-Post*, *South Jersey Times*, *The Daily Journal*, *The Press of Atlantic City*, and *The Cape May County Herald*.

18. In addition to the foregoing publication, the Diocese shall use reasonable efforts to take the following additional measures to disseminate information relating to the Bar Date as soon as practicable following entry of this Order:

- (a) Beginning within fifteen (15) days of the Bar Date Order and at least through the General Bar Date, the Diocese will cause prominent, one-click links to the General Claim Notice Package and the Abuse Claim Notice Package to be posted on the case management website maintained by Prime Clerk.

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- (b) The Diocese will establish and maintain, or cause Prime Clerk to establish and maintain, a telephone number which may be used by claimants to ask questions or to request copies of the General Claim Notice Package, the Abuse Claim Notice Package, or parts thereof;
- (c) Beginning within fifteen (15) days of the Bar Date Order and at least through the General Bar Date, the Diocese will cause links to the General Claim Notice Package and the Abuse Claims Notice Package to be posted on the Diocese's website homepage.
- (d) Within fifteen (15) days of entry of the Bar Date Order, the Diocese will issue a press release regarding the General Bar Date and including the Bar Date Notice to the news departments of the following newspapers: *The Philadelphia Inquirer*, *The Courier-Post*, *South Jersey Times*, *The Daily Journal*, *The Press of Atlantic City* and *The Cape May County Herald*.
- (e) Beginning within fifteen (15) days of the Bar Date Order through the General Bar Date, the Diocese will cause a copy of the Publication Notice to be read on KYW News Radio.
- (f) The Diocese will mail a copy of the Publication Notice to each parish and ministry (except primary and secondary schools) affiliated with the Diocese with a request to display the Publication Notice in a prominent place until expiration of the General Bar Date.
- (g) The Diocese will place a copy of the Publication Notice in each edition of the *Catholic Star Herald* until the General Bar Date.
- (h) The Diocese will mail a copy of the Bar Date Notice to the following on the Diocese's stationary and shall request that the party post the Bar Date Notice in a prominent place until the expiration of the General Bar Date:
 - i. the Attorney General of the State of New Jersey; and
 - ii. For each of the counties of Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem:
 - 1. the prosecutor's office;
 - 2. sheriff's office;
 - 3. at least one public health agency in each county; and

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4. at least one substance abuse agency or hospital (if any).

19. 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 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) and *Hecht v. United Collection Bureau, Inc.*, 691 F.3d 218 (2d Cir. 2012). Accordingly, the Diocese is authorized and directed to serve and/or publish notice of the Bar Dates in the manner described herein.

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

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

Exhibit A

General Proof of Claim Form

Fill in this information to identify the case (Select only one Debtor per claim form):

Debtor: The Diocese of Camden, New Jersey

Case Number: 20-21257

Modified Official Form 410

Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense (other than a claim entitled to priority under 11 U.S.C. § 503(b)(9)). Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Name of the current creditor (the person or entity to be paid for this claim) _____

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

☐ No

☐ Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact phone _____

Contact email _____

Where should payments to the creditor be sent? (if different)

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact phone _____

Contact email _____

4. Does this claim amend one already filed?

☐ No

☐ Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☐ No

☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☐ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$_____. Does this amount include interest or other charges?
☐ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or creditcard.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

9. Is all or part of the claim secured? ☐ No
☐ Yes. The claim is secured by a lien on property.

Nature of property:
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$_____

Amount of the claim that is secured: \$_____

Amount of the claim that is unsecured: \$_____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$_____

Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☐ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$_____

11. Is this claim subject to a right of setoff? ☐ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ No

☐ Yes. Check one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

☐ No

☐ Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____
MM / DD / YYYY

Signature

Name of the person who is completing and signing this claim:

Name

First name

Middle name

Last name

Title

Company

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address

Number

Street

City

State

ZIP Code

Contact phone

Email

Modified Official Form 410

Instructions for Proof of Claim

United States Bankruptcy Court

12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form.
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form.
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)
Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called “Bankruptcy Rule”) 3001(c) and (d).
- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

- A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual’s tax identification number, or financial account number, and only the year of any person’s date of birth. See Bankruptcy Rule 9037.
- For a minor child, fill in only the child’s initials and the full name and address of the child’s parent or guardian. For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at <http://cases.primeclerk.com/camdendiocese>.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate.
11 U.S.C. § 503.

Claim: A creditor’s right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy.
11 U.S.C. § 101 (5). A claim may be secured or unsecured.

Claim Pursuant to 11 U.S.C. §503(b)(9): A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

The Diocese of Camden, New Jersey Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

You may also file your claim electronically at
<https://cases.primeclerk.com/CamdenDiocese/EPOC-Index>.

Do not file these instructions with your form

Exhibit B

Abuse Proof of Claim

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

THE DIOCESE OF CAMDEN, NEW JERSEY,

Debtor.

Chapter 11

Case No. 20-21257 (JNP)

CONFIDENTIAL ABUSE PROOF OF CLAIM

THIS FORM MUST BE ACTUALLY RECEIVED NO LATER THAN FEBRUARY 26, 2021 AT 11:59 P.M. (PREVAILING EASTERN TIME) (THE “BAR DATE”).

Carefully read the instructions that are included with this **CONFIDENTIAL ABUSE PROOF OF CLAIM** and complete all applicable questions.

For purposes of this Proof of Claim, an “Abuse Claim” is any claim (as defined in section 101(5) of the Bankruptcy Code) against The Diocese of Camden, New Jersey (the “Diocese”) resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephebophilia, or sexually-related physical, sexually-related psychological, or sexually-related emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or an adult and another adult regardless of whether consensual or nonconsensual, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other conduct constituting a sexual offense of any type, kind, nature or description, incest, or use of a child in a sexual performance, and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory, contribution, indemnity, or any other theory based on any acts or failures to act by the Diocese or any other person or entity for whose acts or failures to act the Diocese is or was allegedly responsible. An “Abuse Claimant” is the person asserting an Abuse Claim against the Diocese. If the Abuse Claimant is a minor, a parent or legal guardian may complete this Abuse Proof of Claim on the minor’s behalf. If the Abuse Claimant is deceased or incapacitated, the Abuse Claimant’s legal representative or executor of the decedent’s estate may complete this Abuse Proof of Claim on their behalf.

THIS PROOF OF CLAIM IS FOR ABUSE CLAIMS ONLY.

TO BE VALID, THIS ABUSE PROOF OF CLAIM MUST:

- a. Be written in English or include a translation if responses are in a language other than English;
- b. Provide responses that are complete and accurate to the best of your knowledge;

- c. Be signed by the Abuse Claimant, except that if the Abuse Claimant is a minor, incapacitated or deceased, this Abuse Proof of Claim may be signed by the Abuse Claimant's parent, legal guardian, or executor, as applicable; and
- d. Be actually received by Prime Clerk, the Diocese's claims and noticing agent, on or prior to the Bar Date, either:
 - i. electronically using the interface available at:
<https://cases.primeclerk.com/camdendiocese/EPOC-Index>; or
 - ii. mail, overnight courier, or hand delivery to Prime Clerk at: The Diocese of Camden, New Jersey Claims Processing Center, c/o Prime Clerk LLC, 850 3rd Avenue, Suite 412, Brooklyn, NY 11232

PROOFS OF CLAIM SENT BY FACSIMILE, TELECOPY, OR E-MAIL WILL NOT BE ACCEPTED.

YOU MAY WISH TO CONSULT AN ATTORNEY REGARDING THIS MATTER.

You may also obtain information from the Official Committee of Unsecured Creditors by calling toll free at [____-____-____].

FAILURE TO COMPLETE AND RETURN THIS FORM IN A TIMELY MANNER MAY RESULT IN YOUR INABILITY TO VOTE ON A PLAN OF REORGANIZATION AND INELIGIBILITY TO RECEIVE A DISTRIBUTION IN THE ABOVE-CAPTIONED CHAPTER 11 CASE.

THIS PROOF OF CLAIM FORM IS NOT SUFFICIENT TO ASSERT AN ABUSE CLAIM AGAINST ANY ENTITY OTHER THAN THE DIOCESE.

ANSWER THESE QUESTIONS TO THE BEST OF YOUR KNOWLEDGE AND ABILITY AT THE TIME YOU COMPLETE THIS FORM.

A PERSON WHO FILES A FRAUDULENT CLAIM COULD BE FINED UP TO \$500,000, IMPRISONED FOR UP TO 5 YEARS, OR BOTH PURSUANT TO 18 U.S.C. §§ 152, 157, and 3571.

PART 1: CONFIDENTIALITY

Unless the Abuse Claimant indicates below that the Abuse Claimant wants this document to be part of the public record, the Abuse Claimant's identity will be kept strictly confidential, under seal, and outside the public record pursuant to an Order of the United States Bankruptcy Court for the District of New Jersey (the "Bankruptcy Court"). However, this Abuse Proof of Claim and the information in this Abuse Proof of Claim may be provided, pursuant to confidentiality procedures approved by the Bankruptcy Court, to the Diocese, certain insurers of the Diocese, any committee formed under the Bankruptcy Code, their respective counsel, the United States Trustee, and to such other persons as the Bankruptcy Court may authorize.

ONLY THE ABUSE CLAIMANT MAY WAIVE THE CONFIDENTIALITY OF THIS PROOF OF CLAIM.

Please select only one option below:	
<input type="checkbox"/> I wish to keep my identity and this proof of claim CONFIDENTIAL.	<input type="checkbox"/> I authorize my name, identity and this proof of claim (together with any exhibits and attachments) to be made PUBLICLY AVAILABLE AND PART OF THE PUBLIC RECORD.
Signature:	
Print Name:	

IF YOU DO NOT CHECK EITHER BOX, IF YOU CHECK BOTH BOXES, OR IF YOU DO NOT PROVIDE YOUR NAME AND SIGNATURE ABOVE, YOUR CLAIM WILL REMAIN CONFIDENTIAL.

PART 2: IDENTIFYING INFORMATION

a. Abuse Claimant

First Name	Middle Initial	Last Name	Suffix (if any)
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Mailing Address (If party is incapacitated, is a minor or is deceased, please provide the address of the legal representative submitting the claim. If you are in jail or prison, your current address).

City	State/Prov.	Zip Code (Postal Code)
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Telephone No(s):

Home: _____ Work: _____ Cell: _____

If you are represented by counsel, you may provide your attorney's work phone number instead of your own.

Email address: _____

If you are represented by counsel, you may provide your attorney's email address instead of your own.

Social Security Number (last four digits only): _____

If you are in jail or prison, your identification number and location of incarceration:

May the Diocese, the committee (if any), and their respective counsel of record in this chapter 11 case leave voicemails for you regarding your claim? ☐ Yes ☐ No

May the Diocese, the committee (if any), and their respective counsel of record in this chapter 11 case send confidential information to your email? ☐ Yes ☐ No

Birth Date: _____
Month Day Year

Any other name, or names, by which the Abuse Claimant has been known (including maiden name, if applicable):

b. Abuse Claimant's Attorney (if any):

Law Firm Name

Attorney's	First Name	Middle Initial	Last Name
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Street Address

City (if other than U.S.A.)	State/Prov.	Zip Code (Postal Code)	Country
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Telephone No.	Fax No.	E-mail address
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PART 3: BACKGROUND INFORMATION

Please describe your marital history, including the date(s) you were married, and provide your current marital status. You do not need to identify the name(s) of your spouse(s) unless you want to.

What schools have you attended? For each school, please identify the months and years of your attendance. If you cannot recall the exact months when you began or ended each school year, please identify the season (fall, winter, spring, summer).

Are you currently employed? To the best of your recollection, please describe your employment history for the last ten (10) years in which you worked, including the name(s) of your current and past employers, the dates you were employed, the locations of your employment, and your job(s)/title(s).

PART 4: NATURE OF COMPLAINT

(Attach additional separate sheets if necessary)

NOTE: IF YOU HAVE PREVIOUSLY FILED A LAWSUIT AGAINST THE DIOCESE IN STATE OR FEDERAL COURT, PLEASE ATTACH THE COMPLAINT AND RESPOND TO THE QUESTIONS BELOW.

Who committed the acts of Abuse against you? Individuals identified in this section will be referred to as the “abuser” in questions below. If applicable, you may identify more than one abuser. Please provide the complete name(s) of each abuser to the best of your recollection. If you do not know the name(s) of each abuser, please identify them by title, position or other description.

How did you know the abuser? For example, was the abuser at your church, school or part of another group with which you were involved? Was the abuser a relative or family friend?

If the abuser was affiliated with a church, parish, school, or Diocesan organization, please identify such church, parish, school or organization.

Where did the Abuse take place? Please be specific and complete all relevant information to the best of your recollection, including the names of locations and addresses, if known.

When did the Abuse take place? Please be as specific as possible. If you do not recall the exact date, provide as much information as possible, including the year and season (fall, winter, spring, or summer).

How old were you at the time the Abuse began? Please be as specific as possible. If you do not recall the exact date, provide as much information as possible, including the year and season (fall, winter, spring, or summer).

How old were you at the time the Abuse ended? Please be as specific as possible. If you do not recall the exact date, provide as much information as possible, including the year and season (fall, winter, spring, or summer).

What happened (describe the nature of the Abuse against you, including the circumstances, frequency, and type(s) of Abuse):

Did you tell anyone about the Abuse and, if so, whom did you tell (this would include parents, relatives, friends, representatives of the Diocese, counselors, therapists, doctors, and law enforcement authorities). If you did tell anyone, what did you tell them, and when? You do not need to disclose any communications you may have had with an attorney.

Were there any witnesses to the Abuse? If there were any witnesses, please list their name(s).

PART 5: IMPACT OF COMPLAINT
(Attach additional separate sheets if necessary)

What injuries and/or damages have you experienced because of the act or acts of Abuse described above? Please provide as much detail as possible. For example, describe any injuries or damages, as well as any effect on your education, employment, personal relationships, health, or faith.

Have you sought counseling or other medical or mental health treatment for your injuries? If so, with whom and when?

PART 6: ADDITIONAL INFORMATION

Prior Claims: Have you ever asserted a claim against the Diocese, or against any entity or individual other than the Diocese (including, but not limited to, any parish, church, school, or other organization) relating to the Abuse described in this claim? If you have, please state when you asserted the claim, against whom the claim was asserted, the manner in which the claim was asserted (for example, a complaint made to law enforcement, a lawsuit or demand letter, participation in the Diocese's Independent Victim Compensation Program (IVCP) or a similar program sponsored by an entity other than the Diocese, an informal request for compensation, etc.), and the result of such claim (including, for example, whether such claim resulted in a settlement or was adjudicated and, if so, the terms of any non-confidential settlement or the outcome of such adjudication).

Bankruptcy: Have you ever filed bankruptcy?

☐ Yes

☐ No

Sign and print your name. If you are signing the claim on behalf of a minor, decedent or incapacitated person, state your relationship to the Abuse Claimant.

Under penalty of perjury, I declare the foregoing statements to be true and correct.

Date: _____

Signature: _____

Print Name: _____

Relationship to the Abuse Claimant: _____

Exhibit C

Confidentiality Agreement

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

THE DIOCESE OF CAMDEN, NEW JERSEY,

Debtor.

Chapter 11

Case No. 20-21257 (JNP)

**AUTHORIZED PARTY CONFIDENTIALITY AGREEMENT
REGARDING CONFIDENTIAL PROOFS OF CLAIM**

This Authorized Party Confidentiality Agreement Regarding Confidential Proofs of Claim (“Agreement”) is entered into as of _____, 202__.

By [_____] (the “Recipient”), an Authorized Party pursuant to the *Order Establishing a Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof* (the “Bar Date Order”) [ECF ____] entered by the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”) in the above-captioned chapter 11 bankruptcy case (the “Chapter 11 Case”) on _____, 2020.

WHEREAS, the Recipient will be granted access to Abuse Proofs of Claim and General Proofs of Claim that assert or appear to assert Abuse Claims (collectively, the “Confidential Proofs of Claim”) filed in the Chapter 11 Case after execution of this Agreement pursuant to and in accordance with the terms of the Bar Date Order and this Agreement;

WHEREAS, Recipient acknowledges that the Confidential Proofs of Claim contain sensitive, non-public information, which is to remain confidential pursuant to the Bar Date Order and the terms of this Agreement; and

WHEREAS, with the exception of counsel of record to Authorized Parties, access to the Confidential Proof of Claim Forms extends only to the natural person who executes this Agreement and a separate copy of this Agreement must be signed by each natural person who seeks access to the Confidential Proofs of Claim on behalf of an Authorized or Permitted Party. Counsel of Record to Authorized Parties may sign one form on behalf of their firm, and the terms of this Agreement and the Bar Date Order shall apply to each member, partner, shareholder, counsel, associate, paraprofessional and employee of the Recipient firm, and all such individuals shall be subject to the terms of this Agreement and the Bar Date Order as though they had signed it on their own behalf.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. Recipient agrees that the Confidential Proofs of Claim and any Confidential Information (as such term is defined below) contained therein shall be kept confidential pursuant to and in accordance with the terms of the Bar Date Order and this Agreement.

2. For purposes of this Agreement, the term “Confidential Information” means each Confidential Proof of Claim itself, and any information contained in an Confidential Proof of Claim, except to the extent (a) that the Abuse Claimant elects to permit disclosure of the information contained in the Confidential Proof of Claim by authorizing such disclosure pursuant to the terms of the Confidential Proof of Claim Form or (b) such information (i) was known to the Recipient prior to being disclosed in an Confidential Proof of Claim, (ii) is or becomes generally available to the public through no act or failure on the part of the Recipient, (iii) is obtained from a third party under no obligation to maintain its confidentiality; or (iv) is developed by the Recipient independently without reference to any Confidential Proof of Claim.

3. Recipient agrees to not to use or distribute any Confidential Proof of Claim Forms or Confidential Information in violation of this Agreement.

4. Recipient may use Confidential Proofs of Claim, and any Confidential Information contained therein, only in connection with the evaluation, prosecution or defense of the claims asserted in such Confidential Proofs of Claim in the Diocese’s Chapter 11 Case, any related adversary proceedings or contested matters in the Chapter 11 Case, any related insurance or reinsurance coverage demands, claims, disputes, or litigation, and settlement negotiations or mediations regarding all of the foregoing, and as otherwise required by applicable federal or state laws or regulations (each, a “Permitted Use”).

5. Recipient shall not disclose any Confidential Information to any other person or entity except that Recipient may disclose Confidential Information (i) to any person or entity that is an Authorized Party who may receive such information in regard to that particular claim pursuant to the Bar Date Order and has executed a copy of this Agreement, (ii) to the Bankruptcy Court or any other tribunal of competent jurisdiction so long as such disclosure is made pursuant to a Permitted Use and under seal, or (iii) pursuant to an order of the Bankruptcy Court after a hearing and upon notice to the affected claimant(s), the Committee and the Diocese.

6. Recipient consents to the exclusive jurisdiction of the Bankruptcy Court to adjudicate any disputes with respect to any terms, condition or alleged violations of this Agreement or the Bar Date Order.

7. Recipient shall promptly report any disclosure of Confidential Information in violation or breach of this Agreement to the Diocese and the Committee and shall cooperate with efforts to recover and secure any such Confidential Information and/or to mitigate the effects of any such disclosure.

8. Nothing in this Agreement precludes Recipient from seeking a modification of the Bar Date Order or the terms of this Agreement with respect to any proposed disclosure of Confidential Information contained in the Confidential Proof of Claim Forms, *provided, however*, that (a) any motion for such modification shall be on notice to all Abuse Claimants, the Committee and the Diocese and (b) Recipient shall not disclose any Confidential Information in connection

with any such petition unless such disclosure is restricted to the Bankruptcy Court, the Diocese, the Committee, the affected claimant(s) and made under seal.

9. This Agreement shall become effective as of the date it is delivered to counsel for the Diocese and counsel for the Committee.

Dated: _____, 2020

By: _____
Signature

Print Name

Exhibit D

Bar Date Notice

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

THE DIOCESE OF CAMDEN, NEW JERSEY,

Debtor.

Chapter 11

Case No. 20-21257 (JNP)

NOTICE OF DEADLINE FOR FILING PROOFS OF CLAIM

**TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE DIOCESE
OF CAMDEN, NEW JERSEY:**

PLEASE TAKE NOTICE that on October 1, 2020 (the “Petition Date”), The Diocese of Camden, New Jersey (the “Diocese”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”). Information regarding the Diocese, its mission, and other relevant information related to this chapter 11 case (the “Chapter 11 Case”) may be obtained at the case management website maintained by Prime Clerk, the Diocese’s Claims and Noticing Agent, at: <https://cases.primeclerk.com/camdendiocese/>.

PLEASE TAKE FURTHER NOTICE that on _____, 2020, the Bankruptcy Court entered an order (the “Bar Date Order”) establishing **February 26, 2021 at 11:59 p.m. (prevailing Eastern time)**, as the deadline for all persons and entities, including persons asserting Abuse Claims (but excluding Governmental Units), to file prepetition claims in this Chapter 11 Case (the “General Bar Date”). Except as described below, the Bar Date Order requires all persons or Entities (excluding Governmental Units), that have or may assert prepetition claims of any type, kind, nature or description against the Diocese, including Abuse Claims, to submit proofs of claim so that they are actually received by Prime Clerk on or before the General Bar Date. Please note that the terms “Entity,” “Governmental Unit,” “Claim,” and “Abuse Claim” are defined below.

PLEASE TAKE FURTHER NOTICE that the Bar Date Order establishes **March 30, 2021 at 11:59 p.m. (prevailing Eastern time)** as the deadline for all Governmental Units to file prepetition claims in this Chapter 11 Case (the “Governmental Bar Date,” and collectively with the General Bar Date, the “Bar Dates”). Except as described below, the Bar Date Order requires all Governmental Units that have or may assert prepetition claims of any type, kind, nature or description against the Diocese to submit proofs of claim so that they are actually received by Prime Clerk on or before the Governmental Bar Date.

PLEASE TAKE FURTHER NOTICE that the Bar Date Order directs all claimants to submit their claims using one of two prescribed forms. All claimants, except for those asserting Abuse Claims, are directed to use the General Proof of Claim Form to submit their claim. If the Diocese has identified you as having a potential Claim, other than an Abuse Claim, a copy of the General Proof of Claim Form is enclosed with this Notice. All claimants wishing to assert Abuse

Claims are directed to use the Abuse Proof of Claim Form. If the Diocese has identified you as having a potential Abuse Claim, a copy of the Abuse Proof of Claim Form is enclosed with this Notice. If no proof of claim form accompanies this Notice, or if you did not receive the correct proof of claim form, copies of both the General Proof of Claim Form and the Abuse Proof of Claim Form may be obtained online by visiting <https://cases.primeclerk.com/camdendiocese/>, or may be requested by calling 877-465-8420 (Toll-Free) or 347-817-4096 (Local).

KEY DEFINITIONS

As used in this Notice, the term “Entity” has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons (individuals, partnerships and corporations), estates, trusts, and the United States Trustee.

As used in this Notice, the term “Governmental Unit” has the meaning given to it in section 101(27) of the Bankruptcy Code and includes the United States, States, commonwealths, districts, territories, municipalities, foreign states, or departments, agencies or instrumentalities of the foregoing.

As used in this Notice, the term “Claim” shall mean, as to or against the Diocese and in accordance with section 101(5) of the Bankruptcy Code: (i) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (ii) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

As used in this Notice, the term “Abuse Claim” shall mean any claim (as defined in section 101(5) of the Bankruptcy Code) against the Diocese resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephebophilia, or sexually-related physical, sexually-related psychological, or sexually-related emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or an adult and another adult regardless of whether consensual or nonconsensual, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other conduct constituting a sexual offense of any type, kind, nature or description, incest, or use of a child in a sexual performance, and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory, contribution, indemnity, or any other theory based on any acts or failures to act by the Diocese or any other person or entity for whose acts or failures to act the Diocese is or was allegedly responsible

YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU HAVE A CLAIM OR WHETHER YOU MUST FILE A PROOF OF CLAIM. YOU MAY ALSO OBTAIN INFORMATION FROM THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS BY CALLING (____) ____ ____.

I. WHO MUST FILE A PROOF OF CLAIM PRIOR TO THE BAR DATE

- a. ***The General Bar Date:*** The Bar Date Order establishes **February 26, 2021 at 11:59 p.m. (prevailing Eastern time)** as the General Bar Date for filing proofs of claim in this case.
- b. ***The Governmental Bar Date:*** The Bar Date Order establishes **March 30, 2021 at 11:59 p.m. (prevailing Eastern time)** as the Governmental Bar Date for filing proofs of claim in this case.
- c. ***The Following Persons or Entities Must File a Proof of Claim on or Before the applicable Bar Dates:***
 - i. Any person or Entity who believes its prepetition claim was omitted from the Diocese's Schedules of Assets and Liabilities (as amended) filed in this Chapter 11 Case (the "Schedules"), or whose prepetition claim is listed in the Schedules, but is designated as being "contingent," "unliquidated," or "disputed," and who desires to participate in this Chapter 11 Case or to share in any distributions to creditors that may be made in this Chapter 11 Case;
 - ii. Any person or Entity who 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 as identified in the Schedules; and
 - iii. Any person who wishes to assert an Abuse Claim against the Diocese, regardless of whether such person has previously filed a lawsuit against the Diocese or otherwise has given formal or informal notice of such claims to the Diocese.
- d. ***The Following Persons or Entities are Not Required to File Proofs of Claim at this Time:***
 - i. Any person or Entity that has already properly filed a proof of claim against the Diocese with the Clerk of the Court for the United States Bankruptcy Court for the District of New Jersey, except that any person who has asserted an Abuse Claim must submit a completed Abuse Proof of Claim;
 - ii. Any person or Entity: (a) whose claim is listed in the Schedules or any amendments thereto; and (b) whose claim is not identified therein as "contingent," "unliquidated," or "disputed," and (c) who does not dispute the amount or classification of its claim as set forth in the Schedules;
 - iii. Any professionals retained by the Diocese 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 sections 330, 331(a) and 503(b) of the Bankruptcy Code;
 - iv. Any person or Entity that asserts an administrative expense claim against the Diocese pursuant to sections 503(b) or 507(a)(2) of the Bankruptcy Code;

- v. Any person or Entity whose claim against the Diocese is allowed by an order of the Court entered on or before the applicable Bar Date; and
- vi. Any person or Entity whose claim has been previously settled or paid in full.

II. CONFIDENTIALITY OF ABUSE CLAIMS

Pursuant to the Bar Date Order, filed Abuse Proofs of Claim will be treated confidentially in this Chapter 11 Case unless the Abuse Claimant elects to have his or her claim publicly disclosed. Any Abuse Proof of Claim that you file will not be available to the general public, and will be kept confidential, except that information will be provided to Authorized Parties under the Bar Date Order, all of whom will agree to keep the information provided by you confidential pursuant to the Bar Date Order.

III. CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM

Any person or Entity that is required to file a proof of claim, but fails to do so on or before the applicable Bar Date: (i) shall NOT be treated as a creditor with respect to such Claim and shall not be entitled to vote to accept or reject, or to share in any distribution under, any Chapter 11 plan proposed and/or confirmed in this Chapter 11 Case; and (ii) shall be forever barred, estopped, and enjoined from asserting such Claim against the Diocese (or filing a proof of claim with respect thereto), and the Diocese and its property shall be forever discharged from any and all indebtedness or liability with respect to such Claim. If it is unclear from the Schedules whether your Claim is disputed, contingent or unliquidated as to amount or is otherwise properly listed and classified, you must file a proof of claim on or before the Bar Date. Any party that relies on the information in the Schedules bears responsibility for determining that its Claim is accurately listed therein.

RESERVATION OF RIGHTS

Nothing in the Bar Date Order shall be construed as limiting any party's rights to: (i) dispute, or to assert offsets or defenses 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. Nothing contained in this Notice shall preclude any party from objecting to any Claim, whether scheduled or filed, on any grounds.

PROCEDURE FOR FILING PROOFS OF CLAIM

Proofs of claim should not be filed with the Court or with the Clerk of the Court. Instead, **all proofs of claim should be submitted to Prime Clerk**, the Diocese's Claims and Noticing Agent, as set forth below:

To be considered valid, each General Proof of Claim submitted in this Chapter 11 Case 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 in accordance with bankruptcy Rules 3001(c) and 3001(d) (including for secured claims, evidence that the security interest has been perfected), and (d) be actually received by Prime Clerk, the Diocese's Claims and Noticing Agent, on or prior to the applicable Bar Date either:

(i) electronically using the interface available on Prime Clerk's website at <https://cases.primeclerk.com/camdendiocese/EPOC-Index>; or

(ii) by delivering an original copy by hand mail or overnight courier to:

The Diocese of Camden, New Jersey Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

Proofs of claim sent by facsimile, telecopy, or e-mail will not be accepted.

In order to be considered valid, each Abuse Proof of Claim must: (a) be written in English, (b) contain responses to all requests for information set forth therein to the best of the Abuse Claimant's knowledge at the time the form is signed, (c) be signed by the Abuse Claimant (or if such Abuse Claimant is a minor, legally incapacitated, or deceased, by such Abuse Claimant's parent, legal guardian or executor) and (d) be actually received by Prime Clerk, the Diocese's Claims and Noticing Agent, as of the applicable Bar Date either:

(i) electronically using the interface available on Prime Clerk's website at <https://cases.primeclerk.com/camdendiocese/EPOC-Index>; or

(ii) by delivering an original copy by hand mail or overnight courier to:

The Diocese of Camden, New Jersey Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

Proofs of claim sent by facsimile, telecopy, or e-mail will not be accepted. An Abuse Claim may only be made on account of Abuse of an individual. Any other claim may be asserted as General Claim. Proofs of claim will be deemed filed only when actually received by Prime Clerk. Proofs of claim submitted electronically will be acknowledged via electronic mail or confirmation number from Prime Clerk at the time of submission. If you wish to receive acknowledgement of Prime Clerk's receipt of a proof of claim submitted in paper format, you must also submit with your original proof of claim: (i) one additional copy of your original proof of claim; and (ii) a self-addressed, postage pre-paid return envelope.

ADDITIONAL INFORMATION

You may be listed as the holder of a Claim in the Diocese's Schedules. If you hold or assert a Claim that is not listed in the Schedules, or if you disagree with the amount or priority of your Claim as listed in the Schedules, or your Claim is listed in the Schedules as contingent, unliquidated, or disputed, you must file a proof of claim. Copies of the Schedules and the Bar Date Order are available for inspection during regular business hours at the office of the Office of the Clerk of Court, United States Bankruptcy Court for the District of New Jersey, U.S. Post Office and Courthouse, 401 Market Street, Camden, New Jersey 08101. In addition, copies of the Diocese's Schedules and the Bar Date Order are available on the Prime Clerk case management

website at <https://cases.primeclerk.com/camdendiocese/> for free, or on the Court's website (<http://njb.uscourts.gov/>) by following the directions for accessing the ECF system on such website (a PACER password is required).

Requests for proofs of claim should be directed to Prime Clerk, the Diocese's Claims and Noticing Agent at 877-465-8420 (Toll-Free) or 347-817-4096 (Local).. Prime Clerk is not permitted to give you legal advice. You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the contents of this notice or the completion or filing of a proof of claim.

Dated: _____, 2020

Exhibit E

Publication Notice

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re The Diocese of Camden, New Jersey
Case No. 20-21257 (JNP)

PLEASE TAKE NOTICE THAT, on February 28, 2020, The Diocese of Camden, New Jersey, (the “Diocese”) filed for protection under Chapter 11 of Title 11 of the United States Code.

The Bankruptcy Court has established February 26, 2021 at 11:59 p.m. (prevailing Eastern time) as the deadline to file proofs of claim against the Diocese, excluding governmental units (the “Bar Date”). If you have a claim against the Diocese, including, without limitation, a claim related to abuse committed by any person connected with the Diocese, you must file a claim on or before the Bar Date.

Please visit <https://cases.primeclerk.com/camdendiocese> or call 877-465-8420 (Toll-Free) or 347-817-4096 (Local) for more information on how to file your proof of claim.

IF YOU DO NOT TIMELY FILE A PROOF OF CLAIM, YOU MAY FORFEIT YOUR RIGHT TO VOTE ON ANY PLAN OF REORGANIZATION AND TO SHARE IN ANY DISTRIBUTIONS TO CREDITORS IN CONNECTION WITH THE DIOCESE’S CHAPTER 11 CASE.