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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:
March 24, 2021 at 10:00am

NOTICE OF DIOCESE'S MOTION FOR ENTRY OF AN ORDER (A) APPROVING DISCLOSURE STATEMENT; (B) ESTABLISHING PLAN SOLICITATION, VOTING, AND TABULATION PROCEDURES; (C) SCHEDULING A CONFIRMATION HEARING AND DEADLINE FOR FILING OBJECTIONS TO PLAN CONFIRMATION; AND (D) GRANTING RELATED RELIEF

PLEASE TAKE NOTICE that on **March 24, 2021 at 10:00 a.m.**, The Diocese of Camden, New Jersey, debtor and debtor-in-possession (the "Diocese") will move before the Honorable Jerrold N. Poslusny, Jr., United States Bankruptcy Judge, at the United States Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, New Jersey 08101¹, for the entry of an order (a) approving the adequacy of the *Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code Describing Chapter 11 Plan Proposed by the Debtor-in-Possession* (the "Disclosure Statement"); (b) establishing procedures

¹ Unless otherwise determined by the Court, the hearing will be held virtually.

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THE DIOCESE OF CAMDEN, NEW JERSEY,

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**DIOCESE’S MOTION FOR ENTRY OF AN ORDER (A)
APPROVING DISCLOSURE STATEMENT; (B)
ESTABLISHING PLAN SOLICITATION, VOTING, AND
TABULATION PROCEDURES; (C) SCHEDULING A
CONFIRMATION HEARING AND DEADLINE FOR
FILING OBJECTIONS TO PLAN CONFIRMATION; AND
(D) GRANTING RELATED RELIEF**

The Diocese of Camden, New Jersey, debtor and debtor-in-possession (the “Diocese”), by and through its undersigned counsel, McManimon, Scotland & Baumann, LLC, submits this brief in support of its motion for the entry of an order (a) approving the adequacy of the *Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code Describing Chapter 11 Plan Proposed by the Debtor-in-Possession* (the “Disclosure Statement”); (b) establishing procedures for solicitation and tabulation of votes to accept or reject the Diocese’s *Plan of Reorganization* (the “Plan”); (c) scheduling a hearing on confirmation of the Plan and a deadline

for filing objections to confirmation; and (d) granting related relief (the “Motion”), and in support thereof respectfully represent as follows:

JURISDICTION AND VENUE

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 requested herein are sections 105(a), 1125 and 1126 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”), Rules 2002, 3016, 3017, 3018, and 3020 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and D.N.J. LBR 3016-1 and 3018-1.

BACKGROUND

The Chapter 11 Case

3. On October 1, 2020 (the “Petition Date”), the Diocese filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code, commencing the above-captioned chapter 11 case (the “Chapter 11 Case”) in the United States Bankruptcy Court for the District of New Jersey. [ECF 1].

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 request has been made for the appointment of a trustee or an examiner in this Chapter 11 Case.

5. On October 23, 2020, the Office of the United States Trustee appointed the Official Committee of Tort Claimant Creditors of The Diocese of Camden, New Jersey (the “Tort Committee”). [ECF 111].

6. On December 24, 2020, the Office of the United States Trustee appointed the Official Committee of Unsecured Trade Creditors (the “Trade Committee”). [ECF 293].

7. On December 31, 2020, the Diocese filed its *Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code Describing Chapter 11 Plan Proposed by the Debtor-in-Possession* (the “Disclosure Statement”). [ECF 305].

8. A hearing on the adequacy of the Disclosure Statement is currently scheduled for March 24, 2020 at 10:00 a.m.

The Diocese

9. 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.

10. 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.

RELIEF REQUESTED

11. By this Motion, the Diocese requests that the Court enter the Disclosure Statement Order: (a) approving the adequacy of the Disclosure Statement; (b) establishing

procedures for solicitation and tabulation of votes to accept or reject the Plan, including approval of (i) the contents of the Confirmation Hearing Notice (defined below), (ii) the form of the Ballot (defined below), (iii) the procedures for vote tabulation, and (iv) the proposed record date for voting; (c) scheduling the Confirmation Hearing; and (d) granting related relief. A summary of the key dates that the Diocese is requesting to be established by the Disclosure Statement Order are as follows:

	Proposed Date
Record Date	March 24, 2021 at 11:59 p.m. (Prevailing Eastern Time)
Solicitation Date	No later than March 31, 2021
Rule 3018 Motion Filing Deadline	April 7, 2021 at 4:00 p.m. (Prevailing Eastern Time)
Rule 3018 Motion Hearing	April 28, 2021 at 10:00 a.m. (Prevailing Eastern Time)
Voting Deadline	May 5, 2021 at 11:59 p.m. (Prevailing Eastern Time)
Deadline for Objecting to Confirmation	May 5, 2021 at 4:00 p.m. (Prevailing Eastern Time)
Confirmation Hearing	May 12, 2021 at 10:00 a.m. (Prevailing Eastern Time)

BASIS FOR RELIEF

A. Approval of Disclosure Statement

12. Section 1125 of the Bankruptcy Code requires that, before a debtor may solicit acceptances or rejections of a plan, the bankruptcy court must approve a disclosure statement as containing “adequate information.” 11 U.S.C. § 1125(b). The Bankruptcy Code defines “adequate information” as:

“[A]dequate information” means information of a kind, and in sufficient detail, as far as is reasonably practicable in light of the nature and history of the debtor and the condition of the debtor’s books and records, including a discussion of the potential material Federal tax consequences of the plan to the debtor, any successor to the debtor, and a hypothetical investor typical of the holders of claims or interests in the case, that would enable such a hypothetical investor of the relevant class to make an informed judgment about the plan

11 U.S.C. § 1125(a)(1). Accordingly, a disclosure statement must provide adequate information to enable “creditors and interest holders to make an informed judgment about the proposed plan” in deciding how to vote on the plan. Century Glove, Inc. v. First American Bank of New York, 860 F.2d 94, 100 (3d Cir. 1988); see also In re Phoenix Petroleum Co., 278 B.R. 385, 392 (E.D. Pa. 2001).

13. The determination as to whether a disclosure statement provides “adequate information,” is based on the specific facts and circumstances of each case and is within the broad discretion of the bankruptcy court. See 11 U.S.C. § 1125(a)(1); see also Oneida Motor Freight, Inc. v. United Jersey Bank, 848 F.2d 414, 417 (3d Cir. 1988) (“From the legislative history of § 1125 we discern that adequate information will be determined by the facts and circumstances of each case.”); First Am. Bank of N.Y. v. Century Glove, Inc., 81 B.R. 274, 279 (D. Del. 1988) (noting that the availability of information from outside sources will determine the adequacy of disclosure made by a particular debtor).

14. Here, the Disclosure Statement is extensive and comprehensive. The Disclosure Statement contains sufficient information regarding, among other things: (a) the terms of the Plan; (b) relevant events leading to, and the circumstances surrounding, the filing of the Chapter 11 Case; (c) the relevant history of the Diocese’s mission and prepetition debt; (d) the Diocese’s litigation and negotiations with other parties; (e) the proposed treatment of all classes of claims

and interests under the Plan; (f) procedures for making distributions under the Plan; (g) risks factors affecting the Plan; and (h) other key provisions of the Plan.

15. In addition, the Diocese intends to take the objections made to the Plan and incorporate those comments that it deems necessary for disclosure. While many of the objections raised are actually confirmation issues, the Diocese has worked cooperatively with other parties in interest to revise the Disclosure Statement.

16. Thus, the Disclosure Statement contains adequate information under section 1125 of the Bankruptcy Code and should be approved.

B. Solicitation Procedures

17. Consistent with the applicable provisions of the Bankruptcy Code and Bankruptcy Rules, the Diocese seeks approval of the solicitation and tabulation procedures set forth below (collectively, the “Solicitation Procedures”). If approved, the Solicitation Procedures will allow the Diocese to distribute solicitation materials and tabulate votes in an effective and efficient manner. Moreover, the Solicitation Procedures—along with the notice of the Confirmation Hearing—will provide adequate notice to all holders of claims and interests regarding the solicitation process.

a. Form and Distribution of Solicitation Packages

18. Bankruptcy Rule 3017(d) describes the materials that must be provided to the holders of claims and interests when soliciting their votes and providing adequate notice for a hearing on the confirmation of a chapter 11 plan. Upon the approval of the disclosure statement, and except to the extent that the court orders otherwise with respect to one or more unimpaired classes of creditors or equity security holders, the debtor, plan proponent, or clerk of court must mail to all creditors and equity security holders: (1) the plan or a court-approved summary of the

plan, (2) the approved disclosure statement, (3) notice of the time within which acceptances and rejections of the plan may be filed, and (4) any other information as the court may direct, including any court opinion approving the disclosure statement or a court-approved summary of the opinion. Fed. R. Bankr. P. 3017(d). Additionally, notice of the deadline for filing objections to confirmation of the plan must be mailed to all creditors and equity security holders in accordance with Bankruptcy Rule 2002(b), and a form of ballot conforming to the appropriate Official Form must be mailed to all creditors and equity security holders entitled to vote on the plan. Id.

19. In accordance with Bankruptcy Rule 3017(d), upon the Court's approval of the Disclosure Statement, the Diocese proposes to mail or cause to be mailed solicitation packages (the "Solicitation Packages"), to all Holders of Claims entitled to vote on the Plan. The Solicitation Packages will contain copies of:

- a. the Plan;
- b. the Disclosure Statement;
- c. the Disclosure Statement Order;
- d. the Confirmation Hearing Notice (defined below);
- e. the appropriate Ballot and voting instructions;
- f. a cover letter explaining the solicitation process and requesting that holders of claims entitled to vote on the Plan vote in favor of the Plan, attached hereto as Exhibit A;
- g. a pre-addressed, postage pre-paid return envelope; and
- h. such other materials as the Court may direct.

20. Because mailing paper copies of the Plan and Disclosure Statement may be cumbersome and costly, the Diocese requests the Court's authority, in their discretion, to include

in the Solicitation Packages digital versions of the Plan and Disclosure Statement (*i.e.*, on a USB thumb drive or CD-ROM) in lieu of paper copies.

21. The Diocese intends to distribute the Solicitation Packages no fewer than 28 days before the Voting Deadline (defined below). The Diocese submits that the distribution of the Solicitation Packages at least 28 days prior to the Voting Deadline will provide the materials needed by holders of claims entitled to vote on the Plan as required by Bankruptcy Rules 3017(d) and 2002(b).

22. The Diocese will also serve the Solicitation Package, without Ballots, on: (a) the United States Trustee, (b) counsel for the Tort Committee, (c) counsel for the Trade Committee, and (d) all other parties in interest as required under Bankruptcy Rule 2002.

23. Consistent with section 1126(f) of the Bankruptcy Code and Bankruptcy Rule 3017(d), the Diocese proposes to send a notice of non-voting status, substantially in the form attached hereto as Exhibit B (the “Notice of Non-Voting Status”), and the Confirmation Hearing Notice (defined below) to creditors that are unimpaired under the Plan and are thus presumed to accept the Plan under section 1126(f) of the Bankruptcy Code. The unimpaired creditors include those in Class 1 for the Diocese, as described in the Disclosure Statement. Additionally, the Diocese proposes to send a Notice of Non-Voting Status and the Confirmation Hearing Notice (defined below) to creditors in Classes 6A and 6B, who are receiving nothing under the Plan and are therefore deemed to reject.

24. The Diocese submits that these proposed notice and service procedures will provide adequate notice to parties in interest while appropriately balancing the need for proper notice with the need for efficiency with respect to the costs and burdens in connection with providing such notice.

b. Record Date

25. The Diocese respectfully requests that the Court establish **March 24, 2021, at 11:59 p.m. (prevailing eastern time)**, or such other date as the Court sets for a hearing on this Motion (the “Record Date”), regardless of the date on which the Disclosure Statement Order is actually entered, for the purposes of determining: (a) creditors who are entitled to vote on the Plan, and (b) with respect to classes that are non-voting, the parties entitled to receive a Notice of Non-Voting Status.

c. Form of Ballot

26. Pursuant to Bankruptcy Rule 3017(d), a plan proponent must mail a form of ballot, substantially conforming to Official Form No. 314, to “creditors and equity security holders entitled to vote on the plan.” Fed. R. Bankr. P. 3017(d); see also Fed. R. Bankr. P. 3018(c) (providing in part that an acceptance or rejection of a plan must be in writing and conform to the appropriate Official Form).

27. The Solicitation Procedures require that all votes to accept or reject the Plan be cast by using a ballot in the form attached as **Exhibit C** hereto (the “Ballot”). The Ballot contains instructions for holders of claims. The Ballot was prepared for use by all parties that are entitled to vote on the Plan. Thus, the Diocese seeks approval of the form of the Ballot and the authority to distribute the Ballot to the holders of claims entitled to vote on the Plan.

28. The Ballot is derived from Official Form No. 314, but with appropriate modifications so as to reflect certain aspects of, and additional information relevant to, this Chapter 11 Case, which the Diocese believes to be appropriate for its creditors.

29. The Diocese will distribute Ballots to holders of claims in Class 2, Class 3, Class 4, and Class 5, who are entitled to vote on the Plan. Each Ballot will be customized to include

the applicable creditor's name, address, and claim information (including the Class in which the creditor will be voting). As described above, the Ballots will be accompanied by return envelopes, with postage prepaid, for completion and return to the Diocese.

30. Because holders of claims and interests in unimpaired non-voting classes are presumed to accept the Plan under section 1126(f) of the Bankruptcy Code, Ballots will not be distributed to holders of claims and interests in unimpaired non-voting classes.

31. The Diocese submits that the form of the Ballot is based substantially on Official Form No. 314 and complies with Bankruptcy Rule 3018(c). Thus, the Diocese respectfully requests that the Court approve the form of Ballot.

d. Voting Deadline

32. Bankruptcy Rule 3017(c) provides that, on or before the approval of a disclosure statement, the Court shall fix a time within which the holders of claims or equity interests may vote on the plan. The Diocese proposes that, in order to be counted as a vote to accept or reject the Plan, each Ballot must be properly delivered to the Diocese's Claims and Noticing Agent, Prime Clerk, LLC, by: (a) first-class mail, either in the return envelope provided or to the address indicated, (b) overnight courier, or (c) personal delivery, so as to be actually received by Prime Clerk, LLC, no later than **May 5, 2021 at 4:00 p.m. (prevailing eastern time)** (the "Voting Deadline"). The Diocese submits that this schedule provides sufficient time for creditors to make informed decisions as to whether to accept or reject the Plan and return completed Ballots. Furthermore, the Diocese requests authority to extend the Voting Deadline without any further order of the Court, provided that the Diocese shall timely file with the Court a notice setting forth the extended deadline.

e. Vote Tabulation

33. The Diocese proposes that—solely for the purpose of voting on the Plan and not for the purpose of allowance of, or distribution on account of, a claim, and without prejudice to the Diocese’s rights in any other context—each holder of a claim entitled to vote on the Plan be entitled to vote the amount of such claim as provided: (a) in a timely filed proof of claim (a “Proof of Claim”) or, if no Proof of Claim was filed, the amount of such Claim as provided in, the Diocese’s Schedules of Assets and Liabilities (as amended, the “Schedules”), or (b) an agreement with the Diocese fixing the allowed amount of such claim for voting purposes. However, the Diocese proposes that the foregoing procedures be subject to the following exceptions and clarifications:

- a. If a claim is deemed allowed in accordance with the Plan, such claim is allowed for voting purposes in the deemed allowed amount set forth in the Plan;
- b. If a claim has been estimated or otherwise allowed for voting purposes by order of the Court, such claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes;
- c. If a claim for which a Proof of Claim has been timely filed or, if no Proof of Claim was filed, the amount of such Claim as provided in, the Diocese’s Schedules is listed as contingent and/or unliquidated on the face of the claim and the claim has not been allowed, such claim will be temporarily allowed for voting purposes only and not for allowance or distribution, in an amount equal to the greater of: (i) \$100.00, or (ii) that portion of the claim that is noncontingent or liquidated and as to which the Diocese has not filed an objection, except as otherwise agreed to by the Diocese and the claimholder or as ordered by the Court;
- d. If the Diocese has served an objection with respect to a claim at least April 7, 2021 and the objection has not been adjudicated or otherwise resolved, such claim will be temporarily allowed, for voting purposes only and not for purposes of allowance or distribution, in the amount of \$100.00, except to the extent and in the manner as may be otherwise set forth in the objection or as otherwise agreed to by the Diocese and the claim holder or as ordered by the Court;
- e. If a claim is listed in the Schedules as contingent, unliquidated, or disputed and a Proof of Claim was not: (i) filed by the applicable claims bar date or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, such claim will

be disallowed for voting purposes pursuant to Bankruptcy Rule 3003(c) unless the Diocese has consented otherwise in writing;

- f. If a claim arises from or is related to an executory contract or lease that the Diocese have not yet assumed or rejected, such claim is temporarily allowed for voting purposes only and not for allowance or distribution in the amount of \$1.00 or such other amount as the Diocese and the claim holder may agree; and
- g. If a claim is filed in the amount of \$0.00, such claim shall not be entitled to vote.

34. The Diocese submits that the foregoing procedures provide for a fair and equitable voting process. As for any creditor seeking to challenge the allowance of its Claim for voting purposes in accordance with the above procedures, the Diocese requests that the Court direct such creditor to serve on the Diocese and file with the Court a motion for an order pursuant to Bankruptcy Rule 3018(a) (a “Rule 3018 Motion”) temporarily allowing such Claim in a different amount for purposes of voting to accept or reject the Plan on or before **April 7, 2021 at 4:00 p.m. (prevailing Eastern time)**. Furthermore, the Diocese requests that the Court direct that all Rule 3018 Motions: (a) be made in writing, (b) comply with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, (c) set for the name of the party asserting the Rule 3018 Motion, and (d) state with particularity the legal and factual bases for the Rule 3018 Motion. In the event any creditor timely files and serves a Rule 3018 Motion, the Diocese proposes to provide such creditor with a provisional Ballot, which the creditor must complete and return to counsel for the Diocese within 2 business days. Hearings on Rule 3018 Motions shall be scheduled for **April 28, 2021 at 10:00 a.m. (prevailing Eastern Time)**. Moreover, the Diocese requests that to the extent any issues raised in a Rule 3018 Motion remain outstanding at the time of the Confirmation Hearing, such issues be heard at the Confirmation Hearing. Ballots submitted by a claim holder who files a Rule 3018 Motion shall not be counted unless the claim of such claim holder is temporarily allowed for voting purposes as agreed to by the claim holder and the Diocese or as ordered by the Court.

35. The Diocese requests that the following additional procedures be utilized in connection with the tabulation of the Ballots: (a) any Ballot that is otherwise properly completed and returned to the Diocese but that does not indicate an acceptance or rejection of the Plan, or indicates both an acceptance or rejection of the Plan, shall not be counted as either an acceptance or rejection of the Plan, (b) if no votes to accept or reject the Plan are received from a particular Class, such Class shall be deemed to have accepted the Plan, (c) in the event that a creditor submits multiple ballots on account of the same Claim by the Voting Deadline, the last received, validly executed Ballot received before the Voting Deadline shall supersede any prior Ballots, and (d) creditors may not split their votes within a particular class (creditors may only vote once in a particular Class for the total amount of their claims within such Class), and therefore a Ballot or Ballots submitted by a single creditor within a particular Class that partially accepts and partially rejects the Plan shall not be counted as either a vote to accept or a vote to reject the Plan. Finally, except as otherwise provided in this Motion, the Diocese will tabulate only those Ballots that are timely received by the Voting Deadline for the purposes of determining whether the numerosity and claim amount requirements of section 1126(c) of the Bankruptcy Code have been satisfied.

36. The Diocese requests that, unless otherwise directed by the Court, any questions with respect to the validity, form, eligibility (including the time of receipt), and acceptance of Ballots will be determined by the Diocese in their sole discretion. Such determination will be final and binding (subject to Court approval, if necessary). The Diocese reserves the right to reject any Ballots not submitted in the proper form. Further, the Diocese reserves the right to waive any deficiencies or irregularities with respect to any particular Ballot. Otherwise, any defects or irregularities in connection with the deliveries of Ballots must be cured within such

time as the Diocese, or the Court, determines. The Diocese shall not be under any duty to notify any creditors of any defects or irregularities with respect to the deliveries of Ballots, and neither the Diocese nor any other party shall be liable for failure to provide such notification. Delivery of such Ballots will not be deemed to have been made until such irregularities have been cured or waived, unless the Court directs otherwise.

37. The Diocese respectfully submits that the above tabulation procedures are made in accordance with the Bankruptcy Code, the Bankruptcy Rules, and the applicable Local Rules, and that the Court should approve such tabulation procedures.

C. Confirmation Hearing and Notice

a. Confirmation Hearing

38. The Diocese requests, pursuant to Bankruptcy Rule 3017(c), that the Confirmation Hearing be held on **May 12, 2021 at 10:00 a.m. (prevailing Eastern time)**, or such other date and time as specified by the Court, which may be continued by the Court without further notice. The proposed date and time for the Confirmation Hearing complies with the requirements of the Bankruptcy Code and the Bankruptcy Rules. The proposed date and time for the Confirmation Hearing complies with Bankruptcy Rule 2002(b).

b. Confirmation Hearing Notice

39. All creditors and equity security holders must receive at least 28 days' notice of the deadline for filing objections to confirmation and the Confirmation Hearing. Fed. R. Bankr. P. 2002(b), (d). Accordingly, the Solicitation Package shall include a notice of the Confirmation Hearing (the "Confirmation Hearing Notice") attached hereto as **Exhibit D**. The information set forth in the Confirmation Hearing Notice includes, but is not limited to: (a) the deadline for filing objections to confirmation of the Plan, (b) the date and time of the Confirmation Hearing, (c) the

Voting Deadline, (d) the Record Date, and (e) the procedures for temporary allowance of a claim for voting purposes. Additionally, the Confirmation Hearing Notice also provides creditors and interested parties with instructions as to how they may view and obtain copies of the Disclosure Statement, the Plan, the Disclosure Statement Order, and other materials contained in the Solicitation Package.

40. The Diocese submits that the Confirmation Hearing Notice comports with the Bankruptcy Rules and respectfully request that it be approved.

c. Procedures for Objecting to Plan

41. Objections to the confirmation of a chapter 11 plan must be filed and served “within a time fixed by the court.” Fed. R. Bankr. P. 3020(b)(1). No less than 28 days’ notice of the deadline for filing objections and the hearing to consider confirmation of the plan must be given to all creditors and equity holders. Fed. R. Bankr. P. 2002(b), (d).

42. The Diocese requests the Court direct that, as provided in the Confirmation Hearing Notice, any objections to confirmation of the Plan or any proposed modifications of the Plan must: (i) be in writing, (ii) state the name and address of the objecting party as well as the amount and nature of the claim or interest of such objecting party, (iii) state, with particularity, the basis and nature of any objection or proposed modification to the Plan, and (d) be filed—along with proof of service—with the Court and served on or before **May 5, 2021, at 4:00 p.m. (prevailing Eastern time)** (the “Plan Objection Deadline”), on the following parties: (a) counsel for the Diocese, McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068, Attention: Richard D. Trenk, Esq. and Robert S. Roglieri, Esq.; (b) counsel for the Tort Committee, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068, Attention: Jeffrey D. Prol, Esq. and Brent Weisenberg, Esq.; (c) counsel for

the Trade Committee, Porzio, Bromberg & Newman, P.C., 100 Southgate Parkway, P.O. Box 1997, Morristown, New Jersey 07962, Attn: Warren J. Martin, Esq. and Rachel A. Parisi, Esq.; and (d) the Office of the United States Trustee for the District of New Jersey, One Newark Center, Suite 2100, Newark, NJ 07102.

WAIVER OF BRIEF

43. As the legal points and authorities upon which the Diocese relies are incorporated herein and do not raise any novel issues of law, the Diocese respectfully requests that the requirement of service and filing of a separate memorandum of law pursuant to Local Rule 9013-2 be deemed waived.

NO PRIOR REQUEST

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

NOTICE

45. 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) counsel for the Tort Committee, Lowenstein Sandler LLP, One Lowenstein Dr, Roseland, NJ 07068, Attn: Jeffrey Prol, Esq. and Brent Weisenberg, Esq.; (iii) counsel for the Trade Committee, Porzio, Bromberg & Newman, P.C., 100 Southgate Pkwy, Morristown, NJ 07960, Attn: Warren J. Martin, Jr., Esq. and Rachel A. Parisi, Esq.; and (iv) 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. In light of the nature of the relief requested herein, the Diocese respectfully submits that no other or further notice is required.

Exhibit A

Form Cover Letter

**In re The Diocese of Camden, New Jersey
Chapter 11 Case No. 20-21257 (JNP)**

_____, 2021

Dear Party-in-Interest:

On _____, 2021, the United States Bankruptcy Court for the District of New Jersey (the “Court”) approved the *Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code Describing Chapter 11 Plan Proposed by the Debtor-in-Possession* (the “Disclosure Statement”) [ECF 305] (as it may be further amended or supplemented and including all exhibits and supplements thereto, the “Disclosure Statement”) of The Diocese of Camden, New Jersey (the “Diocese”). Additionally, the Court authorized the Diocese to solicit votes with regard to the acceptance or rejection of the Diocese’s *Plan of Reorganization* [ECF 306] (as it may be further amended or supplemented and including all exhibits and supplements thereto, the “Plan”).¹

You have received this letter and the enclosed materials because you are entitled to vote on the Plan. The enclosed materials constitute the “Solicitation Package,” which includes, in addition to this letter, the following:

- (a) the Plan;
- (b) the Disclosure Statement;
- (c) the Disclosure Statement Order;
- (d) the Confirmation Hearing Notice;
- (e) the appropriate Ballot and voting instructions; and
- (f) a pre-addressed, postage pre-paid return envelope.

By the *Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief* entered on March [•], 2021 [ECF •], the Court has approved the solicitation and submission of votes to accept the Plan. The Diocese believes that confirmation of the Plan is designed to provide greater recoveries than those available in any other form of liquidation. Any other alternative would cause significant delay and uncertainty, as well as additional administrative costs.

ACCORDINGLY, THE DIOCESE URGES ALL CREDITORS ENTITLED TO VOTE ON THE PLAN TO TIMELY SUBMIT A BALLOT ACCEPTING THE PLAN.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan or the Disclosure Statement, as applicable.

While the materials included in the Solicitation Package are intended to be self-explanatory, please feel free to contact the Diocese's counsel if you have any questions. The Diocese's counsel can be reached by: (i) mail to: McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, 2nd Floor, Roseland, New Jersey 07068, Attention: Richard D. Trenk, Esq. and Robert S. Roglieri, Esq.; (ii) telephone: (973) 622-1800; or (iii) e-mail: rtrenk@msbnj.com or rroglieri@msbnj.com.

The Diocese of Camden, New Jersey

By its counsel:

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

/s/ Richard D. Trenk

Richard D. Trenk, Esq.

rtrenk@msbnj.com

(973) 622-1800

Robert S. Roglieri, Esq.

rroglieri@msbnj.com

(973) 622-1800

Exhibit B

Notice of Non-Voting Status

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

75 Livingston Avenue, Second Floor

Roseland, New Jersey 07068

(973) 622-1800

Richard D. Trenk (rtrenk@msbnj.com)

Robert S. Roglieri (rroglieri@msbnj.com)

*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)

NOTICE OF NON-VOTING STATUS

PLEASE TAKE NOTICE that:

1. On December 31, 2020, The Diocese of Camden, New Jersey (the “Diocese”), filed the Diocese’s *Plan of Reorganization* (the “Plan”) [ECF 306] and the coinciding disclosure statement for the Plan (the “Disclosure Statement”) [ECF 305], pursuant to section 1125 of title 11 of the United States Code (the “Bankruptcy Code”).

2. On March [•], 2021, the United States Bankruptcy Court for the District of New Jersey (the “Court”) entered an order (the “Disclosure Statement Order”) [ECF •], which, among other things, (a) approved the adequacy of the Disclosure Statement, (b) established procedures for the solicitation and tabulation of votes on the Plan, and (c) scheduled the date, time, and place for the hearing to consider confirmation of the Plan (the “Confirmation Hearing”).

3. The Confirmation Hearing shall be held on May 12, 2021 at 10:00 a.m. (prevailing Eastern Time), before the Honorable Jerrold N. Poslusny, Jr., in Courtroom 4C of the United States Bankruptcy Court for the District of New Jersey, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, New Jersey 08101. The Confirmation Hearing may be continued without further notice other than an announcement in open court of the adjourned date(s) at the Confirmation Hearing or any continued hearing or as indicated in any notice filed with the Court.

4. Any objections to confirmation of the Plan or any proposed modifications to the Plan must (i) be in writing, (ii) state the name and address of the objecting party as well as the amount and nature of the Claim or Interest of such objecting party, (iii) state, with particularity, the basis and nature of any objection or proposed modification to the Plan, and (d) be filed—along with proof of service—with the Court and served on or before May 5, 2021, at 5:00 p.m. (prevailing Eastern Time) (the “Plan Objection Deadline”), on the following parties: (a) counsel for the Diocese, McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, 2nd Floor, Roseland, New Jersey 07068, Attention: Richard D. Trenk, Esq. and Robert S. Roglieri, Esq.; (b) counsel for the Official Committee of Tort Claimant Creditors, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068, Attn: Jeffrey D. Prol, Esq., and Brent Weisenberg, Esq.; (c) counsel for the Official Committee of Unsecured Trade Creditors, Porzio, Bromberg & Newman, 100 Southgate Parkway, Morristown, NJ 07962-1997, Attn: Warren J. Martin, Jr., Esq. and Rachel A. Parisi, Esq.; and (d) counsel for the Office of the Office of the United States Trustee, District of New Jersey, One Newark Center, Suite 2100, Newark, NJ 07102, Attn: Jeffrey M. Sponder, Esq. and Lauren Bielskie, Esq.

PLEASE TAKE FURTHER NOTICE THAT UNDER THE TERMS OF THE PLAN, YOUR CLAIM(S) AGAINST THE DIOCESE ARE EITHER (I) NOT CLASSIFIED, IN WHICH CASE YOU ARE NOT ENTITLED TO VOTE ON THE PLAN; (II) NOT IMPAIRED, IN WHICH CASE, PURSUANT TO SECTION 1126(f) OF THE BANKRUPTCY CODE, YOU ARE (A) CONCLUSIVELY PRESUMED TO HAVE ACCEPTED THE PLAN, AND (B) NOT ENTITLED TO VOTE ON THE PLAN; OR (III) AN INSIDER OR AFFILIATE OF THE DIOCESE, IN WHICH CASE YOU ARE NOT ENTITLED TO VOTE ON THE PLAN.

IF YOU WANT TO REQUEST A COPY OF THE DISCLOSURE STATEMENT ORDER, THE PLAN, OR THE DISCLOSURE STATEMENT, YOU MAY CONTACT THE DIOCESE’S CLAIMS AND NOTICING AGENT, PRIME CLERK, LLC AT 844-721-3906 OR OBTAIN COPIES OF SUCH DOCUMENTS FROM ITS WEBSITE AT [HTTPS://CASES.PRIMECLERK.COM/CAMDENDIOCESE](https://cases.primeclerk.com/camdendiocese). YOU MAY ALSO OBTAIN COPIES BY CONTACTING THE DIOCESE’S COUNSEL BY: (i) WRITTEN REQUEST TO: MCMANIMON, SCOTLAND & BAUMANN, LLC, 75 LIVINGSTON AVENUE, 2ND FLOOR, ROSELAND, NEW JERSEY 07068, ATTENTION: ROBERT S. ROGLIERI, ESQ., (ii) TELEPHONE: (973) 622-1800, OR (iii) E-MAIL: [RROGLIERI@MSBNJ.COM](mailto:rroglieri@msbnj.com).

PLEASE TAKE FURTHER NOTICE THAT IF THE PLAN IS CONFIRMED, THE RELEASE AND INJUNCTION PROVISIONS SET FORTH IN ARTICLE X OF THE PLAN SHALL BE BINDING ON ALL HOLDERS OF CLAIMS AND INTERESTS.

PLEASE TAKE FURTHER NOTICE that if you disagree with the Diocese’s classification or treatment of your Claim or believe that you should be entitled to vote on the Plan, then you must serve on the Diocese and file with the Bankruptcy Court a motion (a “Rule 3018 Motion”) for an order pursuant to Bankruptcy Rule 3018(a) temporarily allowing your Claim in a different amount or in a different Class for purposes of voting to accept or reject the Plan. All Rule 3018 Motions must be filed on or before April 7, 2021, at 4:00 p.m. (prevailing

Eastern Time). Rule 3018 Motions must: (a) be made in writing, (b) comply with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules of the United States Bankruptcy Court for the District of New Jersey, (c) set forth the name of the party asserting the Rule 3018 Motion, and (d) state with particularity the legal and factual bases for the Rule 3018 Motion. Any issues raised by a Rule 3018 Motion will be heard on April 28, 2021 at 10:00 a.m. Thereafter, any issues that are not resolved between the Diocese and the Claim Holder will be considered at the Confirmation Hearing. In accordance with Bankruptcy Rule 3018, as to any creditor filing a Rule 3018 Motion, such creditor's Ballot will not be counted unless temporarily allowed by the Bankruptcy Court, or as otherwise agreed to by the Diocese and the Claim Holder, for voting purposes. Rule 3018 Motions that are not timely filed and served in the manner set forth above will not be considered.

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

/s/ Richard D. Trenk

Richard D. Trenk, Esq.
Robert S. Roglieri, Esq.
75 Livingston Avenue, 2nd Floor
Roseland, NJ 07068
(973) 622-1800 (Telephone)
rtrenk@msbnj.com
rroglieri@msbnj.com

Counsel to Debtor and Debtor-in-Possession

Exhibit C

Ballot

**McMANIMON, SCOTLAND
& BAUMANN, LLC**
75 Livingston Avenue, Second Floor
Roseland, New Jersey 07068
(973) 622-1800
Richard D. Trenk (rtrenk@msbnj.com)
Robert S. Roglieri (rroglieri@msbnj.com)

*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**

<p>In re:</p> <p>THE DIOCESE OF CAMDEN, NEW JERSEY,</p> <p>Debtor.</p>	<p>Chapter 11</p> <p>Case No. 20-21257 (JNP)</p>
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**BALLOT FOR ACCEPTING OR REJECTING THE
DIOCESE’S PLAN OF REORGANIZATION**

CLASS ____-____ CLAIMS AGAINST_____

The Diocese of Camden, New Jersey (the “Diocese”) is soliciting votes with respect to the its Plan of Reorganization (the “Plan”) [ECF 306], pursuant to and as described in the Disclosure Statement for Diocese’s Plan of Reorganization (the “Disclosure Statement”) [ECF 305]. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan.

The Disclosure Statement and the Plan should be reviewed before voting. Additionally, you may wish to obtain legal advice regarding the Plan and the classification and treatment of your claim(s) thereunder.

If your Ballot is not received by Prime Clerk, LLC at: The Diocese of Camden, New Jersey Ballot Processing Center, c/o Prime Clerk LLC, 830 Third Avenue, 3rd Floor, New York, New York 10022 on or before May 5, 2021, at 11:59 p.m. (Prevailing Eastern Time) and such deadline is not otherwise extended, your Ballot and vote will not count. If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

Acceptance or Rejection of Plan

The undersigned, a creditor holding a Class ____ - _____ Claim against The Diocese of Camden, New Jersey in the amount of \$ _____, votes its Claim as set forth below:

- ACCEPT (vote FOR) the Plan**
- REJECT (vote AGAINST) the Plan**

Acknowledgements and Certification

By signing and returning this Ballot, the undersigned hereby acknowledges that he/she/it has been provided with a copy of the Disclosure Statement and that the Diocese’s solicitation of votes is subject to all terms and conditions set forth in the Disclosure Statement and the Disclosure Statement Order. The undersigned certifies that (a) he/she/it is the Holder of a Class ____ - _____ Claim against The Diocese of Camden, New Jersey, or the authorized agent of such a Holder, and (b) he/she/it has full power and authority to vote to accept or reject the Plan.

Signature: _____

Name of claimant (print/type): _____

Name and title of signatory: _____

If signed by an authorized agent,
name and title of agent: _____

Federal tax ID or social
Security number of claimant: _____

Telephone number: _____

Dated: _____

PLEASE READ AND FOLLOW THE INSTRUCTIONS ATTACHED TO THIS BALLOT CAREFULLY. PLEASE COMPLETE, SIGN, AND DATE THIS BALLOT AND RETURN IT BY MAIL, HAND DELIVERY OR OVERNIGHT COURIER SO THAT IT IS RECEIVED BY THE DIOCESE’S CLAIMS AND NOTICING AGENT, PRIME CLERK, LLC AT THE ADDRESS SET FORTH ON BELOW BY MAY 5, 2021 AT 11:59 P.M (Prevailing Eastern Time).

If you received a damaged Ballot, or if you have any questions concerning the Disclosure Statement, Plan, this Ballot, or the voting procedures, please contact counsel for the Diocese via phone at (973) 622-1800 or e-mail at roglieri@msbnj.com.

INSTRUCTIONS FOR COMPLETING THIS BALLOT

On _____, 2021, the Bankruptcy Court approved the Disclosure Statement for use by the Diocese in soliciting acceptances or rejections of the Plan.

PLEASE READ THE DISCLOSURE STATEMENT AND PLAN CAREFULLY BEFORE COMPLETING THIS BALLOT.

This Ballot does not constitute and shall not be deemed to constitute (a) a proof of Claim or an assertion of any Claim or (b) an admission by the Diocese of the nature, validity, or amount of any Claim. This Ballot is not a letter of transmittal and may not be used for any other purpose than to cast votes to accept or reject the Plan.

Do not enclose notes, securities, or other evidences of your Claim with your completed Ballot.

1. This Ballot is submitted to you to solicit your vote to accept or reject the Plan. Please indicate your vote by marking an “x” in the appropriate box on the face of this Ballot.

2. Your vote will be counted in the amount of your Claim that is fixed and not currently subject to dispute. Based upon the records of the Diocese, that amount is set forth on this Ballot. If any portion of your Claim is unliquidated, contingent, or disputed, that portion is not included in the amount of your Claim to be counted for voting purposes. If you desire to have your vote counted in a higher amount, you must move pursuant to Fed. R. Bankr. P. 3018(a) to obtain an order from the Bankruptcy Court temporarily allowing the unliquidated, contingent, or disputed portion of your Claim for voting purposes. Please note that the amount of your Claim as set forth on this Ballot does not necessarily constitute an Allowed Claim under the Plan. That amount may be subject to further reconciliation and an objection may be interposed at a later date. Distributions under the Plan will be based upon Allowed Claims only.

3. After providing all remaining information requested on the face of this Ballot, please sign, date, and return this Ballot by mail, overnight courier, or hand delivery to the Diocese’s Claims and Noticing Agent, Prime Clerk, LLC, at the following address:

**The Diocese of Camden, New Jersey Ballot Processing Center
c/o Prime Clerk LLC
830 Third Avenue, 3rd Floor
New York, New York 10022**

4. **BALLOTS MUST BE RECEIVED BY MAY 5, 2021 at 11:59 P.M. (PREVAILING EASTERN TIME) (THE “VOTING DEADLINE”). IF A BALLOT IS RECEIVED AFTER THE VOTING DEADLINE, IT WILL NOT BE COUNTED. AN ENVELOPE ADDRESSED TO COUNSEL FOR THE DIOCESE IS ENCLOSED FOR YOUR CONVENIENCE. THE DIOCESE’S CLAIMS AND NOTICING AGENT WILL NOT ACCEPT BALLOTS BY ELECTRONIC MAIL OR FACSIMILE TRANSMISSION.**

5. The Plan will be accepted by a Class of Claims if it is accepted by the holders of two-thirds in amount and more than one-half in number of the Claims in the Class that vote on the Plan. In the event that a Class rejects the Plan, the Bankruptcy Court may nevertheless confirm the Plan and thereby make it binding on you and all holders of Claims in the applicable Class if the Bankruptcy Court finds that the Plan has been accepted by at least one Class of Impaired Claims and that the Plan accords fair and equitable treatment to the Class or Classes rejecting it and otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code. If the Plan is confirmed by the Bankruptcy Court, all holders of Claims against and Interests in the Diocese (including those who reject the Plan or abstain from voting and those who are not entitled to vote on the Plan) will be bound by the confirmed Plan and the transactions contemplated thereby.

6. You must vote your entire Claim amount within a single Class to either accept or reject the Plan. Specifically, you may only vote once in a particular Class for the total amount of your Claim(s) within such Class either to accept or reject the Plan, and may not split your votes within a particular Class. A Ballot (or a group of Ballots) within a particular Class received from a single creditor that partially rejects and partially accepts the Plan will not be counted. Likewise, a Ballot that is properly executed but that fails to indicate acceptance or rejection of the Plan will not be counted.

7. Your signature is required in order for your vote to be counted. You are also required to provide your social security number or federal tax I.D. number prior to receiving any distribution under the Plan. If the Claim(s) voted with this Ballot are held by a partnership, this Ballot should be executed in the name of the partnership by a general partner. If the Claim is held by a corporation, this Ballot must be executed by an officer. If you are signing in a representative capacity, also indicate your title after your signature.

If you received a damaged ballot, or if you have any questions concerning the Disclosure Statement, the Plan, this Ballot, or the voting procedures, please contact counsel for the Diocese via phone at (973) 622-1800, or e-mail rroglieri@msbnj.com.

VOTING DEADLINE: BALLOTS MUST BE RETURNED BY MAY 5, 2021, AT 11:59 P.M.

BALLOTS CAST BY FACSIMILE OR ELECTRONIC MAIL TRANSMISSION WILL NOT BE COUNTED

Exhibit D

Confirmation Hearing Notice

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

75 Livingston Avenue, Second Floor
Roseland, New Jersey 07068
(973) 622-1800

Richard D. Trenk (rtrenk@msbnj.com)
Robert S. Roglieri (rroglieri@msbnj.com)

*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)

**NOTICE OF HEARING TO CONSIDER CONFIRMATION OF THE
DIOCESE'S PLAN OF REORGANIZATION AND DEADLINE
FOR CASTING VOTES TO ACCEPT OR REJECT THE PLAN**

PLEASE TAKE NOTICE that:

1. On December 31, 2020, The Diocese of Camden, New Jersey (the "Diocese"), filed its *Plan of Reorganization* (the "Plan") [ECF 306] and the coinciding disclosure statement for the Plan (the "Disclosure Statement") [ECF 305], pursuant to section 1125 of title 11 of the United States Code (the "Bankruptcy Code").¹

2. On _____, 2021, the United States Bankruptcy Code for the District of New Jersey (the "Bankruptcy Court") entered an order (the "Disclosure Statement Order"), which, among other things, (a) approved the adequacy of the Disclosure Statement, (b) established procedures for the solicitation and tabulation of votes on the Plan, and (c) scheduled the date, time, and place for the hearing to consider confirmation of the Plan (the "Confirmation Hearing").

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Diocese's *Motion for Entry of an Order (A) Approving Disclosure Statement; (B) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (C) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (D) Granting Related Relief* [ECF •], or the Plan, as applicable.

CONFIRMATION HEARING

3. The Confirmation Hearing shall be held **May 12, 2021, at 10:00 a.m. (Prevailing Eastern Time)**, before the Honorable Jerrold N. Poslusny, Jr., in Courtroom 4C of the United States Bankruptcy Court for the District of New Jersey, Mitchell H. Cohen, U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, New Jersey 08101. The Confirmation Hearing may be continued without further notice other than the announcement of the adjourned date(s) in open court at the Confirmation Hearing or any continued hearing or as indicated in any notice filed with the Bankruptcy Court.

INFORMATION REGARDING OBJECTIONS TO THE PLAN

4. **Plan Objection Deadline.** Any objections to confirmation of the Plan or any proposed modifications to the Plan must (i) be in writing, (ii) state the name and address of the objecting party as well as the amount and nature of the Claim or Interest of such objecting party, (iii) state, with particularity, the basis and nature of any objection or proposed modification to the Plan, and (iv) be filed—along with proof of service—with the Bankruptcy Court and served on or before **May 5, 2021, at 4:00 p.m. (Prevailing Eastern Time)** (the “**Plan Objection Deadline**”), on the following parties: (a) counsel for the Diocese, McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, 2nd Floor, Roseland, New Jersey 07068, Attention: Richard D. Trenk, Esq. and Robert S. Roglieri, Esq.; (b) counsel for the Official Committee of Tort Claimant Creditors, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068, Attn: Jeffrey D. Prol, Esq., and Brent Weisenberg, Esq.; (c) counsel for the Official Committee of Unsecured Trade Creditors, Porzio, Bromberg & Newman, 100 Southgate Parkway, Morristown, NJ 07962-1997, Attn: Warren J. Martin, Jr., Esq. and Rachel A. Parisi, Esq.; and (d) counsel for the Office of the Office of the United States Trustee, District of New Jersey, One Newark Center, Suite 2100, Newark, NJ 07102, Attn: Jeffrey M. Sponder, Esq. and Lauren Bielskie, Esq. (the “**Notice Parties**”).

PURSUANT TO THE DISCLOSURE STATEMENT ORDER, UNLESS AN OBJECTION TO CONFIRMATION IS TIMELY FILED AND SERVED IN ACCORDANCE WITH THIS NOTICE, SUCH OBJECTION MAY NOT BE CONSIDERED BY THE BANKRUPTCY COURT.

INFORMATION REGARDING VOTING ON THE PLAN

5. **Record Date.** For the purpose of determining: (a) the creditors entitled to vote to accept or reject the Plan, and (b) in the case of any non-voting Classes, the creditors and any other parties entitled to receive a Notice of Non-Voting Status, the Record Date shall be **March 24, 2021, at 11:59 p.m. (Prevailing Eastern Time)**.

6. **Voting Deadline.** In order for a vote on the Plan to be counted, the Holder of a Claim must complete, execute, and return the completed Ballot in accordance with the instructions on the Ballot so that it is received by the Diocese’s Claims and Noticing Agent, Prime Clerk, LLC by **May 5, 2021 at 5:00 p.m. (Prevailing Eastern Time)** (the “**Voting Deadline**”). Failure to follow the instructions included with the Ballot or to return a properly

completed Ballot so that it is received by the Voting Deadline may disqualify such Ballot and coinciding vote on the Plan. The rules and procedures for the tabulation of votes are detailed in the Disclosure Statement Order.

7. Parties in Interest Not Entitled to Vote. Holders of Claims in Class 1 against Diocese are Unimpaired by the Plan and are therefore conclusively presumed to have accepted the Plan. Holders of Claims in Class 6A and Class 6B are fully Impaired and are not receiving any Distributions under the plan and, pursuant to Section 1136(g) of the Bankruptcy Code, are conclusively presumed to have rejected the Plan. Thus, the Holders of Claims in these Classes are not entitled to vote and will receive a Notice of Non-Voting Status in lieu of a Ballot.

8. Allowance of a Claim for Voting Purposes Only. In the event you disagree with the classification of your Claim or believe that you should be entitled to vote on the Plan, or to vote on the Plan in a different amount or class, you must serve on the Notice Parties, and file with the Bankruptcy Court, a motion pursuant to Federal Rule of Bankruptcy Procedure 3018(a) (a “Rule 3018 Motion”) seeking an order from the Bankruptcy Court temporarily allowing your Claim in a different amount or Class for purposes of voting on the Plan. Any Rule 3018 Motion and all evidence in support thereof must be filed on or before April 7, 2021, at 4:00 p.m. (Prevailing Eastern Time). Any Rule 3018 Motion that is not timely filed and served will not be considered by the Bankruptcy Court. With respect to any creditor or claimant who timely files a Rule 3018 Motion, such creditor or claimant’s Ballot will not be counted for voting purposes except as otherwise ordered by the Bankruptcy Court or agreed to by the Diocese.

ADDITIONAL INFORMATION

9. Inquiries. Any party in interest who seeks to obtain a copy of the Disclosure Statement, Plan, or any other applicable document contained in the Solicitation Package may request such copy (a) from the Diocese’s Claims and Noticing Agent, Prime Clerk, LLC at 844-721-3906 or (b) counsel for the Diocese (i) in writing, at the address provided above, (ii) by telephone via the number provided above, or (iii) by e-mailing Robert S. Roglieri, Esq., counsel for the Diocese at roglieri@msbnj.com. While counsel for the Diocese may answer questions regarding the solicitation materials and provide copies of same, counsel for the Diocese is not authorized to advise you as to whether you should vote to accept or reject the Plan. In lieu of seeking copies of the Disclosure Statement or Plan from the claims and noticing agent or counsel for the Diocese, such materials may be obtained from the website of the Diocese’s Claims and Noticing Agent, at <https://cases.primeclerk.com/camdendiocese/>. Such materials are also on file with the Bankruptcy Court and accessible at <https://www.pacer.gov/>. Note that a PACER login and password are required to access documents through PACER. A PACER login and password can be obtained at: <https://pacer.psc.uscourts.gov/pscof/registration.jsf>.

Dated: _____, 2021

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

/s/ Richard D. Trenk _____

Richard D. Trenk, Esq.

Robert S. Roglieri, Esq.

75 Livingston Avenue, 2nd Floor

Roseland, NJ 07068

(973) 622-1800 (Telephone)

rtrenk@msbnj.com

rroglieri@msbnj.com

Counsel to Debtor and Debtor-in-Possession

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
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>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: March 24, 2021 at 10:00 a.m.

ORDER (A) APPROVING DISCLOSURE STATEMENT; (B) ESTABLISHING PLAN SOLICITATION, VOTING, AND TABULATION PROCEDURES; (C) SCHEDULING A CONFIRMATION HEARING AND DEADLINE FOR FILING OBJECTIONS TO PLAN CONFIRMATION; AND (D) GRANTING RELATED RELIEF

The relief set forth on the following pages, numbered two (2) through ten (10), is hereby
ORDERED.

(Page 2)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

THIS MATTER having been presented to the Court by The Diocese of Camden, New Jersey, debtor and debtor-in-possession (the “Diocese”), by and through its counsel, McManimon, Scotland & Baumann, LLC., upon the filing of a motion for entry of an order (a) approving the adequacy of the *Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code Describing Chapter 11 Plan Proposed by the Debtor-in-Possession (the “Disclosure Statement”)*; (b) establishing procedures for solicitation and tabulation of votes to accept or reject the Diocese’s *Plan of Reorganization* (the “Plan”)¹; (c) scheduling a hearing on confirmation of the Plan (the “Confirmation Hearing”) and a deadline for filing objections to confirmation; 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 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 as follows:

1. The Motion is **GRANTED** as set forth herein. Any and all objections to the Motion not otherwise resolved or withdrawn are hereby overruled.

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

(Page 3)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

2. The period during which the Diocese may solicit votes to accept the Plan—as set forth below—is a reasonable amount of time so as to provide Holders of Claims who are entitled to vote with sufficient time to make an informed decision to accept or reject the Plan.

3. The procedures set forth below regarding the Confirmation Hearing Notice and other notices to be provided to parties in interest comply with the Bankruptcy Rules and Local Rules and constitute sufficient notice to all interested parties.

4. The Disclosure Statement contains “adequate information” within the meaning of section 1125(a) of the Bankruptcy Code and meets all of the requirements of section 1125 of the Bankruptcy Code, and is hereby approved.

5. The Solicitation Procedures, as set forth in the Motion, provide for a fair and equitable voting process and are consistent with section 1126 of the Bankruptcy Code, and are hereby approved.

6. As set forth in the Motion, the Solicitation Package shall include: (a) the Plan, (b) the Disclosure Statement, (c) the Disclosure Statement Order, (d) the Confirmation Hearing Notice, (e) the appropriate Ballot and voting instructions, (f) a cover letter substantially in the form attached as **Exhibit A** to the Motion, (g) a pre-addressed, postage pre-paid return envelope, and (h) any other materials as the Court may direct.

7. On or before March 31, 2021, the Diocese shall disseminate the Solicitation Package to all Holders of Claims entitled to vote on the Plan. The Diocese is authorized, but not directed, to include in the Solicitation Package electronic versions of the Plan and Disclosure

(Page 4)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

Statement (i.e., in the form of a USB or CD-ROM) in lieu of paper copies of the Plan and Disclosure Statement.

8. The Diocese shall also cause the materials in the Solicitation Package (other than the Ballot), to be served on: (a) the United States Trustee, (b) counsel for the Tort Committee, (c) counsel for the Trade Committee, and (d) all other parties in interest as required under Bankruptcy Rule 2002.

9. The Ballot, substantially in the form attached as **Exhibit C** to the Motion, sufficiently complies with Official Form No. 314 and adequately addresses the particular needs of these Chapter 11 Cases, and is hereby approved. The Diocese is authorized to utilize the Ballot in soliciting votes on the Plan.

10. The Ballot need not be provided to Holders of Claims in Class 1, because such Class is unimpaired and, accordingly, are conclusively presumed to have accepted the Plan under section 1126(f) of the Bankruptcy Code.

11. The Ballot need not be provided to Holders of Claims in Classes 6A and 6B because such Classes are receiving no distributions under the Plan and, as a result, are deemed to reject the Plan.

12. The Diocese is authorized to mail the Notice of Non-Voting Status, substantially in the form attached as **Exhibit B** to the Motion, to all members of classes not entitled to vote on the Plan.

(Page 5)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

13. The Diocese is further authorized to serve the Confirmation Hearing Notice, substantially in the form attached as **Exhibit D** to the Motion, on all creditors and equity security holders.

14. In order to be counted as a vote to accept or reject the Plan, each Ballot must be properly delivered to the Diocese's Claims and Noticing Agent, Prime Clerk, LLC by: (a) first-class mail, either in the return envelope provided or to the address indicated, (b) overnight courier, or (c) personal delivery, so as to be actually received by Prime Clerk, LLC no later than **May 5, 2021 at 11:59 p.m. (Prevailing Eastern Time)** (the "Voting Deadline"). This schedule provides sufficient time for creditors to make informed decisions as to whether to accept or reject the Plan. Furthermore, the Voting Deadline may be extended without any further order of the Court, provided that the Diocese shall timely file with the Court a notice setting forth the extended deadline.

15. Solely for the purpose of voting on the Plan and not for the purpose of allowance of, or distribution on account of, a claim, and without prejudice to the Diocese's rights in any other context, each Holder of a Claim entitled to vote on the Plan shall be entitled to vote the amount of such Claim as provided: (a) in a timely filed Proof of Claim or, if no Proof of Claim was filed, the amount of such Claim as provided in, the Diocese's Schedules of Assets and Liabilities, or (b) an agreement with the Diocese fixing the allowed amount of such Claim for voting purposes. However, the foregoing procedures shall be subject to the following exceptions and clarifications:

(Page 6)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

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- a. If a claim is deemed allowed in accordance with the Plan, such claim is allowed for voting purposes in the deemed allowed amount set forth in the Plan;
 - b. If a claim has been estimated or otherwise allowed for voting purposes by order of the Court, such claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes;
 - c. If a claim for which a Proof of Claim has been timely filed or, if no Proof of Claim was filed, the amount of such Claim as provided in, the Diocese's Schedules is listed as contingent and/or unliquidated on the face of the claim and the claim has not been allowed, such claim will be temporarily allowed for voting purposes only and not for allowance or distribution, in an amount equal to the greater of: (i) \$100.00, or (ii) that portion of the claim that is noncontingent or liquidated and as to which the Diocese has not filed an objection, except as otherwise agreed to by the Diocese and the claimholder or as ordered by the Court;
 - d. If the Diocese has served an objection with respect to a claim by April 7, 2021 and the objection has not been adjudicated or otherwise resolved, such claim will be temporarily allowed, for voting purposes only and not for purposes of allowance or distribution, in the amount of \$100.00, except to the extent and in the manner as may be otherwise set forth in the objection or as otherwise agreed to by the Diocese and the claim holder or as ordered by the Court;
 - e. If a claim is listed in the Schedules as contingent, unliquidated, or disputed and a Proof of Claim was not: (i) filed by the applicable claims bar date or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, such claim will be disallowed for voting purposes pursuant to Bankruptcy Rule 3003(c) unless the Diocese has consented otherwise in writing;
 - f. If a claim arises from or is related to an executory contract or lease that the Diocese has not yet assumed or rejected, such claim is temporarily allowed for voting purposes only and not for allowance or distribution in the amount of \$1.00 or such other amount as the Diocese and the claim holder may agree; and
 - g. If a claim is filed in the amount of \$0.00, such claim shall not be entitled to vote.
16. Any creditor seeking to challenge the allowance of its Claim for voting purposes in accordance with the above procedures must serve on the Diocese and file with the Court a

(Page 7)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

motion for an order pursuant to Bankruptcy Rule 3018(a) (a “Rule 3018 Motion”) temporarily allowing such Claim in a different amount for purposes of voting to accept or reject the Plan on or before **April 7, 2021 at 4:00 p.m. (Prevailing Eastern Time)**. A hearing on any Rule 3018 Motion will be held on April 28, 2021 at 10:00 a.m. All Rule 3018 Motions must: (a) be made in writing, (b) comply with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, (c) set for the name of the party asserting the Rule 3018 Motion, and (d) state with particularity the legal and factual bases for the Rule 3018 Motion. In the event any creditor timely files and serves a Rule 3018 Motion, the Diocese or counsel for the Diocese shall provide such creditor with a provisional Ballot, which the creditor must complete and return to counsel for the Diocese within 2 business days. To the extent any issues raised in a Rule 3018 Motion remain outstanding at the time of the Confirmation Hearing, such issues shall be heard at the Confirmation Hearing. Ballots submitted by a Claim Holder who files a Rule 3018 Motion shall not be counted unless the Claim of such Claim Holder is temporarily allowed for voting purposes as agreed to by the Claim Holder and the Diocese or as ordered by the Court.

17. The following additional procedures are hereby approved for the purposes of tabulating the Ballots: (a) any Ballot that is otherwise properly completed and returned to the Diocese but that does not indicate an acceptance or rejection of the Plan, or indicates both an acceptance or rejection of the Plan, shall not be counted as either an acceptance or rejection of the Plan, (b) if no votes to accept or reject the Plan are received from a particular Class, such Class shall be deemed to have rejected the Plan, (c) in the event that a creditor submits multiple

(Page 8)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

ballots on account of the same Claim by the Voting Deadline, the last received, validly executed Ballot received before the Voting Deadline shall supersede any prior Ballots, and (d) creditors may not split their votes within a particular class (creditors may only vote once in a particular Class for the total amount of their claims within such Class), and therefore a Ballot or Ballots submitted by a single creditor within a particular Class that partially accepts and partially rejects the Plan shall not be counted as either a vote to accept or a vote to reject the Plan. Except as otherwise provided in this Order, the Diocese will tabulate only those Ballots that are timely received by the Voting Deadline for the purposes of determining whether the numerosity and claim amount requirements of section 1126(c) of the Bankruptcy Code have been satisfied.

18. Unless otherwise directed by the Court, any questions with respect to the validity, form, eligibility (including the time of receipt), and acceptance of Ballots will be determined by the Diocese in their sole discretion. Such determination will be final and binding (subject to Court approval, if necessary). The Diocese reserves the right to reject any Ballots not submitted in the proper form. Further, the Diocese reserves the right to waive any deficiencies or irregularities with respect to any particular Ballot. Otherwise, any defects or irregularities in connection with the deliveries of Ballots must be cured within such time as the Diocese, or the Court, determines. The Diocese shall not be under any duty to notify any creditors of any defects or irregularities with respect to the deliveries of Ballots, and neither the Diocese nor any other party shall be liable for failure to provide such notification. Delivery of such Ballots will not be

(Page 9)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

deemed to have been made until such irregularities have been cured or waived, unless the Court directs otherwise.

19. The Record Date for the purposes of determining (a) creditors who are entitled to vote on the Plan, and (b) with respect to classes that are non-voting, the parties entitled to receive a Notice of Non-Voting Status shall be on **March 24, 2021 at 11:59 p.m. (Prevailing Eastern Time)**.

20. The Confirmation Hearing will be held on **May 12, 2021 at 10:00 a.m. (Prevailing Eastern Time)**. The Confirmation Hearing may be continued by the Court without further notice.

21. Any objections to confirmation of the Plan or any proposed modifications of the Plan must: (i) be in writing, (ii) state the name and address of the objecting party as well as the amount and nature of the Claim or Interest of such objecting party, (iii) state, with particularity, the basis and nature of any objection or proposed modification to the Plan, and (d) be filed—along with proof of service—with the Court and served on or before **May 5, 2021 at 4:00 p.m. (Prevailing Eastern Time)** (the “Plan Objection Deadline”), on the following parties: (a) counsel for the Diocese, McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07065, Attention: Richard D. Trenk, Esq. and Robert S. Roglieri, Esq.; (b) counsel for the Tort Committee, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068, Attention: Jeffrey D. Prol, Esq. and Brent Weisenberg, Esq.; (c) counsel for the Trade Committee, Porzio, Bromberg & Newman, P.C., 100 Southgate

(Page 10)

Debtor: The Diocese of Camden, New Jersey

Case No. 20-21257 (JNP)

Caption of Order: Order (a) Approving Disclosure Statement; (b) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (c) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (d) Granting Related Relief

Parkway, P.O. Box 1997, Morristown, New Jersey 07962-1997, Attn: Warren J. Martin, Jr., Esq. and Rachel A. Parisi, Esq.; and (d) the Office of the United States Trustee for the District of New Jersey, One Newark Center, Suite 2100, Newark, NJ 07102.

22. The Diocese is hereby authorized to make non-substantive, nonmaterial, or conforming changes to the Disclosure Statement, Plan, and any related documents without further order of the Court prior to mailing the Solicitation Packages, including any changes necessary to remedy typographical or grammatical errors.

23. This Order shall be immediately effective and enforceable upon its entry.

24. The Diocese is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

25. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation, and enforcement of this Order.