

**UNITED STATES BANKRUPTCY COURTE
DISTRICT OF CONNECTICUT
HARTFORD DIVISION**

In re:

THE NORWICH ROMAN CATHOLIC
DIOCESAN CORPORATION,¹

Debtor.

Chapter 11

Case No: 21-20687 (JJT)

October 27, 2021

**MOTION FOR ORDER ESTABLISHING DEADLINE OF FEBRUARY 10, 2022 FOR
FILING PROOFS OF CLAIM AND APPROVING (A) THE FORM OF PROOFS OF
CLAIM FORMS; (B) PROCEDURES FOR CONFIDENTIALITY OF CERTAIN
CLAIMS; (C) THE FORM AND MANNER OF NOTICE OF PROOF OF CLAIM
DEADLINE; AND (D) RELATED RELIEF**

The Norwich Roman Catholic Diocesan Corporation (the “Diocese”), the debtor and debtor-in-possession in the above-captioned chapter 11 case (the “Chapter 11 Case”), hereby moves this Court (the “Motion”) pursuant to section 501 of title 11 of the United States Code, 11 U.S.C. 101, *et seq.* (the “Bankruptcy Code”), and Rules 2002(a) and 3001-3005 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Local Rule 3003-1, for entry of an order, in substantially the form attached hereto as **Exhibit A** (the “Bar Date Order”): (a) establishing a deadline by which proofs of claim must be filed; (b) approving the form of proofs of claim; (c) approving procedures for maintaining the confidentiality of certain claims; (d) approving the form and manner of notice of the deadline to file proofs of claim; and (e) granting related relief. In support of this Motion, the Diocese respectfully states as follows:

¹The Debtor in this chapter 11 case is The Norwich Roman Catholic Diocesan Corporation, a/k/a The Roman Catholic Diocese of Norwich. The last four digits of the Debtor’s federal tax identification number are 7373.

JURISDICTION

1. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
2. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory and rule-based predicates for the relief requested herein are sections 105, 107, 501, 502, 503 and 1111(a) of the Bankruptcy Code and Bankruptcy Rules 2002(a)(7), 3003(c)(3), 5005(a), and 9018.

BACKGROUND

4. The Diocese is a Roman Catholic diocese in Connecticut and a small part of New York founded in 1953 by Pope Pius XII, encompassing Middlesex, New London, Windham and Tolland counties in Connecticut, as well as Fisher Island, New York. The Most Reverend Michael R. Cote, D.D. has been the Bishop of the Diocese since March 11, 2003. Monsignor Leszek T. Janik is the Diocese's Vicar General.²

5. On July 15, 2021 (the "Petition Date"), the Diocese commenced this case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code

6. No trustee or examiner has been appointed and the Diocese continues to operate and manage its assets and affairs as a debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

7. On July 29, 2021, the United States Trustee of the District of Connecticut (the "United States Trustee") appointed an Official Committee of Unsecured Creditors (the

² Information regarding the Diocese's history, business operations and structure, and the events leading up to this chapter 11 case is set forth in the *Declaration of Rev. Peter J. Langevin Regarding the Diocese's Assets and Operations and in Support of the Chapter 11 Petition and First Day Pleadings* [Dkt. No. 12], which was filed on the Petition Date and is incorporated herein by reference.

“Committee”) [Dkt. No. 90], following which the Committee retained Zeisler & Zeisler, P.C. as its counsel [Dkt. No. 233].

8. On August 24, 2021, the Diocese provided the Committee with a draft of the Bar Date Order and the draft Sexual Abuse Proof of Claim form for review and comment. On September 13, 2021, the Diocese provided its coverage provider, Catholic Mutual Relief Society of America (“Catholic Mutual”) with the drafts of the same documents to solicit Catholic Mutual’s comments. On September 20, 2021, the Diocese provided the United States Trustee with drafts of the same documents to solicit the United States Trustee’s comments. The Diocese has received and incorporated substantial comments from the Committee as well as Catholic Mutual but has not received any comments from the United States Trustee. Prior to filing this Motion, the Debtor also shared drafts of the Bar Date Order and the Sexual Abuse Proof of Claim form with counsel for Mount. St. John (“MSJ”) and the Oceania Province of the Congregation of Christian Brothers (“Christian Brothers”) and proposed counsel for an *ad hoc* committee of parishes (“Parish Committee”) that is currently in the process of retaining counsel.

9. Independently, the Committee and Catholic Mutual discussed the form of Sexual Abuse Claim form but could not reach complete agreement on its final form. The language that has been proposed by Catholic Mutual but that the Committee has rejected is redlined in the attached form of Sexual Abuse Proof of Claim form. *See Schedule 1* to the proposed form of Bar Date Order. The dispute is focused on the scope of information sought from potential sexual abuse claimants needed to assess the damages and amount of such claims, with the Committee asserting an interest in narrowing the scope of those inquiries. Based on its claim valuation experience in many other cases, Catholic Mutual has expressed a need for such information, which it believes will assist those attempting to compensate Survivors who assert claims.

10. In addition, the Parish Committee has proposed language changes to the Sexual Abuse Proof of Claim form and draft Publication Notice, which comments are also redlined in the attached drafts. Prior to the hearing on this Motion, counsel to the Debtor will be hosting an all-hands call to discuss the forms of Sexual Abuse Proof of Claim form, Publication Notice and form of Order in order to reach as much consensus as possible on all disputed language. The Debtor respectfully requests that the Court provide final guidance on resolving such disputes over what we hope will be the final (but minimal) unresolved language issues.

RELIEF REQUESTED

11. The Diocese requests that the Court enter an order, in substantially the form of the proposed Bar Date Order attached to this Motion as **Exhibit A**, (a) establishing a deadline by which proofs of claim against the Diocese's bankruptcy estate must be filed (the "**Bar Date**"); (b) approving the proposed Sexual Abuse Proof of Claim form appended to the Bar Date Order as **Schedule 1**; (c) approving the Confidentiality Protocol set forth in the Bar Date Order; (d) approving the proposed form of notice of the Bar Date appended to the Bar Date Order as **Schedule 2**; (e) approving the Committee Letter appended to the Bar Date Order as **Schedule 3**; (f) approving the Publication Notice appended to the Bar Date Order as **Schedule 4**; (g) approving the manner of distribution of such notices; and (h) granting related relief.

12. As in all chapter 11 cases, establishing a deadline to file claims is necessary to enable the Diocese to ascertain with certainty the amount and nature of the claims asserted by its various creditors. In this Chapter 11 Case, the Diocese anticipates that most of the claims asserted against it will be related to claimed instances of sexual abuse and other allegedly tortious related actions or omissions that date back several decades ("**Sexual Abuse Claims**"). Providing adequate notice to all known and potential creditors is important in this case and the Diocese intends to

provide ample notice to all known and any unknown potential claimants of the need to file a proof of claim prior to the Bar Date. Until the Bar Date has passed and all claims have been asserted and analyzed, the Diocese will not be able to determine the total number of claimants or the aggregate value of their respective claims. Additionally, knowing the universe of claims asserted against the Diocese will be critically important to the Diocese's efforts to ultimately to resolve its coverage issues as the Diocese's coverage providers will likely require as a condition to any settlement some assurance that they will not have continuing exposure to additional claims.

13. Sexual Abuse Claims typically require disclosure of information beyond the scope of the standard proof of claim form. As such, the Diocese, in consultation with the Committee and Catholic Mutual, has created a Sexual Abuse Proof of Claim form (attached hereto as **Schedule 1** to the proposed form of Bar Date Order) that requests information necessary to evaluate Sexual Abuse Claims.³ The Diocese also acknowledges that maintaining confidentiality of Sexual Abuse Claimants' personally identifying information is critical. Thus, the Diocese seeks approval of confidentiality protocols (described in detail below) to authorize filing of Sexual Abuse Claims under seal, limit dissemination of such claim forms to necessary parties, and require that such parties maintain their confidentiality.

14. The Diocese believes that using the proposed forms for filing proofs of claim will facilitate the collection of information necessary to evaluate the claims asserted against it and the availability of insurance coverage to pay the claims, and that providing notice of the Bar Date as proposed herein will provide all potential creditors with reasonable notice and sufficient time to file their respective proofs of claim. All claimants other than those asserting a Sexual Abuse Claim

³ The Diocese solicited input from the Committee, United States Trustee and Catholic Mutual regarding the information to be requested with respect to Sexual Abuse Claims and conferred with counsel in other diocesan bankruptcy cases regarding the lessons they learned in effectively noticing all known and potential claimants.

shall still be required to submit a proof of claim that substantially complies with Official Form 410.

15. The Diocese respectfully submits that the general public is already aware of the fact that this Chapter 11 Case has been filed as it has been widely publicized in both the local and national news media.⁴

16. Accordingly, while the Diocese intends to provide direct notice to all known creditors, including any person known to the Diocese to have asserted a Sexual Abuse Claim,⁵ the Diocese believes it is neither necessary nor practicable to provide personal notice of the establishment of a Bar Date in this Chapter 11 Case to each and every one of the hundreds of thousands of people who are current or former parishioners, students, seminarians, employees and others who have been patrons of Diocesan programs or otherwise interacted with the Diocese over the years.⁶ Instead, the Diocese proposes to provide notice to those individuals and any other unknown potential claimants via an extensive publication and advertisement program as described in further detail below.

17. For the Diocese to fully administer its estate, to solicit acceptances or rejections in connection with its Chapter 11 plan of reorganization, and to make distributions thereunder, the Diocese must obtain complete and accurate information regarding the nature and validity of all claims. As a result, pursuant to Bankruptcy Rule 3003(c)(3), the Diocese requests that the Court establish a Bar Date, approve the Diocese's proposed form of proofs of claim (including the Sexual

⁴ *The Day* and other regional news organizations have widely written on the Diocese's bankruptcy filing since the Petition Date, and in accordance with prior Orders of this Court [Dkt. Nos. 74 and 265]. And the Diocese widely published the *Notice of Commencement* of this case in regional and national publications and announced the filing at Mass and on the Diocese's website and social media platforms.

⁵ With respect to those persons who have asserted Sexual Abuse Claims through counsel, the Diocese proposes to provide notice of the Bar Date directly to said counsel.

⁶ Notwithstanding the fact that such notice would be unduly burdensome and expensive, providing such notice is also not possible because the Diocese does not have records identifying all such persons and their respective addresses.

Abuse Proof of Claim form), approve a Confidentiality Protocol with respect to Sexual Abuse Claims, and approve the form and manner of notice of the Bar Date to be provided to creditors and potential creditors.

The Bar Dates

A. General Bar Date

18. Bankruptcy Rule 3003(c)(3) provides that the Court shall fix a time within which proofs of claim must be filed. The Diocese requests that the Court fix **February 10, 2022 at 5:00 P.M. (prevailing Eastern time)** as the Bar Date for all persons and entities, including all holders of Sexual Abuse Claims and governmental units, to file pre-petition claims (i.e. those that arose before the Petition Date), as defined under section 101(5) of the Bankruptcy Code. The Diocese respectfully submits that establishing a single Bar Date for the filing of all pre-petition claims will provide all creditors an equal opportunity to submit their claims and eliminate any risk of confusion regarding which of multiple deadlines might apply to a particular claim, thereby minimizing the likelihood that a claimant could inadvertently miss a filing deadline.⁷

19. The selected Bar Date will allow for sufficient time for the Diocese to provide notice to potential claimants and for those claimants to complete and submit a proof of claim.

B. Governmental Unit Bar Date

20. As noted above, the Diocese requests that the Court also fix **February 10, 2022 at 5:00 P.M. (prevailing Eastern time)** as the governmental unit bar date for all claims held by governmental units, as defined by section 101(27) of the Bankruptcy Code (“Governmental Unit

⁷ The notice period for the Bar Date in this case far exceeds the ninety (90) day notice of a bar date traditionally issued in this jurisdiction in other cases.

Claims”). This date is more than 180 days after the Petition Date.⁸ The Diocese asserts that using the same date for Governmental Unit Claims as other claims will simplify the claims process in this case.

Who Must File a Proof of Claim

21. The proposed Bar Date Order attached hereto as **Exhibit A** provides that any person or entity holding a prepetition claim against the Diocese must file a proof of claim in accordance with the procedures described therein on or before the Bar Date, except as set forth below.

22. Pursuant to the proposed Bar Date Order, the following persons or entities are not required to file a proof of claim by the Bar Date:

- 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 Connecticut, Hartford Division, except that, subject to Paragraph 11 of this Order, any person who has asserted a Sexual Abuse Claim must submit a completed Sexual Abuse Proof of Claim;
- b. Any person or entity: (a) whose claim is listed in the Schedules of Assets and Liabilities filed in this Chapter 11 Case by the Diocese (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 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;
- 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, except for an administrative expense claim pursuant to section 503(b)(9);
- e. Any person or entity whose claim against the Diocese is allowed by an order of the Court entered on or before the Bar Date; and

⁸ Claims of governmental units (as defined in section 101(27) of the Bankruptcy Code) are deemed timely if filed within 180 days after the date an order for relief is entered under section 301 or 303 of the Bankruptcy Code, pursuant to Bankruptcy Code section 502(b)(9) and Bankruptcy Rule 3002(c)(1), which in this case would be January 11, 2022.

- f. Any entity listed on the Verified Statement Pursuant to Bankruptcy Rule 2019 filed by the Parishes and/or Parishes Committee, and identified therein as a parish.⁹

LEGAL ARGUMENT IN SUPPORT OF BAR DATE

23. 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.

24. The Diocese submits that the proposed Bar Date, as applicable, will provide potential claimants with an adequate amount of time after mailing of the Bar Date Notice (defined below) and publication of the Publication Notice (as defined below) 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 more than the required 180 days after the Petition Date to file their proofs of claim.

25. Having 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 negotiations with the Committee, coverage providers, 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

⁹ All such parishes shall have a separate Bar Date if it becomes necessary after notice and hearing and upon further Order of the Court. Any such claim by a parish may be contingent and administratively burdensome for the Debtor's estate.

Bankruptcy Rule 3003(c)(2), is required to file a proof of claim, but fails to do so on or before the Bar Date, 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.

Proposed Proof Of Claim Forms And Confidentiality Protocol

General Proof of Claim Form

26. The Diocese proposes that Official Form 410 (the “General Proof of Claim Form”) be used by all claimants to provide proof of any claims that are not Sexual Abuse Claims (each, a “General Claim,” and each such completed and timely submitted form, a “General Proof of Claim”). 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 Sexual Abuse Claims) a personalized copy of the General Proof of Claim Form.

27. The proposed Bar Date Order provides that, in order to be considered valid, any proof of claim other than those asserting a Sexual Abuse Claim must (a) conform substantially to Official Form 410; (b) be denominated in lawful currency of the United States as of the Petition Date; and (c) attach 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 a statement that such writings will be provided to the Diocese and/or the Committee upon request.

Sexual Abuse Proof of Claim Form

28. The Diocese proposes that the form of proof of claim appended to the proposed Bar Date Order as **Schedule 1** (the “Sexual Abuse Proof of Claim Form”) be used by all claimants to

provide proof of any Sexual Abuse Claims (each such completed and timely submitted form, a “Sexual Abuse Proof of Claim”).

29. The Diocese respectfully submits that the uniquely personal and unliquidated nature of Sexual 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 a Sexual Abuse Claim (each, a “Sexual Abuse Claimant”) utilize the Sexual 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. The Diocese prepared the Sexual Abuse Proof of Claim Form in consultation with the Committee and Catholic Mutual, its primary coverage provider whose coverage may be implicated by such claims.

30. The Diocese submits that the information requested in the Sexual Abuse Proof of Claim Form is necessary and appropriate in order to assist the Diocese, the Committee, and coverage providers in evaluating Sexual Abuse Claims asserted against the Diocese’s estate. Moreover, the Diocese submits that the Sexual 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 *Final Order on Debtor’s Motion for Entry of Interim and Final Orders (I) Authorizing and Approving Special Noticing and Confidentiality Procedures; (II) Authorizing and Approving Procedures for Providing Notice of Commencement; And (III) Granting Related Relief* [Dkt. No. 265], the Diocese requests that Sexual Abuse Proof of Claim forms be sealed and dissemination of the information therein be limited.

31. The Diocese submits that the proposed Sexual Abuse Proof of Claim Form and the Confidentiality Protocol 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) *rev'd in part on reh'g on other grounds by Bendall v. A.H. Robins Co.*, 871 F.2d 465 (4th Cir. 1989); *see also 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”) *rev'd on other grounds by San Antonio Express-News v. Blackwell*, 263 B.R. 505 (W.D. Tex. 2000). 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.

32. 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). The Diocese respectfully submits that the proposed Sexual 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 Sexual Abuse Claims. Accordingly, the Diocese respectfully submits

that this Court may authorize the use of the Sexual Abuse Proof of Claim Form for the submission of Sexual 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].” *Cf. In re Caesars Entm’t 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).

33. Similar forms have been approved in cases like this one involving the assertion of sexual abuse claims. *See, e.g., In re The Diocese of Rochester*, Case No. 19-20905 (Bankr. W.D.N.Y. Feb. 25, 2020) [Dkt. No. 425]; *In re Roman Catholic Church of the Archdiocese of Santa Fe*, Case No. 18-13027 (Bankr. D. N.M. Mar. 19, 2019) [Dkt. No. 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) [Dkt. No. 121]; *In re Diocese of Helena*, Case No. 14-60074 (Bankr. D. Mont. May 6, 2014) [Dkt. No. 242]; *In re Catholic Diocese of Wilmington, Inc.*, Case No. 09-13560 (Bankr. D. Del. Feb. 2, 2010) [Dkt. No. 308]; *In re Roman Catholic Church of the Diocese of Tucson*, Case No. 04-0721 (Bankr. D. Ariz. Nov. 5, 2005) [Dkt. No. 118]; *In re Catholic Bishop of Northern Alaska*, Case No. 08-00110 (Bankr. D. Alaska May 29, 2014) [Dkt. No. 174]; *In re Diocese of Davenport*, Case No. 06-02229 (Bankr. S.D. Iowa Mar. 16, 2007) [Dkt. No. 97]; *In re Roman Catholic Bishop of San Diego*, Case No. 07-00939 (Bankr. S.D. Cal. Aug. 20, 2007) [Dkt. No. 1061]; and *In re Roman Catholic Church of the Diocese of Gallup*, Case No. 13-13676 (Bankr. D.N.M. April 10, 2014) [Dkt. No. 218].

Filing of Proofs of Claim

34. The proposed Bar Date Order provides that proofs of claim should be submitted directly to Epiq Corporate Restructuring, LLC (“Epiq”), the Diocese’s Claims and Noticing Agent, as set forth therein. For the avoidance of doubt, a proof of claim may be filed with the Clerk of the Court for the United States Bankruptcy Court for the District of Connecticut, Hartford Division (the “Clerk”). Any proof of claim filed with the Clerk shall be considered part of the public record and the confidentiality protocol set forth in the Bar Date Order shall not apply to such claims.

35. In order to be considered valid, each proof of claim must be actually received by Epiq or the Clerk on or before the Bar Date either:

- (i) electronically using the interface available on Epiq’s website at <https://dm.epiq11.com/case/rcdn>;
- (ii) by delivering an original copy by either first-class mail to The Norwich Roman Catholic Diocesan Corporation, Claims Processing Center c/o EPIQ Corporate Restructuring, LLC, P.O. Box 4421, Beaverton, OR 97076-4421;
- (iii) by hand-delivery or overnight mail to The Norwich Roman Catholic Diocesan Corporation, Claims Processing Center c/o EPIQ Corporate Restructuring, LLC, 10300 SW Allen Blvd., Beaverton, OR 97005; or
- (iv) by filing electronically with or by delivering an original copy by hand delivery, first class mail or overnight courier to the Clerk of the Court for the United States Bankruptcy Court for the District of Connecticut, Hartford Division, Abraham Ribicoff Federal Building, 450 Main Street, 7th Floor, Hartford, CT 06103.

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

36. In the event that a completed Sexual 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 Connecticut, Hartford Division, such proof of claim shall be considered part of the public record and the Confidentiality Protocol set forth below and in paragraph 11 of the Bar Date Order shall not apply to such claims.

Confidentiality Protocol for Sexual Abuse Proofs of Claim

37. Due to the sensitive nature of the information requested in the Sexual Abuse Proof of Claim Form, the Diocese seeks approval through this Motion, of the following confidentiality protocol (“Confidentiality Protocol”) to apply to all Sexual Abuse Proofs of Claim submitted by Sexual Abuse Claimants:

- a. In order to take advantage of the Confidentiality Protocol, all claimants asserting a Sexual Abuse Claim are directed to submit such claims directly to Epiq using the Sexual Abuse Proof of Claim form. Such claims should not be filed with the Clerk. In the event that a Sexual Abuse Proof of Claim is submitted directly to the Clerk, such Sexual Abuse Proof of Claim shall be part of the public record and shall not be treated as confidential.
- b. A Sexual Abuse Proof of Claim received by Epiq will be treated as confidential and will be made available only to Authorized Parties (as defined below). The Confidentiality Protocol is for the sole and exclusive benefit of the persons asserting a Sexual Abuse Claim. Accordingly, any claimant may elect to make information contained in his or her personal confidential Sexual Abuse Proof of Claim form public. For the avoidance of doubt, Sexual Abuse Claimants are not bound by the confidentiality provisions of the Bar Date Order with respect to disclosures regarding their own sexual abuse or any information disclosed by a Sexual Abuse Claimant in his or her Sexual Abuse Proof of Claim.
- c. A Sexual Abuse Proof of Claim received by Epiq shall be held and treated as confidential by Epiq, 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 Sexual Abuse Proof of Claim which information shall be maintained as CONFIDENTIAL pursuant to the Court’s *Confidentiality Agreement and Protective Order Between the Debtor and Official Committee of Unsecured Creditors* [Dkt. No. 276] (the “Protective Order”). For the avoidance of doubt, any person that was disclosed to the Diocese as an individual who had allegedly committed an act of sexual abuse, as well as any person identified as an alleged abuser in a confidential Sexual Abuse Proof of Claim or who is otherwise acknowledged by the Diocese as someone who committed Sexual Abuse, shall not be an Authorized Person pursuant to this Paragraph 37(c)(i); provided, however, the Diocese is authorized to discuss the contents of any Sexual Abuse Proof of Claim 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 sexual abuse for the purpose of conducting an internal investigation and assessing the actual claim by providing any affected Sexual Abuse Claimant, such affected Sexual Abuse Claimant's counsel (if any), and counsel to the Committee, with notice delivered via overnight delivery and e-mail of such planned disclosure (a "Disclosure Notice") and an opportunity to object to such disclosure. If the Diocese receives a written objection to such disclosure (an "Objection Notice") on or before 5 p.m. (Eastern) on the fifth (5th) day following its receipt of the Disclosure Notice (the "Objection Deadline"), (a) the Diocese may not make the disclosure set forth in the Disclosure Notice until such time as the Court permits such disclosure, and (b) the Diocese may make an application to the Court on no less than seven (7) days' notice seeking authorization to make such disclosure over the objection stated in the Objection Notice. In the event that no Objection Notice is received prior to the Objection Deadline, the Diocese may make the disclosure set forth in the Disclosure Notice;

- ii. Subject to the Protective Order, counsel to the Diocese or the Committee retained pursuant to an order of the Bankruptcy Court, including partners, counsel, associates, and employees of such counsel;
- iii. Subject to the Protective Order, members of the Committee and their individual counsel;
- iv. Subject to the Protective Order, The Catholic Mutual Relief Society of America ("Catholic Mutual") as the provider of coverage for covered Sexual Abuse Claims, and Catholic Mutual's attorneys, reinsurers, auditors, regulators and representatives, and such other persons or entities executing Confidentiality Joinders as required by, and pursuant to the Protective Order;
- v. Subject to the Protective Order, 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 Sexual Abuse Claims, in this Chapter 11 Case or any adversary proceeding filed in this Chapter 11 Case;
- vi. Subject to the Protective Order, any trustee, or functional equivalent thereof, appointed to administer payments to Sexual Abuse Claimants, including pursuant to a plan of reorganization or a proposed plan of reorganization;
- vii. Any person upon express written consent of the affected Sexual Abuse Claimant, *provided, however*, that if the Sexual Abuse Claimant is not at the time represented by counsel with respect to such written consent,

then consent of the Sexual Abuse Claimant and counsel to the Committee shall be obtained before disclosing such claimant's Sexual Abuse Proof of Claim to any person pursuant to this Paragraph 37(c)(vii);

- viii. Such other persons as the Court may authorize to access the Sexual Abuse Proof of Claim pursuant to subsequent order; *provided, however*, that any such determination shall be made on no less than ten (10) days' notice to the affected Sexual Abuse Claimant(s), the Committee and the Diocese; and
 - ix. Subject to the Protective Order, counsel of record to any Parish Committee and Authorized Party not covered by the preceding subsections (i) through (ix) upon execution of a Confidentiality Agreement by such counsel.
- d. Except as provided in the Protective Order and the Confidentiality Agreement approved thereby, notwithstanding the designation as one of the Authorized Parties, no person or entity may obtain copies of any Sexual Abuse Proof of Claim prior to the execution of a Confidentiality Joinder, Addendum to Confidentiality Agreement and Protective Order and/or Form of Undertaking, as affixed to and pursuant to the Protective Order (collectively, a "Confidentiality Agreement"); *provided, however* that a mediator appointed in the case shall not be required to execute such documents if such mediator is currently a Bankruptcy Judge or District 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. Except as provided in the Protective Order and the Confidentiality Agreement approved thereby, access to each Sexual Abuse Proof 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 Sexual 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, except as provided in the Protective Order and the Confidentiality Agreement approved thereby.
- e. Authorized Parties in possession of any Sexual Abuse Proof of Claim shall keep such Sexual Abuse Proof of Claim confidential and shall not use or disclose any information provided in any Sexual Abuse Proof of Claim except in accordance with the terms of the Bar Date Order and the Protective Order, the Confidentiality Agreement or pursuant to an order of this Court, unless the Sexual Abuse Claimant has elected to make his or her Sexual Abuse Proof of Claim public. Authorized Parties may not contact a witness identified in a Sexual Abuse Proof of Claim based upon information obtained solely from the Sexual Abuse Proof of Claim;

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

38. 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 a Sexual 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 Sexual Abuse Proof of Claim Form, the Diocese is attempting to obtain the information that it needs in order to evaluate the Sexual Abuse Claims and the availability of insurance, while at the same time providing a claim submission process that will not discourage Sexual Abuse Claimants from coming forward and asserting their claims.

Notice Procedures

39. In order to satisfy the requirements of due process, notice of the Bar Date 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 Chemetron Corp.*, 72 F.3d 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.

40. 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 debtors to 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 re-quired 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).

41. 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)).

42. 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*, 339 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).

43. Moreover, particularly in 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 by 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).

44. As part of the Diocese's goal to obtain a fresh start, the Diocese needs to ensure that the reorganized organization will be free from the threat of additional claims being brought after emergence from chapter 11. In order to provide any person who believes he or she has a claim notice of the 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.

45. Within seven (7) days following entry of the Bar Date Order, the Diocese proposes that it shall serve by United States mail, first-class postage prepaid: (i) notice of the Bar Date, substantially in the form attached as **Schedule 2** to the proposed form of Bar Date Order and incorporated herein by reference (the "Bar Date Notice"); and (ii) a copy of Official Form 410 (together with the Bar Date Notice, the "General Claim Notice Package"), upon (a) the Office of the United States Trustee; (b) counsel to the Official Committee of Unsecured Creditors; (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 Sexual Abuse Claims); (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 persons and 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.

46. Within seven (7) days following entry of the Bar Date Order, the Diocese proposes that it shall serve by United States mail, first-class postage prepaid: (i) the Bar Date Notice; (ii) a confidential Sexual Abuse Proof of Claim Form; and (iii) a letter from counsel to the Committee, substantially in the form attached as **Schedule 3** to the proposed form of Bar Date Order

recommending that the confidential Sexual Abuse Proof of Claim Form be completed and submitted (together with the Bar Date Notice and Bar Date Order, the “Sexual 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 as holding a Sexual Abuse Claim, or (b) to the knowledge of the Diocese as determined after a review of the Diocese’s books and records (including documents maintained as confidential files by the Diocese) has (i) filed, or threatened to file, a lawsuit against the Diocese alleging that such Sexual Abuse Claimant was subjected to Sexual Abuse by an individual for whom the Diocese was allegedly responsible; (ii) otherwise contacted the Diocese to report that they were subjected to Sexual 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 or otherwise reasonably ascertainable to the Diocese; (iii) been identified to the Diocese as an individual who was or has alleged to have been subjected to Sexual Abuse by an individual for whom the Diocese was allegedly responsible or related to the extent contact information for such person or his or her attorney is included in the Diocese’s books and records or otherwise reasonably ascertainable to the Diocese; or (iv) previously filed a proof of claim in the Diocese’s Chapter 11 Case asserting a claim based on Sexual Abuse. Notwithstanding the foregoing, the Diocese shall not be required to send a Sexual Abuse Claim Notice Package to any person who has previously entered into a settlement with and fully released the Diocese regarding a claim based on Sexual Abuse if the Diocese has performed all of its obligations under the terms of such settlement.

47. The Diocese believes this timeframe and manner of giving notice of the Bar Date is reasonable and sufficient to provide all claimants adequate time to prepare and submit proofs of

their claim, especially with respect to Sexual 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, the limited time period available to do so under the Child Victims Act, and the commencement of the Diocese's Chapter 11 Case.

B. Publication Notice to Unknown Creditors

48. The Diocese has determined that it would be in the best interest of its estate to give supplemental notice of the Bar Date by publication pursuant to Bankruptcy Rule 2002(l) so that unknown claimants will be notified of the Bar Date 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 Schedule 4 (the "Publication Notice") to be published as follows:

- i. Twice, with the first publication no later than 45 days prior to the Bar Date and the second publication no later than 30 days prior to the Bar Date in all publications identified paragraph 4 of the Court's *Final Order on Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing and Approving Special Noticing and Confidentiality Procedures; (II) Authorizing and Approving Procedures for Providing Notice of Commencement; And (III) Granting Related Relief* [Dkt. No. 265].

49. 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:

- i. Beginning within fifteen (15) days of the entry of the Bar Date Order and at least through the Bar Date, the Diocese will cause prominent, one-click links to the General Claim Notice Package and the Sexual Abuse Claim Notice Package to be posted on the case management website maintained by Epiq with such links to be pinned at the top of the website.
- ii. The Diocese will establish and maintain, or cause Epiq 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 Sexual Abuse Claim Notice Package, or parts thereof.

- iii. Beginning within fifteen (15) days of the entry of the Bar Date Order and at least through the Bar Date, the Diocese will cause links to the General Claim Notice Package and the Sexual Abuse Claims Notice Package to be posted on the Diocese's bankruptcy website homepage.
- iv. Beginning within fifteen (15) days of the entry of the Bar Date Order and every thirty (30) days until the occurrence of the Bar Date, the Diocese shall post notice of the Bar Date on its Facebook and Twitter accounts.
- v. Within fifteen (15) days of entry of the Bar Date Order and approximately thirty (30) days prior to the Bar Date, the Diocese will issue a press release regarding the Bar Date. The Diocese shall consult with the Committee regarding the media outlets to be provided the press release.
- vi. The Diocese will mail a copy of the Publication Notice to each Parish and ministry (except primary and secondary schools) within the geographic boundaries of the Diocese of Norwich with a request to display the Publication Notice in a prominent place until expiration of the Bar Date and to publish a copy of the Publication Notice in parish bulletins. The Diocese shall request that parish bulletins include a copy of the Publication Notice for at least four (4) Sundays prior to the Bar Date.
- vii. 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 Bar Date:
 - a. The Attorney General of the State of Connecticut;
 - b. The Attorney General of the State of New York; and
 - c. For each of the counties of Middlesex, New London, Windham and Tolland in Connecticut, and Fisher Island, New York:
 - i. the district attorney's office;
 - ii. sheriff's office;
 - iii. at least one public health agency (if any); and
 - iv. at least one substance abuse agency or hospital (if any).

50. In the Diocese's judgment, the publication schedule and additional means of dissemination of notice of the Bar Date described above is 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 Date.

51. Additionally, the Bar Date Notice and Publication Notice will: (i) provide notice of the Bar Date; (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.

RESERVATION OF RIGHTS

52. 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.

NOTICE

53. Notice of the Motion will be given to: (a) the United States Trustee; (b) counsel for the Creditors' Committee; (c) all parties who have formally appeared in this Chapter 11 Case and requested notice pursuant to Bankruptcy Rule 2002; and (d) any organization that may provide coverage for claims described herein. Further, Debtor is contemporaneously filing a motion for an

expedited hearing in order to provide parties notice of a Bar Date as soon as possible. In light of the relief requested herein, the Diocese submits that no additional notice is necessary or required.

CONCLUSION

WHEREFORE, the Diocese respectfully requests that the Court enter an order, substantially in the form attached hereto as **Exhibit A**, (a) establishing February 10, 2022 at 5:00 P.M. (prevailing Eastern time) as the Bar Date; (b) approving the form of proof of claim; (c) approving the Confidentiality Protocol as described herein; (d) approving the proposed form of the Bar Date Notice, the Committee Letter, and the Publication Notice and the proposed manner of dissemination of the same; and (e) granting related relief.

Dated: Hartford, CT
October 27, 2021

/s/ Patrick M. Birney

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*Proposed Counsel to the Debtor
and Debtor-in-Possession*

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2021, a copy of the foregoing was filed electronically through the Court's CM/ECF System and served by the Debtor's noticing agent in the manner described in the accompanying Motion.

/s/ Patrick M. Birney _____
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
HARTFORD DIVISION**

In re:

THE NORWICH ROMAN CATHOLIC
DIOCESAN CORPORATION,¹

Debtor.

Chapter 11

Case No: 21-20687 (JJT)

**ORDER ESTABLISHING FEBRUARY 10, 2022 DEADLINE FOR FILING PROOFS OF
CLAIM AND APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Upon the motion of The Norwich Roman Catholic Diocesan Corporation (the “Diocese”), for entry of an order (a) establishing a deadline by which proofs of claim against the Diocese’s bankruptcy estate must be filed; (b) approving the forms of proofs of claim; (c) approving procedures for maintaining the confidentiality of certain claims; (d) approving the form and manner of notice of the deadline to file proofs of claim; and (e) granting related relief [Dkt. No. ____] (the “Motion”);² and all objections to the Motion having been resolved or overruled; and it appearing that this Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue of this chapter 11 case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having determined that the relief herein granted is in the best interests of the Diocese, its estate, creditors and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given under the circumstances and that,

¹The Debtor in this chapter 11 case is The Norwich Roman Catholic Diocesan Corporation, a/k/a The Roman Catholic Diocese of Norwich. The last four digits of the Debtor’s federal tax identification number are 7373.

²Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

except as otherwise ordered herein, no other or further notice is necessary; and after due deliberation thereon; and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is hereby **GRANTED** as set forth herein.

Establishment of Bar Date

2. February 10, 2022 at 5:00 P.M. (prevailing Eastern time) is the deadline for all persons and entities, including governmental units and holders of Sexual Abuse Claims (as defined herein), to file prepetition claims in this Chapter 11 Case (the “Bar Date”).

Approval of Proposed Forms

3. The confidential Sexual Abuse Proof of Claim form, Bar Date Notice, Committee Letter, and the Publication Notice, all as defined herein and in the forms annexed hereto as **Schedules 1, 2, 3, and 4**, respectively, are hereby approved.

Who Must File Proofs of Claim

4. Except as provided in paragraph 6 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 on or before the Bar Date. The Bar Date applies to all persons and entities (including 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 Sexual Abuse Claims.³

³For purposes of this Order, the term “Sexual Abuse Claim” means 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 “Sexual Abuse,” which is defined as any actual or alleged sexual conduct, misconduct, abuse, or molestation as defined in any statute or common law; (ii) indecent assault or battery, rape, lascivious behavior, undue familiarity, pedophilia, ephedophilia, or sexually-related physical, psychological, or emotional harm; (iii) contacts or interactions of a sexual nature; or (iv) assault, battery, corporal punishment, or other act of physical, psychological, or emotional abuse, humiliation, intimidation, or misconduct, or as such term is otherwise defined at <https://portal.ct.gov/DCF/1-DCF/Child-Abuse-and-Neglect-Defintions>.

5. 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 Bar Date may not be treated as a creditor with respect to such Claim and may 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.

6. **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 Connecticut, Hartford Division, except that, subject to Paragraph 11 of this Order, any person who has asserted a Sexual Abuse Claim must submit a completed Sexual Abuse Proof of Claim;
- (b) Any person or entity: (a) whose claim is listed in the Schedules of Assets and Liabilities filed in this Chapter 11 Case by the Diocese (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 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;
- (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, except for an administrative expense claim pursuant to section 503(b)(9);
- (e) Any person or entity whose claim against the Diocese is allowed by an order of the Court entered on or before the Bar Date; and
- (f) Any entity listed on the Verified Statement Pursuant to Bankruptcy Rule 2019 filed by the Parishes and/or Parishes Committee, and identified therein as a parish.⁴

⁴ All such parishes shall have a separate Bar Date if it becomes necessary after notice and hearing and upon further Order of the Court. Any such claim by a parish may be contingent and administratively burdensome for the Debtor’s estate.

Procedure for Filing Proofs of Claim

7. **Proofs of claim should be submitted directly to Epiq Corporate Restructuring, LLC (“Epiq”)**, the Diocese’s Claims and Noticing Agent, as set forth in paragraphs 8 through 10 below. For the avoidance of doubt, a proof of claim may be filed with the Clerk of the Court for the United States Bankruptcy Court for the District of Connecticut, Hartford Division (the “Clerk”). Any proof of claim filed with the Clerk shall be considered part of the public record and the confidentiality protocol set forth in paragraph 11 of this Order shall not apply to such claims.

8. In order to be considered valid, each proof of claim must be actually received by Epiq or the Clerk on or before the Bar Date either:

- (i) electronically using the interface available on Epiq’s website at <https://dm.epiq11.com/case/rcdn>;
- (ii) by delivering an original copy by either first-class mail to The Norwich Roman Catholic Diocesan Corporation, Claims Processing Center c/o EPIQ Corporate Restructuring, LLC, P.O. Box 4421, Beaverton, OR 97076-4421;
- (iii) by hand delivery or overnight mail to The Norwich Roman Catholic Diocesan Corporation, Claims Processing Center c/o EPIQ Corporate Restructuring, LLC, 10300 SW Allen Blvd., Beaverton, OR 97005; or
- (iv) by filing electronically with or by delivering an original copy by hand delivery, first class mail or overnight courier to the Clerk of the Court for the United States Bankruptcy Court for the District of Connecticut, Hartford Division, Abraham Ribicoff Federal Building, 450 Main Street, 7th Floor, Hartford, CT 06103.

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

9. Any proof of claim other than those asserting a Sexual Abuse Claim must (a) conform substantially to Official Form 410, (b) be denominated in lawful currency of the United

States as of the Petition Date, and (c) attach 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 a statement that such writings will be provided to the Diocese and/or the Committee upon request.

10. Any proof of claim asserting a Sexual Abuse Claim (each, a “Sexual Abuse Proof of Claim”) must be filed by completing the confidential Sexual Abuse Proof of Claim form attached hereto as **Schedule 1**.

Establishment of Confidentiality Protocol

11. Due to the nature of the information requested in the Sexual Abuse Proof of Claim form, the following confidentiality protocol (“Confidentiality Protocol”) shall apply to all Sexual Abuse Proofs of Claim submitted by Sexual Abuse Claimants to Epiq, but shall not apply to any Sexual Abuse Proofs of Claim submitted directly to the Clerk:

- (a) In order to take advantage of the Confidentiality Protocol, all claimants asserting a Sexual Abuse Claim are directed to submit such claims directly to Epiq using the Sexual Abuse Proof of Claim form. Such claims should not be filed with the Clerk. In the event that a Sexual Abuse Proof of Claim is submitted directly to the Clerk, such Sexual Abuse Proof of Claim shall be part of the public record and shall not be treated as confidential.
- (b) A Sexual Abuse Proof of Claim received by Epiq will be treated as confidential and will be made available only to Authorized Parties (as defined below). The Confidentiality Protocol is for the sole and exclusive benefit of the persons asserting a Sexual Abuse Claim. Accordingly, any claimant may elect to make information contained in his or her personal confidential Sexual Abuse Proof of Claim form public. For the avoidance of doubt, Sexual Abuse Claimants are not bound by the confidentiality provisions of this Order with respect to disclosures regarding their own sexual abuse or any information disclosed by a Sexual Abuse Claimant in his or her Sexual Abuse Proof of Claim.
- (c) A Sexual Abuse Proof of Claim received by Epiq shall be held and treated

as confidential by Epiq, 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 Sexual Abuse Proof of Claim which information shall be maintained as CONFIDENTIAL pursuant to the Court’s *Confidentiality Agreement and Protective Order Between the Debtor and Official Committee of Unsecured Creditors* [Dkt. No. 276] (the “Protective Order”). For the avoidance of doubt, any person that was disclosed to the Diocese as an individual who had allegedly committed an act of sexual abuse, as well as any person identified as an alleged abuser in a confidential Sexual Abuse Proof of Claim or who is otherwise acknowledged by the Diocese as someone who committed Sexual Abuse, shall not be an Authorized Person pursuant to this Paragraph 11(c)(i); provided, however, the Diocese is authorized to discuss the contents of any Sexual Abuse Proof of Claim 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 sexual abuse for the purpose of conducting an internal investigation and assessing the actual claim by providing any affected Sexual Abuse Claimant, such affected Sexual Abuse Claimant’s counsel (if any), and counsel to the Committee, with notice delivered via overnight delivery and e-mail of such planned disclosure (a “Disclosure Notice”) and an opportunity to object to such disclosure. If the Diocese receives a written objection to such disclosure (an “Objection Notice”) on or before 5 p.m. (Eastern) on the fifth (5th) day following its receipt of the Disclosure Notice (the “Objection Deadline”), (a) the Diocese may not make the disclosure set forth in the Disclosure Notice until such time as the Court permits such disclosure, and (b) the Diocese may make an application to the Court on no less than seven (7) days’ notice seeking authorization to make such disclosure over the objection stated in the Objection Notice. In the event that no Objection Notice is received prior to the Objection Deadline, the Diocese may make the disclosure set forth in the Disclosure Notice;
- ii. Subject to the Protective Order, counsel to the Diocese or the Committee retained pursuant to an order of the Bankruptcy Court, including partners, counsel, associates, and employees of such counsel;
- iii. Subject to the Protective Order, members of the Committee and their individual counsel;
- iv. Subject to the Protective Order, The Catholic Mutual Relief Society

- of America (“Catholic Mutual”) as the provider of coverage for covered Sexual Abuse Claims, and Catholic Mutual’s attorneys, reinsurers, auditors, regulators and representatives, and such other persons or entities executing Confidentiality Joinders as required by, and pursuant to the Protective Order;
- v. Subject to the Protective Order, 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 Sexual Abuse Claims, in this Chapter 11 Case or any adversary proceeding filed in this Chapter 11 Case;
 - vi. Subject to the Protective Order, any trustee, or functional equivalent thereof, appointed to administer payments to Sexual Abuse Claimants, including pursuant to a plan of reorganization or a proposed plan of reorganization;
 - vii. Any person upon express written consent of the affected Sexual Abuse Claimant, *provided, however*, that if the Sexual Abuse Claimant is not at the time represented by counsel with respect to such written consent, then consent of the Sexual Abuse Claimant and counsel to the Committee shall be obtained before disclosing such claimant’s Sexual Abuse Proof of Claim to any person pursuant to this Paragraph 11(c)(vii);
 - viii. Such other persons as the Court may authorize to access the Sexual Abuse Proof of Claim pursuant to subsequent order; *provided, however*, that any such determination shall be made on no less than ten (10) days’ notice to the affected Sexual Abuse Claimant(s), the Committee and the Diocese; and
 - ix. Subject to the Protective Order, counsel of record to any Parish Committee and Authorized Party not covered by the preceding subsections (i) through (ix) upon execution of a Confidentiality Agreement by such counsel.
- (d) Except as provided in the Protective Order and the Confidentiality Agreement approved thereby, notwithstanding the designation as one of the Authorized Parties, no person or entity may obtain copies of any Sexual Abuse Proof of Claim prior to the execution of a Confidentiality Joinder, Addendum to Confidentiality Agreement and Protective Order and/or Form of Undertaking, as affixed to and pursuant to the Protective Order (collectively, a “Confidentiality Agreement”); provided, however that a mediator appointed in the case shall not be required to execute such documents if such mediator is currently a Bankruptcy Judge or District 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. Except as provided in the Protective Order and the Confidentiality Agreement approved thereby, access to each Sexual Abuse Proof 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 Sexual 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, except as provided in the Protective Order and the Confidentiality Agreement approved thereby.

- (e) Authorized Parties in possession of any Sexual Abuse Proof of Claim shall keep such Sexual Abuse Proof of Claim confidential and shall not use or disclose any information provided in any Sexual Abuse Proof of Claim except in accordance with the terms of this Order and the Protective Order, the Confidentiality Agreement or pursuant to an order of this Court, unless the Sexual Abuse Claimant has elected to make his or her Sexual Abuse Proof of Claim public. Authorized Parties may not contact a witness identified in a Sexual Abuse Proof of Claim based upon information obtained solely from the Sexual Abuse Proof of Claim.
- (f) Epiq shall assign to each claimant asserting a Sexual Abuse Claim via a Sexual Abuse Proof of Claim a unique identifier code and shall maintain a confidential list of the identities of the Sexual Abuse Claimants, their corresponding identifier code, and their respective Sexual Abuse Proof of Claim. The confidential list of the identities of Sexual Abuse Claimants shall be provided only to such parties that are Authorized Parties entitled to the personally identifying information of Sexual Abuse Claimants pursuant to this Order.

Notice of Bar Date

12. Within seven (7) calendar 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 Date, substantially in the form attached hereto as **Schedule 2** and incorporated herein by reference (the “Bar Date Notice”); and (ii) a copy of Official Form 410 (together with the Bar Date Notice, the “General Claim Notice Package”), upon (a) the Office of the United States Trustee; (b) counsel to the Official Committee of Unsecured Creditors; (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 Sexual Abuse Claims); (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 persons and 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.

13. Within seven (7) 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 confidential Sexual Abuse Proof of Claim Form; and (iii) a letter from counsel to the Committee, substantially in the form attached hereto as **Schedule 3**, recommending that the confidential Sexual Abuse Proof of Claim Form be completed and submitted (together with the Bar Date Notice and Bar Date Order, the "Sexual 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 as holding a Sexual Abuse Claim, or (b) to the knowledge of the Diocese as determined after a review of the Diocese's books and records (including documents maintained as confidential files by the Diocese) has (i) filed, or threatened to file, a lawsuit against the Diocese alleging that such Sexual Abuse Claimant was subjected to Sexual Abuse by an individual for whom the Diocese was allegedly responsible; (ii) otherwise contacted the Diocese to report that they were subjected to Sexual 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 or otherwise reasonably ascertainable to the Diocese; (iii) been identified to the Diocese as an individual who was or has alleged to have been subjected to Sexual Abuse by an

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

14. 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 **Schedule 4** (the "Publication Notice") to be published as follows:

- i. Twice, with the first publication no later than 45 days prior to the Bar Date and the second publication no later than 30 days prior to the Bar Date in, all publications identified paragraph 4 of the Court's *Final Order on Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing and Approving Special Noticing and Confidentiality Procedures; (II) Authorizing and Approving Procedures for Providing Notice of Commencement; And (III) Granting Related Relief* [Dkt. No. 265].

15. 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:

- i. Beginning within fifteen (15) days of the entry of the Bar Date Order and at least through the Bar Date, the Diocese will cause prominent, one-click links to the General Claim Notice Package and the Sexual Abuse Claim Notice Package to be posted on the case management website maintained by Epiq with such links to be pinned at the top of the website.
- ii. The Diocese will establish and maintain, or cause Epiq 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 Sexual Abuse Claim Notice Package, or parts thereof;

- iii. Beginning within fifteen (15) days of the entry of the Bar Date Order and at least through the Bar Date, the Diocese will cause links to the General Claim Notice Package and the Sexual Abuse Claims Notice Package to be posted on the Diocese's bankruptcy website homepage.
- iv. Beginning within fifteen (15) days of the entry of the Bar Date Order and every thirty (30) days until the occurrence of the Bar Date, the Diocese shall post notice of the Bar Date on its Facebook and Twitter accounts.
- v. Within fifteen (15) days of entry of the Bar Date Order and approximately thirty (30) days prior to the Bar Date, the Diocese will issue a press release regarding the Bar Date. The Diocese shall consult with the Committee regarding the media outlets to be provided the press release.
- vi. The Diocese will mail a copy of the Publication Notice to each Parish and ministry (except primary and secondary schools) within the geographic boundaries of the Diocese of Norwich with a request to display the Publication Notice in a prominent place until expiration of the Bar Date and to publish a copy of the Publication Notice in parish bulletins. The Diocese shall request that parish bulletins include a copy of the Publication Notice for at least four (4) Sundays prior to the Bar Date.
- vii. 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 Bar Date:
 - a. The Attorney General of the State of Connecticut;
 - b. The Attorney General of the State of New York; and
 - c. For each of the counties of Middlesex, New London, Windham and Tolland in Connecticut, and Fisher Island, New York:
 - i. the district attorney's office;
 - ii. sheriff's office;
 - iii. at least one public health agency (if any); and
 - iv. at least one substance abuse agency or hospital (if any).

16. The Court finds that the form and manner of giving notice of the Bar Date 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 Date 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 Date in the manner described herein.

17. 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.

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

Dated: _____, 2021

HON. JAMES J. TANCREDI
UNITED STATES BANKRUPTCY JUDGE

Schedule 1

Confidential Sexual Abuse Proof of Claim Form

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
HARTFORD DIVISION**

In re:

THE NORWICH ROMAN CATHOLIC
DIOCESAN CORPORATION,¹

Debtor.

Chapter 11

Case No: 21-20687 (JJT)

SEXUAL ABUSE SURVIVOR PROOF OF CLAIM

IMPORTANT: THIS COMPLETED FORM MUST BE RECEIVED NO LATER THAN

FEBRUARY 10, 2022 AT 5:00 P.M. (PREVAILING EASTERN TIME)

Please carefully read the following instructions included with this Sexual Abuse Survivor Proof of Claim and complete all applicable questions to the best of your knowledge or recollection.

Once completed, this Proof of Claim may be submitted to Epiq Corporate Restructuring, LLC, the Court-approved Claims and Noticing Agent for the Debtor (the "Claims Agent"), or to the Clerk of the Court, United States Bankruptcy Court, District of Connecticut, Hartford Division (the "Clerk of the Court").

You can choose any **one** of the following ways to submit your Proof of Claim to the Claims Agent or the Clerk of the Court:

- (i) If sent by mail to the Claims Agent, send to:

The Norwich Roman Catholic Diocesan Corporation
Claims Processing Center
c/o EPIQ Corporate Restructuring, LLC
P.O. Box 4421
Beaverton, OR 97076-4421;

- (ii) If sent by hand delivery or overnight courier to the Claims Agent, send to:

The Norwich Roman Catholic Diocesan Corporation
Claims Processing Center
c/o EPIQ Corporate Restructuring, LLC
10300 SW Allen Blvd.
Beaverton, OR 97005;

¹ The Debtor in this chapter 11 case is The Norwich Roman Catholic Diocesan Corporation, a/k/a The Roman Catholic Diocese of Norwich. The last four digits of the Debtor's federal tax identification number are 7373.

- (iii) If submitted electronically to the Claims Agent, send by using the interface available at: <https://dm.epiq11.com/case/rcdn>; or
- (iv) By filing them electronically with the Clerk of the Court or by delivering an original copy by hand delivery, first class mail or overnight courier, to:

Clerk of the Court
United States Bankruptcy Court
Abraham Ribicoff Federal Building
450 Main Street, 7th Floor
Hartford CT 06103

PROOFS OF CLAIM SUBMITTED TO THE CLERK OF THE COURT WILL BE PUBLICLY AVAILABLE AND WILL NOT BE ENTITLED TO THE CONFIDENTIALITY PROTOCOL ORDERED BY THIS COURT AND EXPLAINED BELOW IN PART 1.

Proofs of Claim sent by any other means (such as facsimile transmission or email through a different manner than described in (i), (ii), (iii) or (iv) above) will not be accepted.

You may wish to consult an attorney regarding this matter.

Failure to complete and return this form may result in your inability to vote on a plan of reorganization and receive a distribution from The Norwich Roman Catholic Diocesan Corporation.

“You” and/or “Sexual Abuse Survivor” refers to the person asserting a Sexual Abuse Claim against The Norwich Roman Catholic Diocesan Corporation (the “Diocese”) related to the Sexual Abuse Survivor’s sexual abuse.

For this claim to be valid, the Sexual Abuse Survivor must sign this form. If the Sexual Abuse Survivor is deceased or incapacitated, the form must be signed by the Sexual Abuse Survivor’s representative or the attorney for the Sexual Abuse Survivor’s estate.

If the Sexual Abuse Survivor is a minor, the form must be signed by the survivor’s parent, legal guardian or attorney. Any Proof of Claim signed by a representative or legal guardian must attach documentation establishing such person’s authority to sign the claim for the Sexual Abuse Survivor.

Who Should File a Proof of Claim?

This Proof of Claim is only for people who have experienced sexual abuse (defined below) on or before July 15, 2021. This Proof of Claim is the way you can make a claim against the Diocese based on sexual abuse. Any person making a claim based on anything other than sexual abuse should consult the *Notice Of Bar Dates For Filing Of General Proofs Of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410). You should consider submitting a proof of claim even if you believe your claim may be subject to an affirmative defense such as a statute of limitations.

Who Is a Sexual Abuse Survivor?

The term Sexual Abuse Survivor refers to a person who experienced sexual abuse, as defined below.

What Is Sexual Abuse?

For the purposes of this Proof of Claim, **sexual abuse** is defined as 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, misconduct, abuse, or molestation as defined in any statute or common law; (ii) indecent assault or battery, rape, lascivious behavior, undue familiarity, pedophilia, ephebophilia, or sexually-related physical, psychological,

or emotional harm; (iii) contacts or interactions of a sexual nature; or (iv) assault, battery, corporal punishment, or other act of physical, psychological, or emotional abuse, humiliation, intimidation, or misconduct, or as such term is otherwise defined at <https://portal.ct.gov/DCF/1-DCF/Child-Abuse-and-Neglect-Defintions>.

If you have a claim arising from other types of abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, you should file a General Proof of Claim form (Official Bankruptcy Form 410).

You May Wish to Consult an Attorney Regarding This Matter

You may also obtain information from the Claims Agent by: (1) calling toll free at (855) 654-0902; (2) emailing at RCDNorwichinfo@epigglobal.com; or (3) visiting the case website at <https://dm.epiq11.com/case/rcdn> (do not contact the Claims Agent for legal advice).

What If I Don't File on Time?

Failure to complete and return this Proof of Claim by February 10, 2022 p.m. at 5 P.M. (prevailing Eastern Time) may result in your inability to vote on a plan of reorganization and/or to receive compensation from this bankruptcy case for sexual abuse related to the Diocese.

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

PART 1: CONFIDENTIALITY

Unless you indicate below, your identity and your Sexual Abuse Survivor Proof of Claim will be kept **strictly confidential**, under seal, and outside the public record pursuant to an Order of the United States Bankruptcy Court for District of Connecticut (the "**Bankruptcy Court**"). However, this Proof of Claim may be provided, pursuant to confidentiality procedures approved by the Bankruptcy Court, to the Debtor, certain insurers of the Debtor, the Official Committee of Unsecured Creditors, the United States Trustee for the District of Connecticut, and their respective counsel, as well as such other persons that the Bankruptcy Court may authorize. Information in this Proof of Claim may be required to be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions. If any such disclosure is made to a governmental authority, Sexual Abuse Claimants will be notified at the time of the disclosure of their Proof of Claim

This Proof of Claim (along with any accompanying exhibits and attachments) will be maintained as confidential unless you expressly request that it be publicly available by checking the "public" box and signing below.

Please select only one option below:

- CONFIDENTIAL:** I want to keep my identity and this Proof of Claim CONFIDENTIAL.
- PUBLIC:** I want my identity and this Proof of Claim (together with any exhibits and attachments) to be made PUBLICLY AVAILABLE AND PART OF THE PUBLIC RECORD. My claim will then be available for review by any and all members of the public.

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 IDENTITY AND THIS PROOF OF CLAIM WILL REMAIN CONFIDENTIAL

PART 2: IDENTIFYING INFORMATION AND BACKGROUND

A. Identity of Sexual Abuse Survivor

First Name _____ Middle Initial _____ Last Name _____ Jr/Sr/III _____

Mailing Address (If Sexual Abuse Survivor is incapacitated, is a minor, or is deceased, provide the address of the individual submitting the claim. If you are in jail or prison, provide the address of your place of incarceration):

Number and Street:					
City:		State:		Zip Code:	
Other Mail Id. No.:		Country (not USA):			
Email Address:		Telephone (Cell):			
Telephone (Home):		Fax:			

Social Security Number of Sexual Abuse Survivor (last four digits only): XXX-XX- _____

Birthdate of Sexual Abuse Survivor (only the month and year): (MM/YYYY): ____ / _____

Any other name, or names, by which the Sexual Abuse Survivor has ever been known:

Gender of Sexual Abuse Survivor: Male Female Other (specify) _____

B. If you have hired an attorney relating to the sexual abuse described in this Proof of Claim, please provide his or her name and contact information

Law Firm Name:					
Attorney's Name:					
Number and Street:					
City:		State:		Zip Code:	
Other Mail Id. No.:		Country (not USA):			
Email Address:		Telephone (Cell):			
Telephone (Work):		Fax No.:			

C. Other Information

NOTE: IF YOU HAVE PREVIOUSLY FILED A LAWSUIT AGAINST THE DIOCESE IN STATE OR FEDERAL COURT, PLEASE ATTACH A COPY OF THE COMPLAINT. IF YOU HAVE PREVIOUSLY FILED A COMPLAINT AGAINST THE DEBTOR, YOU MAY ATTACH IT AND OMIT ANY ANSWERS TO THE FOLLOWING QUESTIONS IN SECTION C.

Marital Status: Married Previously Married Never Married (Please identify the name of your present and/or former spouse and provide the date of marriage, divorce or spouse’s death):

Do you have children? Yes No (if “Yes”, please identify their names and date of birth and, if applicable death)

Please identify the schools that you have attended and state the date(s) or terms (e.g. Fall 2000 – Spring 2003) of your attendance and diploma or degree, if any, that you received.

Have you served in the armed forces? Yes No (if “Yes”, please identify the branch of service, the dates you served, and, if you have been discharged, the type of discharge you received)

Are you currently employed? Yes No (if “Yes”, please identify the name of the organization where you are employed (including self-employment), the date of your employment began, and your job title.

What is your employment history? Please provide the following information about each place you have previously been employed: (i) the name of the organization where you were employed; (ii) the dates of employment; (iii) your job title(s); and (iv) your reason for leaving the place of employment, including retirement.

Have you been a member or affiliated with any church or religious organization? Yes No (if “Yes”, please provide the name(s) and location(s).

Part 4 below will ask you about the nature of your complaint against the Debtor. Other than the incident(s) of sexual abuse described in Part 4, have you ever been sexually abused by anyone else? If "Yes", please describe this abuse, including the date(s) of the abuse, and identify the abuser (if not by name then by relationship to abuser).

PART 3: NATURE OF THE SEXUAL ABUSE

(Attach additional sheets if necessary)

A. Please identify each person who sexually abused you. Individuals identified in this section will be referred to as the "abuser" in questions below. If you do not remember the name of the sexual abuser(s), provide as much information about the individual that you recall.

B. What was the abuser's position, title, or relationship to you (if you know)?

C. Where were you at the time you were sexually abused? Please be specific and provide all relevant information that you recall including the City and State, name of the religious parish, or school, or orphanage (if applicable) and/or the name of any other locations.

D. When did the first act of sexual abuse take place? If you do not remember the calendar date, approximately what season of the year was it (spring, summer, fall, winter), approximately what age were you when it started, and, if applicable, what school grade were you in at the time?

H. Did you or anyone on your behalf have any contact with the person who abused you or anyone from the church or school after the abuse? What happened and what was said?

I. Are you aware of anyone who witnessed or knew about the sexual abuse? Yes No If your answer is "Yes", please list their names and last known address.

J. Do you have any documents and/or diaries or other types of logs that contain information related to the abuse? Yes No

PART 4: IMPACT OF SEXUAL ABUSE

(Attach additional pages if necessary)

(If you currently are unable describe the harm that you have suffered on account of the sexual abuse, you may omit this section for now. However, you may be asked to provide the information requested at a later date.)

A. Please describe how you were impacted, harmed, damaged, or injured as a result of the sexual abuse you described above. You can check the boxes, fill in the narrative, or both. **Please note that the boxes are not meant to limit the characterization or description of the impact(s) of your sexual abuse.** (Check all that apply.)

- Psychological / emotional health (including depression, anxiety, suicidal thoughts, feeling numb, difficulty managing or feeling emotions including anger)
- Post-traumatic stress reactions (including intrusive images, feelings from the abuse, numbing or avoidance behaviors)
- Physical health (including chronic disease, chronic undiagnosed pain, or physical problems)
- Education (not graduating high school, being unable to finish training or education)
- Employment (including difficulties with supervisors, difficulty maintaining steady employment, being fired from jobs)
- Intimate relationships (including difficulty maintaining emotional attachments, difficulty with sexual behavior, infidelity)

C. Settlements. Regardless of whether a complaint was ever filed against any party because of the sexual abuse, have you settled any claim relating to the sexual abuse you have described in this Proof of Claim? Yes No

D. Current Bankruptcy Case. Are you now, or have you been a debtor in a bankruptcy case? Yes No
(if "Yes", please identify the court): _____

SIGNATURE

Sign and print your name.

If you are signing this Proof of Claim on behalf of another person (including a minor, decedent or incapacitated person), state your relationship to the Sexual Abuse Survivor.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information and belief.

Date: _____

Signature: _____

Print Name: _____

Relationship to Sexual Abuse Survivor (if not signed by Sexual Abuse Survivor):

Address: _____

Contact Phone: _____

Email: _____

Schedule 2

Bar Date Notice

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
HARTFORD DIVISION**

In re:

THE NORWICH ROMAN CATHOLIC
DIOCESAN CORPORATION,¹

Debtor.

Chapter 11

Case No: 21-20687 (JJT)

NOTICE OF FEBRUARY 10, 2022 DEADLINE FOR FILING PROOFS OF CLAIM

TO: ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE NORWICH ROMAN CATHOLIC DIOCESAN CORPORATION:

THE DIOCESE'S BANKRUPTCY CASE

On July 15, 2021 (the "Petition Date"), The Norwich Roman Catholic Diocesan Corporation (the "Diocese") filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 *et seq.*, the "Bankruptcy Code") in the United States Bankruptcy Court for the District of Connecticut (the "Bankruptcy Court").

Information regarding the Diocese, its business, and other relevant information related to this chapter 11 case (the "Chapter 11 Case") may be obtained at the case management website maintained by Epiq Corporate Restructuring, LLC ("Epiq"), the Diocese's Claims and Noticing Agent at: <https://dm.epiq11.com/case/rcdn/info>.

THE BAR DATE

The Bankruptcy Court has entered an order (the "Bar Date Order") establishing **February 10, 2022 at 5:00 P.M. (prevailing Eastern time)**, as the deadline for all persons and entities, including Governmental Units and persons asserting Sexual Abuse Claims, to file prepetition claims in this Chapter 11 Case (the "Bar Date").

A copy of the Bar Date Order is available on the Epiq case management website at <https://dm.epiq11.com/case/rcdn> for free.

Except as described below, the Bar Date Order requires all persons or Entities, including Governmental Units, that have or may assert prepetition claims of any nature against the Diocese,

¹The Debtor in this chapter 11 case is The Norwich Roman Catholic Diocesan Corporation, a/k/a The Roman Catholic Diocese of Norwich. The last four digits of the Debtor's federal tax identification number are 7373.

including Sexual Abuse Claims, to submit proofs of claim so that they are received by Epiq on or before the Bar Date.

Please note that the terms “Entity,” “Governmental Unit,” “Claim,” and “Sexual Abuse Claim” are defined immediately below.

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, Governmental Units 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 “**Sexual Abuse Claim**” shall mean any Claim against the Diocese resulting or arising in whole or in part, directly or indirectly from “**Sexual Abuse**,” which defined as any actual or alleged sexual conduct, misconduct, abuse, or molestation as defined in any statute or common law; (ii) indecent assault or battery, rape, lascivious behavior, undue familiarity, pedophilia, ephebophilia, or sexually-related physical, psychological, or emotional harm; (iii) contacts or interactions of a sexual nature; or (iv) assault, battery, corporal punishment, or other act of physical, psychological, or emotional abuse, humiliation, intimidation, or misconduct, or as such term is otherwise defined at <https://portal.ct.gov/DCF/1-DCF/Child-Abuse-and-Neglect-Defintions>.

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 Bar Date: The Bar Date Order establishes February 10, 2022 at 5:00 P.M. (prevailing Eastern time) as the Bar Date for filing proofs of claim in this case.**

To comply with the Bar Date, the proof of claim must be actually RECEIVED by the Diocese’s Claims Agent, Epiq, or the Clerk of the Court, in one of the

manners instructed below, on or before the Bar Date.

b. **Who Must File a Proof of Claim:**

If you have a Claim that arose before the Petition Date, and it is not one of the types of Claims described immediately below, you **must** file a proof of claim on or before the Bar Date to share in any distribution in the Diocese's bankruptcy case. You should consider submitting a proof of claim even if you believe your claim may be subject to an affirmative defense such as a statute of limitations.

You must also file a proof of claim on or before the Bar Date to vote to accept or reject any Chapter 11 plan proposed in this bankruptcy case unless your Claim is one of the types of Claims described immediately below.

c. **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 Connecticut, Hartford Division, except that any person who has asserted a Sexual Abuse Claim should submit a completed Confidential Sexual Abuse Claim Supplement;
- 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;

A copy of the Schedules is available on the Epiq case management website at <https://dm.epiq11.com/case/rcdn> for free.

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.

- 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, except for an administrative expense claim pursuant to section 503(b)(9);
- v. Any person or Entity whose claim against the Diocese is allowed by an

order of the Court entered on or before the Bar Date;

- vi. Any person or Entity whose claim has been previously settled or paid in full; and
- vii. Any entity listed on the Verified Statement Pursuant to Bankruptcy Rule 2019 filed by the Parishes and/or Parishes Committee, and identified therein as a parish.²

II. CONFIDENTIALITY OF SEXUAL ABUSE CLAIMS

Pursuant to the Bar Date Order, filed Sexual Abuse Proofs of Claim will be treated confidentially in this Chapter 11 Case if filed with the Diocese's Claims Agent, Epiq, unless the Sexual Abuse Claimant elects to have his or her claim publicly disclosed. Any Sexual Abuse Proof of Claim that you file with Epiq 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 and other applicable protective orders and court-approved confidentiality agreements. Please note that any person who files a Sexual Abuse Proof of Claim with the Clerk of the Bankruptcy Court shall not be entitled to the benefits of the confidentiality protocol and such proofs of claim shall be part of the public record.

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 Bar Date may NOT be treated as a creditor with respect to such Claim and may 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.

IV. RESERVATION OF RIGHTS

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

V. PROCEDURE FOR FILING PROOFS OF CLAIM

Sexual Abuse Claims:

Any proof of claim asserting a Sexual Abuse Claim (each, a "**Sexual Abuse Proof of Claim**") must be filed by completing the confidential Sexual Abuse Proof of Claim form.

If the Diocese identified you as having a potential Sexual Abuse Claim, the Sexual Abuse Proof

² All such parishes shall have a separate Bar Date if it becomes necessary after notice and hearing and upon further Order of the Court. Any such claim by a parish may be contingent and administratively burdensome for the Debtor's estate.

of Claim form should have been 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 Official Form 410 and the Sexual Abuse Proof of Claim form may be obtained online by visiting <https://dm.epiq11.com/case/rcdn/> or may be requested by calling (855) 654-0902.

You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the contents of this notice or the completion of the Sexual Abuse Proof of Claim.

General Claims:

Any proof of claim other than those asserting a Sexual Abuse Claim must (a) conform substantially to Official Form 410, (b) be denominated in lawful currency of the United States as of the Petition Date, and (c) attach 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 a statement that such writings will be provided to the Diocese and/or the Committee upon request.

All claimants should submit their proofs of claim to the Diocese's Claims Agent, Epiq, so that they are RECEIVED on or before the Bar Date, in any ONE of the following manners:

IF ELECTRONICALLY, TO:

The website established by the Diocese's Claims and Noticing Agent, Epiq, using the interface on such website located at <https://dm.epiq11.com/case/rcdn> and following the instructions provided.

IF BY U.S. POSTAL SERVICE MAIL, TO:

The Norwich Roman Catholic Diocesan Corporation, Claims Processing Center
c/o EPIQ Corporate Restructuring, LLC
P.O. Box 4421, Beaverton
OR 97076-4421

IF BY HAND-DELIVERY OR OVERNIGHT MAIL, TO:

The Norwich Roman Catholic Diocesan Corporation
Claims Processing Center
c/o EPIQ Corporate Restructuring, LLC
10300 SW Allen Blvd.
Beaverton, OR 97005

Proofs of claim submitted electronically to the Diocese's Claims Agent, Epiq, will be

acknowledged via electronic mail or confirmation number from Epiq at the time of submission. If you wish to receive acknowledgement of Epiq'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.

Alternatively, all claimants may submit their proofs of claim to the Clerk of the Court so that they are RECEIVED on or before the Bar Date, in the following manner:

By filing electronically with the Clerk of the Court or by delivering an original copy by hand delivery, first class mail or overnight courier, to:

Clerk of the Court
United States Bankruptcy Court
Abraham Ribicoff Federal Building
450 Main Street, 7th Floor, Hartford
CT 06103

PLEASE BE ADVISED THAT SEXUAL ABUSE PROOFS OF CLAIM SUBMITTED TO THE CLERK OF THE COURT WILL BE AVAILABLE TO THE PUBLIC AND WILL NOT BENEFIT FROM THE CONFIDENTIALITY PROTOCOL EXPLAINED IN SECTION II ABOVE.

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

Dated: _____, 2021

BY ORDER OF THE HON. JAMES J. TANCERDEI
UNITED STATES BANKRUPTCY JUDGE

Schedule 3

Letter from Committee Counsel

Re: *In re The Norwich Roman Catholic Diocesan Corporation, Case No. 21-20687 (JJT)*

Dear Survivor:

On July 15, 2021, The Norwich Roman Catholic Diocesan Corporation (the “Diocese”) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code with the United States Bankruptcy Court for the District of Connecticut, Hartford Division (the “Court”), commencing the Diocese’s chapter 11 case (this “Chapter 11 Case”). The Official Committee of Unsecured Creditors (the “Committee”) represents the interests of all of the Diocese’s unsecured creditors in the Chapter 11 Case, including any person who may be entitled to assert a sexual abuse claim against the Diocese.

You are receiving this letter because the Diocese has identified you as a survivor who may be entitled to assert a sexual abuse claim against the Diocese in the Chapter 11 Case. The Court has required that all persons holding claims against the Diocese must submit proofs of claim so that they are received no later than **5:00 p.m. (prevailing Eastern time) on February 10, 2022**. You should consider submitting a proof of claim even if you believe your claim may be subject to an affirmative defense such as a statute of limitations.

This letter is being delivered to you as part of a claims package which includes a notice of the claims bar date, a copy of Official Form 410, and a Confidential Sexual Abuse Proof of Claim Form. In order to assert a claim against the Diocese, you are required to fill out a Confidential Sexual Abuse Proof of Claim Form and submit that form. The Committee strongly recommends that any person asserting a sexual abuse claim fill out the Confidential Sexual Abuse Proof of Claim Form in full and file it with Epiq Corporate Restructuring, LLC, the Diocese’s Bankruptcy Court approved Claims Agent. Filling out the Confidential Sexual Abuse Proof of Claim Form in full will allow the Diocese, the Committee, and various insurance companies involved in the Chapter 11 Case to obtain a clear picture as to the specific nature, and the underlying facts supporting your sexual abuse claim against the Diocese. It will also significantly reduce the likelihood that the Diocese or one of the insurance companies involved in the Chapter 11 Case would need to seek additional information from you through a deposition, written interrogatories, or other methods of discovery.

Please note that unless you direct otherwise, all information you provide on the Confidential Sexual Abuse Proof of Claim Form will be kept confidential, being shared pursuant to confidentiality procedures approved by the Bankruptcy Court, to the Diocese, certain insurers of the Diocese, the Committee, their respective counsel and advisors, the United States Trustee, and to such other persons as the Bankruptcy Court may authorize.

Should you have any questions regarding the Confidential Sexual Abuse Proof of Claim Form, please do not hesitate to contact the Committee at the following number: _____.

Sincerely,
[Name]

Schedule 4

Form of Publication Notice

Official Approved Notice from U.S. Bankruptcy Court for the District of Connecticut

Sexual Abuse and General Claims in The Roman Catholic Diocese of Norwich, Connecticut Bankruptcy

The Norwich Roman Catholic Diocesan Corporation, a/k/a the Roman Catholic Diocese of Norwich ("Diocese" or "Debtor") has filed bankruptcy in order to restructure its nonprofit organization. Please read this notice carefully as it may impact your rights against the Diocese and provides information about the case, *In re The Norwich Roman Catholic Diocesan Corporation* (Bankr. D. Conn.). This notice is a short summary.

Who Should File a Sexual Abuse Claim?

Anyone who was sexually abused, on or before July 15, 2021, and believes the Diocese may be responsible for the sexual abuse must file a claim. This includes sexual abuse in connection with any entity or activity associated with the Diocese. Sexual Abuse Claims include but are not limited to: sexual misconduct, touching, inappropriate contact, or sexual comments about a person or other behaviors that led to abuse, and regardless of whether you thought the behavior was sexual abuse or not.

When Should I File a Sexual Abuse Claim?

Regardless of how old you are today or when the sexual abuse occurred, you need to file your claim so that it is received by 5 p.m. (prevailing Eastern Time) on February 10, 2022.

If you do not file a timely Sexual Abuse Claim, you may lose rights against the Diocese and against Diocese Related Entities, including any right to compensation. ~~Note that only the Diocese is in bankruptcy. If you have a claim against any Diocese Related Entity, you must take separate action to preserve your rights.~~

Your information will be kept private. For a list of names of clergy that have been identified in connection with sexual abuse claims, go to <https://www.norwichdiocese.org/Find/Accused-Clergy>. For more information on the bankruptcy case, go to <https://dm.epiq11.com/case/rcdn> or call 1-855-654-0902.

The Sexual Abuse Bar Date of February 10, 2022 is not subject to further extension, even if there is a change in the applicable statute of limitations. You should consider submitting a proof of claim even if you believe your claim may be subject to an affirmative defense such as a statute of limitations.

When Should I File a General Bar Date Claim?

If you have a non-sexual abuse claim, you will need to file so that it is received by 5 p.m. (prevailing Eastern Time) on February 10, 2022. More information is available at <https://dm.epiq11.com/case/rcdn>.

ACT NOW Before Time Runs Out:

You can download and file a claim at the website or call the toll-free number listed below for help on how to file a claim by mail.



File a Proof of Claim.



Have questions?
Call or visit the website for
more information.



If your claim is approved, you
may receive compensation
from the bankruptcy.

<https://dm.epiq11.com/case/rcdn>

1-855-654-0902