

Fill in this information to identify the case:

United States Bankruptcy Court for the:

District of Minnesota (State)

Case number (if known): Chapter 11

Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name The Diocese of St. Cloud

2. All other names debtor used in the last 8 years Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 4 1 - 0 6 9 3 9 8 1

4. Debtor's address Principal place of business 214 3rd Ave S. St. Cloud, MN 56301 Stearns County Mailing address, if different from principal place of business P.O. Box 1248 St. Cloud, MN 56302 Location of principal assets, if different from principal place of business

5. Debtor's website (URL) stcdio.org

Debtor The Diocese of St. Cloud Case number (if known) \_\_\_\_\_  
Name

6. Type of debtor

- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- Partnership (excluding LLP)
- Other. Specify: \_\_\_\_\_

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply:

- Tax-exempt entity (as described in 26 U.S.C. § 501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

Debtor The Diocese of St. Cloud Case number (if known) \_\_\_\_\_  
Name

9. **Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**  No  
 Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY  
If more than 2 cases, attach a separate list. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

10. **Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**  No  
 Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY  
List all cases. If more than 1, attach a separate list. Case number, if known \_\_\_\_\_

11. **Why is the case filed in this district?** *Check all that apply:*  
 Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.  
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. **Does the debtor own or have possession of any real property or personal property that needs immediate attention?**  No  
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** *(Check all that apply.)*

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other \_\_\_\_\_

**Where is the property?**

Number \_\_\_\_\_ Street \_\_\_\_\_  
City \_\_\_\_\_ State ZIP Code \_\_\_\_\_

**Is the property insured?**

No  
 Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

Statistical and administrative information

Debtor The Diocese of St. Cloud  
Name

Case number (if known) \_\_\_\_\_

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1-49               | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99              | <input type="checkbox"/> 5,001-10,000  | <input type="checkbox"/> 50,001-100,000    |
| <input checked="" type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999            |  |  |

15. Estimated assets<sup>1</sup>

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000          | <input type="checkbox"/> \$1,000,001-\$10 million             | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input checked="" type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million           | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million          | <input type="checkbox"/> More than \$50 billion        |

<sup>1</sup> The amounts included are either book value of the assets or the debtor's best estimate of value neither of which may be market value. These amounts include funds received prepetition from insurance and benefits coverage settlements related to alleged sexual abuse claims.

16. Estimated liabilities<sup>2</sup>

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000          | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input type="checkbox"/> \$10,000,001-\$50 million           | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million          | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million         | <input type="checkbox"/> More than \$50 billion        |

<sup>2</sup> The estimated liabilities DO NOT include the amount of claims asserted by sexual abuse survivors, which amounts are asserted to far exceed the value of the debtor's assets.

**Request for Relief, Declaration, and Signatures**

**WARNING** — Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

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

Executed on 06/15/2020  
MM / DD / YYYY

x Donald J. Kettler

Signature of authorized representative of debtor

Bishop Donald J. Kettler

Printed name

Title President

Debtor The Diocese of St. Cloud  
Name

Case number (if known) \_\_\_\_\_

**18. Signature of attorney**

**X** /s/ Daniel J. Young  
Signature of attorney for debtor

Date 06/15/2020  
MM / DD / YYYY

Daniel J. Young  
Printed name

Quarles & Brady LLP  
Firm name

150 South Fifth Street, Suite 1800  
Number Street

Minneapolis  
City

MN 55402  
State ZIP Code

(612) 224-3751  
Contact phone

daniel.young@quarles.com  
Email address

0213913  
Bar number

MN  
State

LOCAL FORM 1008-1

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In re:

THE DIOCESE OF ST. CLOUD, a  
Minnesota religious corporation,

Case No. 20-\_\_\_\_\_

Debtor.

**PROOF OF AUTHORITY TO SIGN AND FILE PETITION**

I, Donald J. Kettler declare under penalty of perjury that I am the President of The Diocese of St. Cloud, a Minnesota religious corporation and that prior to June 5, 2020 the following resolution was duly adopted by the directors of this religious corporation:

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Donald J. Kettler, President of this corporation or his designee, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Donald J. Kettler, President of this corporation or his designee, is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case; and

Be It Further Resolved, that Donald J. Kettler, President of this corporation, is authorized and directed to employ Susan G. Boswell, attorney and the law firm of Quarles & Brady LLP to represent the corporation in such bankruptcy case.

Executed on: June 5, 2020

Signed: Donald J. Kettler  
Bishop Donald J. Kettler, President of  
The Diocese of St. Cloud  
214 3rd Ave S.  
St. Cloud, Minnesota 56301

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re: Chapter 11

THE DIOCESE OF ST. CLOUD, a Minnesota Case No.  
religious corporation,

Debtor.

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**CORPORATE OWNERSHIP STATEMENT**

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Pursuant to Fed. R. Bankr. P. 1007(a)(1) and 7007.1, The Diocese of St. Cloud:

- identifies the following corporations, other than governmental units, that directly or indirectly own 10% or more of any class of the corporation's equity interest.

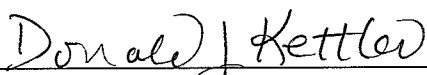
*[list names of corporations here]*

OR

- states that there are no entities to report.

I, Donald J. Kettler, declare under penalty of perjury that I have read the foregoing statement and that it is true and correct to the best of my knowledge, information, and belief.

Dated: June 5, 2020.

  
\_\_\_\_\_  
Bishop Donald J. Kettler, President of  
The Diocese of St. Cloud

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re: Chapter 11

THE DIOCESE OF ST. CLOUD, a Minnesota Case No.  
religious corporation,

Debtor.

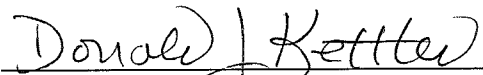
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**LIST OF EQUITY SECURITY HOLDERS**

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Pursuant to Fed. R. Bankr. P. 1007(a)(3), The Diocese of St. Cloud discloses that it is a religious corporation that has no equity security holders.

Dated: June 5, 2020.

  
Bishop Donald J. Kettler, President of  
The Diocese of St. Cloud



**Fill in this information to identify the case:**

Debtor name The Diocese of St. Cloud

United States Bankruptcy Court for the: \_\_\_\_\_ District of Minnesota  
(State)

Case number (If known): \_\_\_\_\_

Check if this is an amended filing

**Official Form 204**

**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	This list includes the category of tort claimants who have filed lawsuits against the debtor related to alleged sexual abuse, which are currently contingent, unliquidated, and disputed. Those names are confidential and will appear on the Confidential Mailing List and Confidential Schedule F. This list does not include co-defendants in the lawsuits who may have filed cross-claims or third party claims against the debtor arising out of the sex abuse lawsuits. Those cross-claims and third party claims, if any, are disputed, contingent, and unliquidated. This list also does not include any claimants who may have come forward after the petition date alleging sexual abuse claims against the debtor. Confidential Schedule F and the confidential master mailing list includes any claimants who are currently identified by the debtor.						
2	Faricy Law Firm, P.A. 120 South Sixth Street Suite 2450 Minneapolis, MN 55402	John Faricy, Esq. (612) 371-4400 jfaricy@faricylaw.com	Professional Services	Unliquidated, Disputed, Contingent			Less than 585,623.20
3	U.S. Bank, N.A. P.O. Box 1800 St. Paul, MN 55101		PPP Loan	Contigent			512,500.00
4	Diocese of St. Cloud Deposit and Loan Fund, a Minnesota nonprofit corporation P.O. Box 1248 St. Cloud, MN 56302		Unsecured Loan				81,143.00
5							
6							
7							
8							

**Fill in this information to identify the case and this filing:**

Debtor Name The Diocese of St. Cloud

United States Bankruptcy Court for the: \_\_\_\_\_ District of Minnesota  
(State)

Case number (if known): \_\_\_\_\_

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- Schedule H: Codebtors (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- Amended Schedule \_\_\_\_\_
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- Other document that requires a declaration \_\_\_\_\_

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

Executed on 6/15/2020  
MM / DD / YYYY

x   
Signature of individual signing on behalf of debtor

Joseph Spaniol  
Printed name

Finance Officer  
Position or relationship to debtor

## General Information

<b>Case Name</b>	THE DIOCESE OF ST. CLOUD
<b>Court</b>	U.S. Bankruptcy Court for the District of Minnesota
<b>Date Filed</b>	Mon Jun 15 00:00:00 EDT 2020
<b>Judge(s)</b>	Robert J. Kressel
<b>Docket Number</b>	6:20-bk-60337
<b>Status</b>	Closed
<b>Parties</b>	Donald Peschel; Eugene Hommerding; Matthew Breth; US Trustee; Joel Yaeger; THE DIOCESE OF ST. CLOUD; Michael R Hogan, Unknown Claims Representative; Official Committee of Unsecured Creditors; Lola Wolf