

Notice of Deadline for Filing Sexual Abuse Claims in the Boy Scouts of America Bankruptcy Case

All Sexual Abuse Survivors Need to File Claims by November 16, 2020

This is an official notice approved by the Bankruptcy Court. This is not a solicitation from a lawyer.

Una versión en español de este aviso está disponible en www.OfficialBSAclaims.com
o llamando al 1-866-907-2721.

- Please read this notice carefully as it may impact your rights against the Boy Scouts of America (“**BSA**”), BSA Local Councils and the organizations that sponsored your troop or pack.
- Regardless of how old you are today, if you were sexually abused on or before February 18, 2020 in connection with the Boy Scouts, Cub Scouts, or any activity associated with BSA or Scouting, you are referred to in this notice as a “**Sexual Abuse Survivor**,” and you must file a claim.
- **If you do not file a Sexual Abuse Claim by November 16, 2020, you may lose rights against BSA, BSA Local Councils, and organizations that sponsored your troop or pack, including the right to compensation from BSA.** (Note that only BSA is a debtor in BSA’s chapter 11 proceeding and other third parties, such as the BSA Local Councils and chartered organizations, are not. If you believe you may have a claim against one of these organizations, you must take additional legal action to preserve and pursue such claim.)
- You can file a claim using the Sexual Abuse Survivor Proof of Claim Form approved by the court (1) at the following website: www.OfficialBSAclaims.com, or (2) by mailing your Sexual Abuse Survivor Proof of Claim to the address listed below. **Your information will be kept private (see Question 6 below).**
- **If a plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against BSA Local Councils and organizations that sponsored your troop or pack.** Please visit www.OfficialBSAclaims.com to learn more. See Question 9 below for more information.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS BANKRUPTCY CASE	
FILE A PROOF OF CLAIM	The only way to get compensation for any harm done to you during your time in Scouting.
DO NOTHING	Get no compensation. If you are an adult and do not have a repressed memory of sexual abuse, you will give up your right to bring your claim in the future.

- Your rights and options – **and the deadline to exercise them by** – are explained in more detail in this notice.

BASIC INFORMATION

1. Why was this notice issued?

BSA has filed a chapter 11 bankruptcy case. The Bankruptcy Court has set a deadline for filing claims against BSA for sexual abuse that took place on or before February 18, 2020, which is the date that BSA filed for bankruptcy.

This case is filed in the U.S. Bankruptcy Court for the District of Delaware, and the case is known as *In re Boy Scouts of America and Delaware BSA, LLC*, No. 20-10343 (Bankr. D. Del.). The Bankruptcy Court judge overseeing the case is Judge Laurie Selber Silverstein.

The Bankruptcy Court authorized BSA to send out this notice. You have the right to file a claim in the bankruptcy case if you were sexually abused in connection with Scouting, regardless of how old you are today. You are required to file a Sexual Abuse Survivor Proof of Claim on or before November 16, 2020 at 5:00 p.m. (Eastern Time).

SEXUAL ABUSE CLAIMS

2. What is considered sexual abuse?

You have a Sexual Abuse Claim if you experienced **sexual abuse** in Scouting, as described below. The sexual abuse **must have occurred on or before February 18, 2020.**

For the purposes of submitting a Sexual Abuse Survivor Proof of Claim, **sexual abuse** means, with respect to a child under the age of eighteen (18) at the time of the sexual abuse:

- sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, sexual touching, sexualized interaction, sexual comments about a person's body, or other verbal or non-verbal behaviors that facilitated, contributed to, or led up to abuse, regardless of whether or not such behavior was itself sexual or against the law, and regardless of whether the child thought the behavior was sexual abuse at the time.
- Sexual abuse includes behavior between a child and an adult and between a child and another child, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether the child associated the abuse with any physical, psychological, or emotional harm.
- Sexual abuse involves behaviors including penetration or fondling of the child's body, other body-on-body contact, or non-contact, behaviors such as observing or making images of a child's naked body, showing or making pornography, or having children behave in sexual behavior as a group.

If you have a claim arising from other types of abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, OR if you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began, you should consult the *Notice of Deadlines Requiring Filing of Proof of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410).

QUESTIONS? CALL 1-866-907-2721, EMAIL BSAINQUIRIES@OMNIAGNT.COM, OR VISIT WWW.OFFICIALBSACLAIMS.COM

For the avoidance of doubt, if you have a claim for sexual abuse and you were a child under the age of eighteen (18) when the sexual abuse began you must submit a Sexual Abuse Survivor Proof of Claim.

3. Who should file a Sexual Abuse Survivor Proof of Claim?

You should file a Sexual Abuse Survivor Proof of Claim if you have a Sexual Abuse Claim as defined above. You should file a Sexual Abuse Survivor Proof of Claim regardless of whether you:

- Did or did not report your sexual abuse to BSA or to anyone else;
- Believe the applicable statute of limitations may have run on your Sexual Abuse Claim;
- Previously filed a lawsuit or asserted claims in connection with the sexual abuse against BSA and/or a BSA Local Council or organization that sponsored your troop or pack;
- Previously had your Sexual Abuse Claim paid in full by BSA under a settlement, but you believe you may have additional claims beyond what was agreed to in the settlement agreement;
- Are included in, or represented by, another action with respect to your Sexual Abuse Claim.

You should submit a Sexual Abuse Survivor Proof of Claim regardless of your age now or the length of time that has passed since the abuse took place.

Even if the applicable state statute of limitations has run on your Sexual Abuse Claim, you should still file your claim.

Statutes of limitation are laws passed by a legislative body in each state that sets the maximum time after an event or discovery of an event when a lawsuit may be filed. Statutes of limitation vary by state.

You do not need to file a Sexual Abuse Survivor Proof of Claim if you are a “future claimant.” Future claimants are individuals who:

- were under the age of 18 as of February 18, 2020; and/or
- are not aware of their sexual abuse claim as a result of “repressed memory,” to the extent this concept is recognized by the highest court of the state or territory where the sexual abuse occurred.

The court has appointed a Future Claimants’ Representative to represent your rights in the bankruptcy case.

As stated above, do not file a Sexual Abuse Survivor Proof of Claim if your claim is based on anything other than sexual abuse as defined above. If you have a claim arising from other types of non-sexual abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, OR if you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began, you should consult the *Notice of Deadlines Requiring Filing of Proof of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410).

4. What if I am still not sure if I have a Sexual Abuse Claim?

You should consult with an attorney if you have any questions, including whether you should file a Sexual Abuse Survivor Proof of Claim.

HOW TO FILE A SEXUAL ABUSE SURVIVOR PROOF OF CLAIM

5. How can I file my Sexual Abuse Survivor Proof of Claim?

If you have not previously submitted a proof of claim, you need to submit a Sexual Abuse Survivor Proof of Claim by **5:00 p.m. (Eastern Time) on November 16, 2020**. You can use the enclosed form or you can download one and send it electronically through the link below or by mail at the address below. If you have questions you can contact your attorney or call 1-866-907-2721 to speak to the Claims Agent. The Claims Agent can provide information about how to file a claim, but cannot offer any legal advice.

Please send your Sexual Abuse Survivor Proof of Claim to one of the following:

By Mail, Overnight Courier or Hand Delivery	Through the Bankruptcy Case Website
BSA Abuse Claims Processing c/o Omni Agent Solutions 5955 De Soto Ave., Suite 100 Woodland Hills, CA 91367	Go to www.OfficialBSAClaims.com

6. Will my information be kept confidential?

Yes, subject to the limitations described below. The Bankruptcy Court has set up a procedure to protect your privacy. In order to protect your privacy, please do not file your Sexual Abuse Survivor Proof of Claim with the Bankruptcy Court. Instead, you must file according to the directions above. Sexual Abuse Survivor Proofs of Claim will not be available to the public unless you choose to release that information.

Unless you elect otherwise on the Sexual Abuse Survivor Proof of Claim, your identity and your Sexual Abuse Survivor Proof of Claim will be kept confidential and outside the public record. However, information about your Sexual Abuse Claim will be confidentially provided, pursuant to Bankruptcy Court-approved guidelines, to the following parties:

- Counsel and retained advisors to BSA;
- Officers, directors, and employees of BSA necessary to assist BSA and their counsel in reviewing and analyzing the Sexual Abuse Claims;
- The Claims Agent (Omni Agent Solutions);
- The Tort Claimants' Committee;
- Counsel to the Ad Hoc Committee of Local Councils (with all personally identifiable information redacted);

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- Individual BSA Local Councils solely with respect to Sexual Abuse Claims asserted against them;
- The Office of the United States Trustee for the District of Delaware;
- The United States Bankruptcy Court for the District of Delaware;
- Certain insurers of BSA, including authorized claims administrators of such insurers and their reinsurers and counsel;
- The Future Claimants' Representative;
- Any special arbitrator, mediator, or claims reviewer appointed to review and resolve Sexual Abuse Claims;
- Any trustee, or functional equivalent thereof, appointed to administer payments to holders of Sexual Abuse Claims;
- Anyone with the express written consent of BSA, the Tort Claimants' Committee appointed by this Court to represent holders of Sexual Abuse Claims, and the Future Claimants' Representative upon 7 business days' notice to holders of Sexual Abuse Claims; and
- Such other persons that the Court determines need the information in order to evaluate Sexual Abuse Claims.

Please note that information in your Sexual Abuse Survivor Proof of Claim may be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions.

ADDITIONAL INFORMATION

7. Where can I get support?

BSA will continue to fund in-person counseling for any current or former Scout or member of their family by a provider of their choice, when they are ready to take that step. To request in-person counseling, please call 1-866-907-2721 or email restructuring@scouting.org.

8. How do I report my sexual abuse to the authorities?

Reporting the sexual abuse protects other children by ensuring that perpetrators are barred from Scouting and are reported to law enforcement. You can learn more about how to report the sexual abuse at <https://childwelfare.gov/topics/responding/reporting/hoh/>. If you have not previously reported the sexual abuse to BSA, please call 1-866-907-2721 or email restructuring@scouting.org.

Please know that reporting sexual abuse is different than filing a claim in BSA's bankruptcy case.

QUESTIONS? CALL 1-866-907-2721, EMAIL BSAINQUIRIES@OMNIAGNT.COM, OR VISIT WWW.OFFICIALBSACLAIMS.COM

9. What could be released under the plan of reorganization?

Please note that only BSA is a debtor in BSA's chapter 11 proceeding and other third parties, such as the BSA Local Councils and chartered organizations, are not. If you believe you may have a claim against one of these organizations, you must take additional legal action to preserve and pursue such claim.

The chapter 11 plan of reorganization may contain broad releases of BSA and certain third parties and related injunction provisions. If approved, these provisions could release claims you hold against BSA and certain third parties, including against BSA Local Councils and organizations that sponsored your troop or pack. Also if approved, these provisions would prohibit you from filing lawsuits against BSA and certain third parties related to any Sexual Abuse Claim. Instead, a proposed chapter 11 plan for BSA could channel these claims to a trust for Sexual Abuse Survivors. Please note that a chapter 11 plan has not yet been proposed for solicitation or agreed to by any parties in interest in BSA's chapter 11 proceeding. Once it becomes available for solicitation, you should carefully review the full text of the plan of reorganization release, injunction, and related provisions and any applicable release provision at www.OfficialBSAClaims.com.

10. What happens if I do not file a Sexual Abuse Survivor Proof of Claim?

If you fail to submit a completed Sexual Abuse Survivor Proof of Claim to the Claims Agent on or before **November 16, 2020**, you may not be able to:

- vote on BSA's plan of reorganization; or
- receive any compensation in BSA bankruptcy case for your Sexual Abuse Claim.

YOU MAY WANT TO CONSULT WITH AN ATTORNEY REGARDING THIS NOTICE AND WHETHER YOU SHOULD FILE A SEXUAL ABUSE SURVIVOR PROOF OF CLAIM.