

HEARING DATE: NOVEMBER 15, 2013
HEARING TIME: 10:00 A.M.

TARTER KRINSKY & DROGIN LLP
Attorneys for The Christian Brothers' Institute, et al.
Debtors and Debtors-in-Possession
1350 Broadway, 11th Floor
New York, New York 10018
(212) 216-8000
Scott S. Markowitz, Esq.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

| | |
|--|----------------------------|
| ----- | X |
| In re: | : Chapter 11 |
| | : |
| THE CHRISTIAN BROTHERS' INSTITUTE, <i>et al.</i> | : Case No.: 11-22820 (RDD) |
| | : |
| Debtors. | : (Jointly Administered) |
| ----- | X |

**NOTICE OF MOTION FOR AN ORDER PURSUANT TO §1125(b) OF THE
BANKRUPTCY CODE AND FEDERAL RULES OF BANKRUPTCY PROCEDURE
3017 AND 3018 APPROVING THE JOINT DISCLOSURE STATEMENT FILED BY
THE DEBTORS AND THE CREDITORS COMMITTEE AND APPROVING
SOLICITATION PROCEDURES AND RELATED RELIEF INCLUDING ESTIMATING
SEXUAL ABUSE CLAIMS AT \$1.00 FOR VOTING PURPOSES ONLY**

PLEASE TAKE NOTICE, that The Christian Brothers' Institute and the The Christian Brothers of Ireland, Inc., debtors and debtors-in-possession (collectively, the "Debtors"), will move before the Honorable Robert D. Drain, United States Bankruptcy Judge, United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601, on **November 15, 2013 at 10:00 a.m.**, for an order substantially in the form annexed hereto as **Exhibit A** pursuant to §1125(b) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 3017 and 3018 (i) approving the joint disclosure statement, dated August 22, 2013, filed by the Debtors and the Creditors Committee as containing adequate information, (ii) authorizing and approving certain plan solicitation procedures and materials, (iii) approving forms of ballots, and (iv) estimating sexual abuse claims at \$1.00 for voting purposes only.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the motion, must be made in writing, must conform to the requirements of the Bankruptcy Code and the Federal

Rules of Bankruptcy Procedure, must set forth with reasonable specificity the basis thereof, and must be filed no later than 5:00 p.m. on November 8, 2013, by registered users of the Court's electronic case filing system, electronically in accordance with General Order M-399. A copy of such response must also be delivered to the Chambers of the Honorable Robert D. Drain, United States Bankruptcy Judge, 300 Quarropas Street, White Plains, New York 10601, and served upon and received by (i) Tarter Krinsky & Drogin LLP, attorneys for the Debtors, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Scott Markowitz, Esq.; (ii) Pachulski Stang Ziehl & Jones LLP, counsel to the Official Creditors' Committee, 780 Third Avenue, 36th Floor, New York, New York 10017, Attn: James I. Stang, Esq./Ilan D. Scharf, Esq.; (iii) Drinker Biddle & Reath LLP, counsel to Providence Washington Insurance Company, One Logan Square, Suite 2000, Philadelphia, PA 19103-6996, Attn: Michael F. Brown, Esq./Warren Pratt, Esq.; (iv) Paul K. Schwartzberg, Esq., Staff Attorney to the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014; and (v) The Law Office of Paul A. Richler, special insurance counsel to the Official Creditors' Committee, 15332 Antioch St., Suite 305, Pacific Palisades, CA 90272, Attn: Paul A. Richler, Esq. Any response must set forth the grounds for and the facts supporting the response and must: (i) identify the response by the name of the responding party, (ii) indicate the hearing date on the upper right hand of the objection, and (iii) bear the caption and case number of this case.

Dated: New York, New York
September 30, 2013

TARTER KRINSKY & DROGIN LLP
Attorneys for The Christian Brothers' Institute, et al.

By: /s/ Scott S. Markowitz
Scott S. Markowitz
1350 Broadway, 11th Floor
New York, New York 10018
(212) 216-8000

Hearing Date and Time: November 15, 2013 at 10:00 am
Objection Date: November 8, 2013 at 4:00 p.m.

TARTER KRINSKY & DROGIN LLP
Scott S. Markowitz
1350 Broadway, 11th Floor
New York, NY 10018
Telephone: 212/216-8000

Attorneys for The Christian Brothers' Institute, et
al., Debtors and Debtors in Possession

Paul A. Richler, Esq.
LAW OFFICES OF PAUL A. RICHLER
15332 Antioch Street, Suite 305
Pacific Palisades, CA 90272
Telephone: 310/862-0045
Facsimile: 310/612-2501

Special Insurance Counsel to the Official
Committee of Unsecured Creditors

PACHULSKI STANG ZIEHL & JONES LLP
James I. Stang, Esq.
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067-4003
Telephone: 310/277-6910
Facsimile: 310/201-0760

PACHULSKI STANG ZIEHL & JONES LLP
Ilan D. Scharf, Esq.
780 Third Avenue, 36th Floor
New York, NY 10017-2024
Telephone: 212/561-7700
Facsimile: 212/561-7777

Attorneys for Official Committee of Unsecured
Creditors of The Christian Brothers' Institute and
The Christian Brothers of Ireland, Inc.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,

Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**MOTION FOR AN ORDER (A) APPROVING DISCLOSURE STATEMENT AND
(B) ESTABLISHING PROCEDURES FOR SOLICITATION AND TABULATION
OF VOTES TO ACCEPT OR REJECT PLAN INCLUDING ESTIMATION OF
SEXUAL ABUSE CLAIMS AT \$1.00 FOR VOTING PURPOSES ONLY**

TO THE HONORABLE ROBERT D. DRAIN,
UNITED STATES BANKRUPTCY JUDGE:

The Christian Brothers' Institute, Inc. and The Christian Brothers of Ireland, Inc.
(the "Debtors") and the Official Committee of Unsecured Creditors (the "Committee")

(collectively, the “Proponents”), by and through its respective undersigned counsel, respectfully represent:

Summary of Relief Requested

1. By this motion (the “Motion”) and pursuant to Sections 105, 502, 503, 1125, 1126 and 1128 of title 11 of the United States Code (the “Bankruptcy Code”), Rules 3003, 3017, 3018 and 3020 of the Federal Rules Of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rules 3003-1 and 3017-1 of the Local Bankruptcy Rules For The Southern District Of New York (the “Local Rules”), the Proponents seek entry of an order (i) approving the Disclosure Statement (the “Disclosure Statement”) filed on August 22, 2013, in support of the “Joint Chapter 11 Plan Of Reorganization Proposed By The Christian Brothers’ Institute and The Christian Brothers Of Ireland, Inc. and The Official Committee Of Unsecured Creditors” (the “Plan”), dated August 22, 2013, as it may be hereafter modified or amended, and (ii) establishing the procedures for solicitation and tabulation of votes to accept or reject the Plan, including estimating sexual abuse claims at \$1.00 for voting purposes only.

2. For the convenience of the Court and parties in interest, a summary timeline for the deadlines and hearings proposed by the procedures applicable to or requested in this Motion is as follows:

- (a) Deadline to object to adequacy of Disclosure Statement:
November 8, 2013;
- (b) Disclosure Statement hearing: November 15, 2013;
- (c) Commencement of Plan Solicitation period/completion of
service of Solicitation Packages: November 29, 2013;
- (d) Deadline for Rule 3018(a) motions: December 10, 2013;

- (e) Voting Deadline: January 3, 2014;
- (f) Deadline to object to Confirmation of the plan: January 3, 2014
- (g) Confirmation Hearing: January 9, 2014.

Jurisdiction and Venue

3. This 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). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

4. On April 28, 2011 (the "Petition Date"), The Christian Brothers' Institute, Inc. and The Christian Brothers of Ireland, Inc. commenced their cases under chapter 11 of the Bankruptcy Code (the "Cases").

5. The Cases have been jointly administered for administrative purposes only pursuant to Rule 1015(b) of the Bankruptcy Rules.

6. On May 19, 2011, the U.S. Trustee appointed the Committee in both of the Cases.

7. The Debtors' exclusive period to file and solicit acceptances to a plan of reorganization has expired.

8. On September 2, 2011, the Court entered an order approving the retention of Omni Management Group as the claims, noticing and balloting agent for the Debtors (the "Balloting Agent")

The Plan and Disclosure Statement

9. The Proponents have negotiated a consensual plan of reorganization, through formal mediation. The Proponents filed the Plan which provides for the ongoing

fulfillment of the Debtors' mission, the disposition and distribution of certain assets of the Debtors and non-monetary covenants encompassing the Debtors' response to the sexual abuse claims. The Plan also provides the Debtors with a discharge pursuant to Section 1141 of the Bankruptcy Code.

10. In accordance with Bankruptcy Rule 3017(a), the Proponents have obtained from the Court a date and time for a hearing to consider approval of the Disclosure Statement (the "Disclosure Statement Hearing"), which will be held at 10:00 a.m. on November 15, 2013, or as soon thereafter as counsel may be heard.

Relief Requested

11. Through this Motion, the Proponents respectfully request that the Court enter an order (i) approving the Disclosure Statement as it may be hereafter modified or amended and (ii) establishing the procedures for solicitation and tabulation of votes to accept or reject the Plan, including estimating sexual abuse claims at \$1.00 for voting purposes only.

A. The Disclosure Statement Contains Adequate Information

12. Creditors and interest holders whose rights would be impaired are entitled to vote on a proposed plan of reorganization. How creditors and interest holders vote is informed, in part, by a disclosure statement. Pursuant to Section 1125(a) of the Bankruptcy Code, a disclosure statement must contain "adequate information," which is defined in the Bankruptcy Code as "information of a kind, and in sufficient detail, as far as is reasonably practicable . . . that will enable a hypothetical reasonable investor . . . to make an informed decision."¹ The Bankruptcy Code requires such "adequate information" so that holders of voting claims or interests will have sufficient financial and operating information to enable them to

¹ 11 U.S.C. §1125(a)(1).

make an “informed judgment” whether to accept or reject a proposed plan of reorganization.² In order to comply with the requirements of Section 1125, a disclosure statement must specifically disclose all of the material facts that would enable creditors to make an informed judgment with respect to the plan of reorganization.³

13. In examining the adequacy of the information contained in a disclosure statement, the Bankruptcy Court has broad discretion.⁴ Accordingly, the determination of whether a disclosure statement contains adequate information is to be made on a case-by-case basis, focusing on the unique facts and circumstances of each case.⁵

14. In the instant cases, the Disclosure Statement contains information concerning (i) the Plan, (ii) the circumstances that gave rise to the filing of the bankruptcy petitions, (iii) a description of the Debtors’ available assets, (iv) the source of information provided in the Disclosure Statement, (v) the financial condition and performance of the Debtors while in chapter 11, (vi) information regarding claims against the Debtors’ estates, (vii) a liquidation analysis identifying the estimated return to creditors under a theoretical chapter 7 liquidation of the Debtors’ assets, (viii) a summary of the Plan, (ix) information relevant to the

² See *In re Valrico Sq. Ltd. P’ship*, 113 B.R. 794, 795 (Bankr. S.D. Fla. 1990); *In re Stanley Hotel, Inc.*, 13 B.R. 926, 929 (Bankr. D. Col. 1981) (“[T]he information to be provided [in a disclosure statement] should be comprised of all those factors presently known to the plan proponent that bear upon the success or failure of the proposals contained in the plan”). See also, *Century Glove, Inc. v. First American Bank of New York*, 860 F.2d 94, 100 (3d Cir. 1988); *In re Phoenix Petroleum Co.*, 278 B.R. 385, 392 (Bankr. E.D. Pa. 2001); *In re River Village Associates*, 181 B.R. 795, 804 (Bankr. E.D. Pa. 1995); *In re Monroe Well Service, Inc.*, 80 B.R. 324, 330 (Bankr. E.D. Pa. 1987).

³ See *In re SM 104 Ltd.*, 160 B.R. 202, 227 (Bankr. S.D. Fla. 1993) (“In order for the court to approve a disclosure statement, the court must be satisfied that it contains information sufficient for a ‘hypothetical reasonable investor typical of holders of claims or interests of the relevant class to make an informed judgment about the plan . . .’”) (quoting section 1125).

⁴ See *Abel v. Shugrue (In re Ionosphere Clubs, Inc.)*, 179 B.R. 24, 29 (S.D.N.Y. 1995); *Texas Extrusion Corp. v. Lockheed Corp. (In re Texas Extrusion Corp.)*, 844 F.2d 1142, 1157 (5th Cir. 1988), *cert. denied*, 488 U.S. 926 (1988). See also *Dakota Rail*, 104 B.R. at 143 (court has “wide discretion to determine . . . whether a disclosure statement contains adequate information without burdensome, unnecessary and cumbersome detail”).

⁵ *In re Copy Crafters Quickprint, Inc.*, 92 B.R., 973 979 (Bankr. N.D.N.Y. 1988).

risks attendant to the Plan, (x) the existence, likelihood and possible success of non-bankruptcy litigation, (xi) the federal tax consequences of the Plan, (xii) the relationship of the Debtors with affiliates, and (xiii) the distributions to be made under the Plan on the Effective Date. The Proponents will continue to review the Disclosure Statement filed, and, based upon its on-going review and further material developments in the cases, may make additional non-substantive changes and disclosures prior to the Disclosure Statement Hearing. Any such additional disclosures would only increase the amount of information being provided to parties in interest, and consequently, will only further substantiate why the Disclosure Statement contains adequate information. Accordingly, the Proponents submit that, given the facts and circumstances of these Cases, the Disclosure Statement contains adequate information within the meaning of Section 1125 of the Bankruptcy Code and, thus, should be approved.

B. Approving Solicitation Packages and Procedures for Distribution

15. Bankruptcy Rule 3017(d) sets forth the materials that must be provided to holders of claims, and to the extent applicable, equity interests for the purpose of soliciting their votes and providing adequate notice of the hearing on confirmation of a plan of reorganization:

Upon approval of a disclosure statement, -- except to the extent that the court orders otherwise with respect to one or more unimpaired classes of creditors or equity security holders, -- the debtor in possession, trustee, proponent of the plan, or clerk as the court orders, shall mail to all creditors and equity security holders, and in a chapter 11 reorganization case shall transmit to the United States trustee,

- (1) the plan or a court-approved summary of the plan;
- (2) the disclosure statement approved by the court;
- (3) notice of the time within which acceptances and rejections of such plan may be filed; and
- (4) any other information as the court may direct, including any court opinion approving the disclosure statement or a court-approved summary of the opinion.

In addition, notice of the time fixed for filing objections and the hearing on confirmation shall be mailed to all creditors and equity security holders in accordance with Rule 2002(b), and a form of ballot conforming to the appropriate Official Form shall be mailed to creditors and equity security holders entitled to vote on the plan.

Fed. R. Bank. P. 3017(d).

16. After the Court has approved the Disclosure Statement as containing adequate information as required by Section 1125 of the Bankruptcy Code, except as provided in paragraph 19 herein, the Proponents propose to mail solicitation packages (the “Solicitation Packages”) containing copies of (i) the Disclosure Statement Approval Order substantially in the form attached hereto as **Exhibit A**, (ii) the Notice of Disclosure Statement Approval and Confirmation Hearing substantially in the form attached hereto as **Exhibit B** and (iii) the approved Disclosure Statement (together with the Plan annexed thereto as “Exhibit A”) which will be filed with the Court following approval and upon the mailing. The Solicitation Packages will be mailed no later than November 29, 2013 (the “Solicitation Date”) to (i)(a) the attorneys for the Debtors, Tarter Krinsky & Drogin LLP, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Anthony Dougherty, Esq. and Scott Markowitz, Esq.; (b) attorneys for the Committee, Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 36th Floor, New York, New York 10017, Attn: Ilan D. Scharf, Esq., and Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067, Attn: James I. Stang, Esq. and (c) the Office of the U. S. Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Paul Schwartzberg, Esq. (collectively, the “Notice Parties”), (ii) all persons or entities that filed proofs of claim on or before the date of the Notice of Disclosure Statement Approval and Confirmation Hearing, except to the extent that a claim was

paid pursuant to, or expunged by, prior order of the Bankruptcy Court, (iii) all persons or entities listed in the Debtors' Schedules of assets and liabilities or any amendment(s) thereof (the "Schedules"), as holding liquidated, noncontingent, and undisputed claims, in an amount greater than zero⁶, (iv) all parties to executory contracts listed in the Schedules, (v) the Internal Revenue Service, (vi) any entity that has filed with the Court a notice of transfer of a claim under Bankruptcy Rule 3001(e) prior to the date of the Notice of Disclosure Statement Approval, (vii) any other known holders of claims against the Debtors, and (viii) state and local taxing authorities. In addition, the Proponents request relief from Bankruptcy Rule 3017(a) (which requires notice of the Disclosure Statement Hearing on the Securities Exchange Commission), since the Debtors do not and have not issued publicly traded securities.

17. In the case of Classes 4, 5 and 6 Claimants, the Proponents propose that one (1) Solicitation Package be sent to counsel of record for all of such counsel's clients, provided that each counsel will receive a separate Ballot for each client. On request, Proponents would provide counsel with additional Solicitation Packages.

18. The Proponents propose to provide certain additional solicitation materials in the Solicitation Packages. Specifically, holders of claims and interests in classes entitled to vote to accept or reject the Plan will receive (i) an appropriate form of Ballot and a Ballot return envelope and (ii) such other materials as the Court may approve and/or direct.

19. Consistent with Sections 1126(f) and (g) of the Bankruptcy Code and Bankruptcy Rule 3017(d), holders of claims and interests in classes under the Plan that are

⁶ Bankruptcy Rule 3003(c)(2) provides in relevant part that "any creditor . . . whose claim or interest is not scheduled or scheduled as disputed, contingent, or unliquidated . . . who fails to [timely file a proof of claim] shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution." Fed. R. Bankr. P. 3003(c)(2).

deemed to accept or reject the Plan under Section 1126(f) or (g) of the Bankruptcy Code shall not receive a Solicitation Package as set forth above. Instead, such holders of claims and interests shall receive (i) the Disclosure Statement Approval Order, (ii) the Notice of Disclosure Statement Approval and Confirmation Hearing and (iii) a Notice of Non-Voting Status (as defined below).

20. Finally, in order to increase efficiency and reduce expenses, the Proponents propose the following procedures:

- (a) Creditors in any given class who hold multiple or duplicate claims in one class against the Debtors shall receive only one (1) Solicitation Package and one (1) Ballot;
- (b) Creditors who have filed proofs of claim on or before the General Bar Date (as defined below) and who are also listed in the Schedules shall receive only one (1) Solicitation Package and one (1) Ballot; and
- (c) Creditors who have provided more than one address shall receive one (1) Solicitation Package and one (1) Ballot for each address provided.

C. Approving Forms of Ballots and Establishing Procedures for Voting on the Plan

1. Approval of Form of Ballots and Master Ballots

21. Bankruptcy Rule 3017(d) requires a plan proponent to mail a form of ballot, which substantially conforms to Official Form No. 14, only to “creditors and equity security holders entitled to vote on the plan.” Fed. R. Bankr. P. 3017(d). The Proponents propose to distribute to certain creditors, as described below, one or more Ballots substantially in the forms annexed hereto in “**Exhibit C**” and incorporated herein by reference. As noted above, Ballots for Classes 4, 5 and 6 will be mailed to counsel of record and to the creditor if such creditor is unrepresented. The appropriate Ballot forms, as applicable, will be distributed to holders of claims in Classes 4, 5, and 6 (unless otherwise represented by counsel) and to holders

of claims in class 8 under the Plan, which classes are entitled to vote to accept or reject the Plan. Ballots for Class 4, 5 and 6 Claimants may be completed and signed by counsel of record for the Claimant. The forms for the Ballots are based on Official Form No. 14, except that the Ballot for Class 4 Claims is modified to reflect an election to be treated as a Sexual Abuse Litigation Claimant and to include releases for Participating Parties. The forms for the Ballots for Class 5 and 6 Claims are modified to include releases for Participating Parties.

2. Notice of Non-Voting Status to Holders of Claims Deemed to Accept or Reject the Plan

22. Holders of claims in Class 1 (Other Priority Claims), Class 2 (Secured Claims), Class 3 (General Unsecured Convenience Claims) and Class 7 (Maintenance Claims) are not impaired under the Plan and, therefore, are deemed to accept the Plan. Consequently, such creditors are not entitled to vote to accept or reject the Plan. Holders of claims in Class 9 (Penalty Claims) and Class 10 (Abuse Related Contingent Contribution / Reimbursement / Indemnity Claims) will receive no property under the Plan and, therefore, are deemed to reject the Plan. Consequently, such Claims are not entitled to vote to accept or reject the Plan.⁷

23. Bankruptcy Rule 3017(d) provides, in relevant part, as follows:

If the court orders that the disclosure statement and the plan or a summary of the plan shall not be mailed to any unimpaired class, notice that the class is designated in the plan as unimpaired and notice of the name and address of the person from whom the plan or summary of the plan and disclosure statement may be obtained upon request and at the plan proponent's expense, shall be mailed to members of the unimpaired class together with the notice of the time fixed for filing objections to and the hearing on confirmation.

Fed. R. Bank. P. 3017(d).

⁷ See 11 U.S.C. § 1126(g); see also *In re The Leslie Fay Companies*, 207 B.R. 764 (Bankr. S.D.N.Y. 1997) (classes that would receive nothing under the debtor's proposed plan did not have the right to vote as they were conclusively presumed to have rejected the plan pursuant to 11 U.S.C. § 1126(g)); *In re Walnut Equip. Leasing*, 1999 WL 1068448, at *2 (Bankr. E.D. Pa. Nov. 23, 1999) ("A class that is to receive nothing under a plan is deemed to reject the plan and is not entitled to vote.") (citing 11 U.S.C. §1126(g)).

24. The Proponents propose to send to holders of interests in Classes 1, 2, 3, 7 9 and 10 which are not entitled to vote under the Plan (a) a notice of non-voting status, substantially in the forms attached hereto as "**Exhibit D**" (the "Notice of Non-Voting Status"), which identify the treatment of the classes designated and set forth the manner in which a copy of the Plan and Disclosure Statement may be obtained, (b) the Disclosure Statement Approval Order and (c) the Notice of Disclosure Statement Approval and Confirmation Hearing.

25. The Proponents submit that such notice satisfies the requirements of Bankruptcy Rule 3017(d).

3. Establishing Voting Deadline for Receipt of Ballots

26. Bankruptcy Rule 3017(c) provides that, on or before approval of a disclosure statement, the court shall fix a time within which the holders of claims or interests may accept or reject a plan. The Proponents anticipate commencing the solicitation period within seven (7) days after the entry of an order approving the Disclosure Statement. Based on such schedule, the Proponents propose that in order to be counted as a vote to accept or reject the Plan, each Ballot must be properly executed, completed, and delivered to the Proponents' balloting agent, (i) by first-class mail, in the return envelope provided with each Ballot, (ii) by overnight courier, or (iii) by personal delivery so that it is received by the Balloting Agent no later than 5:00 p.m. on January 3, 2014 (the "Voting Deadline"), which is approximately (35) thirty five days after the proposed commencement of the solicitation period. This solicitation period should be a sufficient period within which creditors and interest holders can make an informed decision to accept or reject the Plan.

4. Approval of Procedures for Vote Tabulation

27. Section 1126(c) of the Bankruptcy Code provides:

A class of claims has accepted a plan if such plan has been accepted by creditors, other than any entity designated under subsection (e) of this Section, that hold at least two-thirds in amount and more than one-half in number of the allowed claims of such class held by creditors, other than any entity designated under subsection (e) of this Section, that have accepted or rejected such plan.

11 U.S.C. § 1126(c). Further, Section 502(c) of the Bankruptcy Code provides that any contingent or unliquidated claim shall be estimated for the purpose of allowance. Bankruptcy Rule 3018(a), which complements Bankruptcy Code Section 502(c), provides that the “court after notice and hearing may temporarily allow the claim or interest in an amount which the court deems proper for the purpose of accepting or rejecting a plan.” Fed. R. Bankr. P. 3018(a).

28. The foregoing general procedure will apply to Creditors voting on the Plan:

- (a) If a claim is deemed allowed in accordance with the Plan, such claim is allowed for voting purposes in the deemed allowed amount set forth in the Plan;
- (b) If a claim has been estimated or otherwise allowed for voting purposes by order of the Court, such claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes only, and not for purposes of allowance or distribution;
- (c) If a claim is listed in the Schedules at zero or as contingent, unliquidated, or disputed and/or a proof of claim was not (i) filed by the applicable bar date for the filing of proofs of claim established by the Court or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, unless the Proponents have consented in writing, the Proponents propose that such claim be disallowed for voting purposes and for purposes of allowance and distribution pursuant to Bankruptcy Rule 3003(c).
- (d) Except as to Classes 4, 5 and 6 Claims, if a Debtor has served an objection to a claim at least ten (10) days before the Voting Deadline, the creditor whose claim is the subject of the objection shall receive a Ballot pre-printed with the amount sought by the Debtor(s) in such objection and

- (e) As to Classes 4, 5 and 6 Claims, each Claim will be temporarily allowed for voting purposes only in the amount of one dollar (\$1.00).

29. In accordance with paragraph 28(e), this temporary allowance is solely for purposes of voting to accept or reject the Plan and not for the purpose of the allowance of, or distribution on account of, a claim, and without prejudice to the rights of the Proponents or Non-Settling Insurers in any other context. This temporary allowance is not intended to affect, impair or diminish the Abuse Claimants rights against non-Debtor entities which may be co-defendants in litigation commenced against the Debtors who are not Participating Parties or Non Settling Insurers. In fact, the temporary allowance of unliquidated tort claims at \$1.00 is a fairly common practice as recognized by a number of reported and unreported decisions and orders.⁸

30. The Proponents believe that the foregoing proposed procedures provide for a fair and equitable voting process. If any creditor seeks to challenge the allowance of its claim for voting purposes in accordance with the above procedures, the Proponents request that the Court direct such creditor to serve on the Proponents and file with the Court (with a copy to Chambers) a motion for an order pursuant to Bankruptcy Rule 3018(a) temporarily allowing such claim in a different amount for purposes of voting to accept or reject the Plan so as to be received on or before December 13, 2013 at 4:00 p.m. (prevailing Eastern Time). The Proponents further propose, in accordance with Bankruptcy Rule 3018, that, as to any creditor

⁸ In re Johns-Manville Corporation, 68 B.R. 618 (Bankr. S.D.N.Y. 1986), aff'd, 843 F.2d 636 (2d Cir. 1988); In re A.H. Robins Company, Inc., 880 F.2d 694 (4th Cir. 1989); In re Simon, 2008 WL 2953471 (Bankr. E.D. Va. July 29, 2008). Indeed, numerous sexual abuse cases have estimated sexual abuse claims at \$1 for voting purposes only. In re Catholic Diocese of Wilmington, Inc., Case No. 09-13560 (Bankr. D. Del. May 20, 2011); In re Catholic Bishop of Northern Alaska, Case No. 08-00110 (Bankr. D. Alaska Dec. 17, 2009); In re Diocese of Davenport, Case No. 06-02229 (S.D. Iowa April 2, 2008); In re The Catholic Bishop of Spokane, Case No. 04-08822 (Bankr. E.D. Wash. March 8, 2007);

filing such a motion, such creditor's Ballot should not be counted unless temporarily allowed by the Court for voting purposes, after notice and a hearing.⁹

31. In tabulating the Ballots, the following additional procedures shall be utilized: (a) any Ballot that is properly completed, executed and timely returned to counsel to the Balloting Agent but does not indicate an acceptance or rejection of the Plan, or that indicates both an acceptance and rejection of the Plan, shall be deemed a vote to accept the Plan; (b) if no votes to accept or reject the Plan are received with respect to a particular class that is entitled to vote, such class shall be deemed to have voted to accept the Plan; (c) if a creditor, or any person acting on behalf of a creditor or interest holder under applicable law, casts more than one Ballot voting the same claim or interest before the Voting Deadline, the latest dated Ballot received before the Voting Deadline shall be deemed to reflect the voter's intent and thus to supersede any prior Ballots; (d) creditors must vote all of their claims within a particular class either to accept or reject the Plan and may not split their votes within a particular class; thus, a Ballot (or a group of Ballots) within a particular class received from a single creditor that partially rejects and partially accepts the Plan shall be deemed to have voted to accept the Plan and (e) the person signing the creditor's proof of claim may complete and sign the creditor's Ballot.

32. Further, for purposes of determining whether the numerosity and claim amount requirements of Sections 1126(c) and 1126(d) of the Bankruptcy Code have been satisfied, the balloting agent will tabulate only those Ballots received by the Voting Deadline.

33. The Plan Proponents further propose that the following Ballots not be counted or considered for any purpose in determining whether the Plan has been accepted or

⁹ This proposed procedure is consistent with section 1126 of the Bankruptcy Code, which provides that a plan may be accepted or rejected by the holder of a claim allowed under section 502 of the Bankruptcy Code. Section 502 of the Bankruptcy Code provides that a filed proof of claim is deemed allowed, "unless a party in interest . . . objects." 11 U.S.C. § 502.

rejected: (i) any Ballot received after the Voting Deadline unless the Proponents shall have granted in writing an extension of the Voting Deadline with respect to such Ballot; (ii) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor; (iii) any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote to accept or reject the Plan; (iv) any Ballot cast for a claim scheduled at zero or as unliquidated, contingent, or disputed for which no proof of claim was timely filed; (v) any unsigned Ballot; and (vi) any Ballot transmitted to counsel to the balloting agent by facsimile, email or other electronic means. The Proponents and balloting agent shall be permitted to contact creditors in an attempt to cure the deficiencies specified herein.

Notice

34. The Proponents propose to provide notice of this Motion by serving a notice in the form annexed hereto as “**Exhibit E**”. Since applicable Bankruptcy Rules only require notice to all creditors of a hearing to approve a disclosure statement and most of the relief requested herein is ministerial other than the estimation of sexual abuse claims at \$1.00 for voting purposes only, the Debtors submit that such notice complies with the applicable Bankruptcy Rules.

35. The Proponents will also serve a complete copy of this motion with exhibits upon all parties who filed a notice of appearance and request for service of documents as well as the United States Trustee for the Southern District of New York.

36. No previous motion for the relief requested herein has been made by the Proponents to this or any other Court.

WHEREFORE, the Proponents respectfully requests entry of an order substantially in the form annexed hereto as “**Exhibit A**” granting the relief sought herein and such other and further relief as the Court may deem just and proper.

Dated: New York, New York
September 30, 2013

TARTER KRINSKY & DROGIN LLP

By: /s/ Scott S. Markowitz
Scott S. Markowitz
1350 Broadway, 11th Floor
New York, New York 10018
Tel: (212) 216-8000

*Counsel for The Christian Brothers' Institute, et al.
Debtors and Debtors-in-Possession*

Dated: New York, New York
September 30, 2013

PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ James I. Stang
James I. Stang, Esq.
Ilan D. Scharf, Esq.
780 Third Avenue, 36th Floor
New York, New York 10017
Tel: (212) 561-7700
Fax: (212) 561-7777

*Counsel for the Official Committee of Unsecured
Creditors*

EXHIBIT A

(Disclosure Statement Approval Order)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,
Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**ORDER (A) APPROVING DISCLOSURE STATEMENT IN SUPPORT OF JOINT
PLAN OF REORGANIZATION (B) ESTABLISHING PROCEDURES FOR
SOLICITATION AND TABULATION OF VOTES TO ACCEPT OR REJECT PLAN
AND (C) ESTIMATING SEXUAL ABUSE CLAIMS AT \$1.00 FOR VOTING
PURPOSES ONLY**

A hearing having been held on November 15, 2013 (the "Hearing"), to consider the motion, dated September 26, 2013 (the "Motion"),¹ of The Christian Brothers Institute, Inc. and The Christian Brothers of Ireland, Inc. (the "Debtors") and the Official Committee of Unsecured Creditors of The Christian Brothers Institute, Inc. and The Christian Brothers of Ireland, Inc. (the "Committee", collectively with the Debtors, the "Proponents") for an order (i) approving the Disclosure Statement (the "Disclosure Statement"), pursuant to Section 1125 of title 11 of the United States Code (the "Bankruptcy Code"), relating to the Plan filed by the Proponents, dated August 22, 2013 (as such plan may be modified from time to time, the "Plan"), and (ii) establishing the procedures for solicitation and tabulation of votes to accept or reject the Plan pursuant to Sections 1125 and 1126 of the Bankruptcy Code and Rules 3017, 3018 and 3020 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and it appearing from the affidavit of service on file with this Court that proper and timely notice of the

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Motion.

Hearing has been given; and it appearing that such notice was adequate and appropriate with respect to all affected parties; and the appearances of all interested parties having been noted in the record of the Hearing; and the Proponents having made the conforming additions, changes, corrections and deletions to the Disclosure Statement as necessary to comport with the record of the Disclosure Statement Hearing and the agreements, if any, reached with the parties, if any, that had filed objections; and upon the Motion, any and all objections and/or responses to the Motion, and all of the proceedings heretofore had before the Court; and the Court having considered the adequacy of the Disclosure Statement and the materials to be transmitted therewith; and after due deliberation and good and sufficient cause appearing therefor, it is hereby

ORDERED, FOUND AND DETERMINED THAT:

1. The Disclosure Statement, as the same may be amended and modified to incorporate immaterial modifications, fill in blanks and reflect any modifications that the Proponents determine to be appropriate, which do not materially change the Disclosure Statement or materially affect any rights of a party in interest, be, and it hereby is, approved as containing adequate information within the meaning of Section 1125 of the Bankruptcy Code.

2. The Balloting Agent shall mail solicitation packages (the "Solicitation Packages") containing copies of (i) the Disclosure Statement Approval Order, (ii) the Notice of Disclosure Statement Approval and Confirmation Hearing and (iii) the approved Disclosure Statement (together with the Plan annexed thereto as "Exhibit A," which will be filed with the Court following approval and upon the mailing). The Solicitation Packages will be mailed no

later than November __, 2013 (the “Solicitation Date”) to (i) the Notice Parties, (ii) all persons or entities that filed proofs of claim on or before the date of the Notice of Disclosure Statement Approval and Confirmation Hearing, except to the extent that a claim was paid pursuant to, or expunged by, prior order of the Bankruptcy Court, (iii) all persons or entities listed in the Debtors’ Schedules of assets and liabilities or any amendment(s) thereof (the “Schedules”), as holding liquidated, noncontingent, and undisputed claims, in an amount greater than zero, (iv) all parties to executory contracts listed in the Schedules, (v) the Internal Revenue Service, (vi) any entity that has filed with the Court a notice of transfer of a claim under Bankruptcy Rule 3001(e) prior to the date of the Notice of Disclosure Statement Approval, (vii) any other known holders of claims against the Debtors, and (viii) state and local taxing authorities.

3. In the case of Classes 4, 5 and 6 Claimants, the Balloting Agent may serve one (1) Solicitation Package to counsel of record for all of such counsel’s clients, provided that each counsel will receive a separate Ballot for each client. On request, the Balloting Agent will provide counsel with additional Solicitation Packages.

4. In addition, pursuant to Bankruptcy Rule 3017(c), the form ballots (the “Ballots,” and individually, a “Ballot”) (substantially in the forms annexed hereto as “Exhibit A”) be, and they hereby are, approved and shall be distributed, along with a postage prepaid return envelope addressed to the Balloting Agent to the known holders of claims in those classes which are entitled to accept or reject the Plan.

5. In order to be counted as a vote to accept or reject the Plan, a Ballot must be properly executed, completed and delivered to the Balloting Agent (i) by mail in a return

envelope provided with each Ballot, (ii) by overnight courier or (iii) by personal delivery so that they are actually received by the balloting agent no later than 5:00 p.m. on January 3, 2014 (the "Voting Deadline").

6. Solely for the purpose of voting to accept or reject the Plan and not for the purpose of allowance of or distribution on account of a claim, and without prejudice to the rights of the Committee in any other context, each claim within a class of claims entitled to vote to accept or reject the Plan be, and it hereby is, temporarily allowed in an amount equal to the amount of such claim as set forth in a timely filed proof of claim or, if no proof of claim was filed, the amount of such claim as set forth in the Schedules; provided, however, that:

- (a) If a claim is deemed allowed in accordance with the Plan, such claim is allowed for voting purposes in the deemed allowed amount set forth in the Plan;
- (b) If a claim has been estimated or otherwise allowed for voting purposes by order of the Court, such claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes only, and not for purposes of allowance or distribution; and
- (c) If a claim is listed in the Schedules at zero or as contingent, unliquidated, or disputed and/or a proof of claim was not (i) filed by the applicable bar date for the filing of proofs of claim established by the Court or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, unless the Committee have consented in writing, such claim shall be disallowed for voting purposes and for purposes of allowance and distribution pursuant to Bankruptcy Rule 3003(c);
- (d) If any of the Committee have served an objection to a claim at least ten (10) days before the Voting Deadline, the creditor whose claim is the subject of the objection shall receive a Ballot pre-printed with the amount sought by the Debtor(s) in such objection and
- (e) As to Classes 4, 5 and 6 Claims, each Claim will be temporarily allowed for voting purposes only in the amount of one dollar (\$1.00).

7. In accordance with paragraph (6)(e), this temporary allowance is solely for purposes of voting to accept or reject the Plan and not for the purpose of the allowance of, or

distribution on account of, a claim, and without prejudice to the rights of the Proponents or Non-Settling Insurers in any other context.

8. Any creditor that challenges the allowance of its claim for voting purposes pursuant to the foregoing decretal paragraph of this Order be, and hereby is, directed to serve upon (a) attorneys for the Debtors, Tarter Krinsky & Drogin LLP, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Anthony Dougherty, Esq. and Scott Markowitz, Esq.; (b) attorneys for the Committee, Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 36th Floor, New York, New York 10017, Attn: Ilan D. Scharf, Esq., and Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067, Attn: James I. Stang, Esq. and (c) the Office of the U. S. Trustee, 33 Whitehall St., 21st Fl., New York, New York 10001, Attn: Paul Schwartzberg, Esq. (collectively, the “Notice Parties”), and file with the Court (with a copy to Chambers) a motion for an order pursuant to Bankruptcy Rule 3018(a) temporarily allowing such claim for purposes of voting to accept or reject the Plan on or before December 10, 2013.

9. The Proponents are not required to provide Ballots to the holders of claims in Class 1, Class 2, Class 3; Class 7, Class 9 and Class 10. The members of the foregoing Classes shall receive a Notice of Non-Voting Status (substantially in the forms annexed hereto as “Exhibit B”), along with copies of this Order and the Notice of Disclosure Statement Approval and Confirmation Hearing.

10. The Balloting Agent shall utilize the following procedures in mailing Solicitation Packages:

- (a) Creditors in any given class who hold multiple or duplicate claims against the Debtor in a single class shall receive only one (1) Solicitation Package and one (1) Ballot;
- (b) Creditors who have filed proofs of claim on or before Claims Bar Date and who are also listed in the Schedules shall receive only one (1) Solicitation Package and one (1) Ballot;
- (c) Creditors who have provided more than one address shall receive one (1) Solicitation Package and one (1) Ballot for each address provided and
- (d) In the case of Classes 4, 5 and 6 Claimants, the balloting agent shall send that Ballots to counsel of record for all of such counsel's clients. Counsel of record will be ascertained based on the creditor's proof of claim or a notice of appearance filed in the Cases.

11. In tabulating the Ballots, the following additional procedures shall be utilized: (a) any Ballot that is properly completed, executed and timely returned to the balloting agent but does not indicate an acceptance or rejection of the Plan, or that indicates both an acceptance and rejection of the Plan, shall be deemed a vote to accept the Plan; (b) if no votes to accept or reject the Plan are received with respect to a particular class, such class shall be deemed to have voted to accept the Plan; (c) if a creditor, or any person acting on behalf of a creditor under applicable law, casts more than one Ballot voting the same claim before the Voting Deadline, the latest dated Ballot received before the Voting Deadline shall be deemed to reflect the voter's intent and thus to supersede any prior Ballots; (d) creditors must vote all of their claims within a particular class, either to accept or reject the Plan and may not split their votes within a particular class; thus, a Ballot (or a group of Ballots) within a particular class received from a single creditor that partially rejects and partially accepts the Plan shall be deemed to have voted to accept the Plan and (e) the person signing the creditor's proof of claim may complete and sign the creditor's Ballot.

12. The following Ballots shall not be counted or considered for any purpose in determining whether the Plan has been accepted or rejected:

- (a) any Ballot received after the Voting Deadline unless the Debtor shall have granted in writing an extension of the Voting Deadline with respect to such Ballot;
- (b) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor or interest holder;
- (c) any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote to accept or reject the Plan;
- (d) any Ballot cast for a claim scheduled in the amount of \$0, or as unliquidated, contingent, or disputed for which no proof of claim was timely filed;
- (e) any unsigned Ballot; and
- (f) any Ballot transmitted to the balloting agent by facsimile, email or other electronic means.

13. In addition to the Committee's right to solicit acceptance of the Plan, the Committee shall be permitted to contact creditors and interest holders in an attempt to cure the deficiencies specified herein.

14. For purposes of determining whether the numerosity and claim or interest amount requirements of Sections 1126(c) and 1126(d) of the Bankruptcy Code have been satisfied, the Proponents shall tabulate only those Ballots cast by the Voting Deadline.

15. Mailing the Solicitation Packages in accordance with this Order constitutes adequate notice of the Confirmation Hearing and the Voting Deadline under Bankruptcy Rule 3017(d).

16. The Proponents are authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate this Order.

Dated: White Plains, New York
November __, 2013

UNITED STATES BANKRUPTCY JUDGE

EXHIBIT B

(Notice of Disclosure Statement Approval and Confirmation Hearing)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,

Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT;
(II) HEARING ON CONFIRMATION OF THE PLAN AND PROCEDURES FOR
OBJECTING TO CONFIRMATION OF THE PLAN; AND (III) PROCEDURES AND
DEADLINE FOR VOTING ON THE PLAN**

Dated: New York, New York
November ____, 2013

PLEASE TAKE NOTICE THAT

1. On August 22, 2013, The Christian Brothers Institute, Inc. and The Christian Brothers of Ireland, Inc. (the "Debtors") and the Official Committee of Unsecured Creditors of The Christian Brothers Institute, Inc. and The Christian Brothers of Ireland, Inc. (the "Committee", collectively with the Debtors, the "Proponents") filed their "Joint Chapter 11 Plan Of Reorganization Of The Christian Brothers Institute And The Christian Brothers Of Ireland, Inc." (the "Plan"), dated August 22, 2013, and a Disclosure Statement with respect to the Plan, dated August 22, 2013 (as such disclosure statement may be amended, the "Disclosure Statement"), pursuant to Section 1125 of Title 11 of the United States Code (the "Bankruptcy Code").

2. After a hearing (the "Disclosure Statement Hearing") held on November 15, 2013, the Court entered an order approving the Disclosure Statement and the Proponents' solicitation procedures (the "Disclosure Statement Approval Order"), in accordance with which you are receiving a copy of the Disclosure Statement and the Plan and certain other materials relating to the solicitation of votes to accept or reject the Plan.

3. A hearing (the "Confirmation Hearing") to consider confirmation of the Plan and related matters will be held at 10:00 a.m. on January 9, 2014 before the Honorable Robert D. Drain, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 12601-4155. The Confirmation Hearing may be adjourned from time to time without further notice other than announcement made at the Confirmation Hearing or any adjourned hearing, and the Plan may be

modified, if necessary, pursuant to 11 U.S.C. § 1127 prior to, during or as a result of the Confirmation Hearing, without further notice to interested parties.

4. If you hold a claim against the Debtors and are entitled to vote to accept or reject the Plan, you have received with this Notice a Ballot form and voting instructions appropriate for your claim or interest. For your vote to accept or reject the Plan to be counted, you must complete all required information on the Ballot, execute the Ballot, and return the completed Ballot to the balloting agent so that it is received no later than 5:00 p.m. on January 3, 2014. Any failure to follow the voting instructions included with the Ballot may disqualify your Ballot and your vote.

5. Holders of (i) unimpaired claims and (ii) claims and interests who will receive no distribution from the Debtors under the Plan are not entitled to vote on the Plan and, therefore, received a Notice of Non-Voting Status rather than a Ballot. In addition, unless otherwise set forth in the objection, claims that are the subject of an objection are not entitled to vote on the Plan and, therefore, did not receive a Ballot. If you disagree with the classification of, or objection to, your claim or interest and believed that you should be entitled to vote on the Plan, then you must (i) have timely filed a proof of claim by the applicable Bar Date and (ii) serve on the Proponents and file with the Court (with a copy to Chambers) a motion for an order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (a "Rule 3018(a) Motion") temporarily allowing such claim in a different amount or in a different class for purposes of voting to accept or reject the Plan. All Rule 3018(a) Motions must be filed on or before December 10, 2013. In accordance with Bankruptcy Rule 3018, as to any creditor filing a Rule 3018(a) Motion, such creditor's Ballot will not be counted unless temporarily allowed by the Court for voting purposes, after notice and a hearing. Creditors may contact the balloting agent to receive a Ballot for any claim for which a proof of claim and a Rule 3018(a) Motion have been timely filed. Rule 3018(a) Motions that are not timely filed and served in the manner set forth above shall not be considered.

6. Objections, if any, to the confirmation of the Plan must (i) be in writing, (ii) state the name and address of the objecting party and the nature of the claim or interest of such party, (iii) state with particularity the basis and nature of each objection to confirmation of the Plan and (iv) be filed, together with proof of service, with the Court (with a copy Chambers) and served so that they are received no later than 5:00 p.m., (prevailing Eastern Time) on January 3, 2014, by (a) attorneys for the Debtors, Tarter Krinsky & Drogin LLP, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Anthony Dougherty, Esq. and Scott Markowitz, Esq.; (b) attorneys for the Committee, Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 36th Floor, New York, New York 10017, Attn: Ilan D. Scharf, Esq. and Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067, Attn: James I. Stang, Esq. and (c) the Office of the U. S. Trustee, 33 Whitehall Street, 21st Floor, New York, New York 10004, Attn: Paul Schwartzberg, Esq. Objections not timely filed and served in the manner set forth above shall not be considered and shall be overruled.

7. Any holder of a claim that (i) is scheduled in the Debtors' Schedules of assets and liabilities at zero or in an unknown amount or as disputed, contingent, or unliquidated,

and is not the subject of a timely filed proof of claim or a proof of claim deemed timely filed with the Court pursuant to either the Bankruptcy Code or any order of the Bankruptcy Court or otherwise deemed timely filed under applicable law or (ii) is not scheduled and is not the subject of a timely filed proof of claim or a proof of claim deemed timely filed with the Court pursuant to either the Bankruptcy Code or any order of the Court or otherwise deemed timely filed under applicable law, shall not be treated as a creditor with respect to such claim for purposes of (a) receiving notices regarding, or distributions under, the Plan or (b) voting on the Plan.

8. Any party in interest wishing to obtain (i) information about the solicitation procedures or (ii) copies of the Disclosure Statement or the Plan should contact the undersigned counsel to the Debtors or visit the official website of the Official Creditors Committee: www.pszjlaw.com (Creditor Sites Tab) or www.omnimgt.com/thechristianbrothers.

Dated: New York, New York
November __, 2013

TARTER KRINSKY & DROGIN LLP

By: _____
Scott S. Markowitz
1350 Broadway, 11th Floor
New York, New York 10018
Tel: (212) 216-8000

*Counsel for The Christian Brothers' Institute, et al.
Debtors and Debtors-in-Possession*

Dated: New York, New York
November __, 2013

PACHULSKI STANG ZIEHL & JONES LLP

By: _____
Ilan D. Scharf, Esq.
780 Third Avenue, 36th Floor
New York, New York 10017
Tel: (212) 561-7700
Fax: (212) 561-7777

James I. Stang, Esq.
10100 Santa Monica Boulevard, 13th Floor
Los Angeles, CA 90067-4003
Tel: (310) 277-6910
Fax: (310) 201-0760

*Counsel for the Official Committee of Unsecured
Creditors of The Christian Brothers Institute, Inc.
and The Christian Brothers of Ireland, Inc.*

EXHIBIT C

(Ballots)

IF THIS BALLOT IS NOT RECEIVED BY THE BALLOTING AGENT BY 5:00 P.M. ON JANUARY 3, 2014 YOUR VOTE WILL NOT BE COUNTED.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,

Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**CLASS 8 GENERAL
UNSECURED CLAIMS**

**BALLOT FOR ACCEPTING OR REJECTING JOINT
PLAN OF REORGANIZATION DATED AUGUST 22, 2013**

PLEASE READ BOTH SIDES OF THIS BALLOT BEFORE COMPLETING THIS BALLOT.
The undersigned, a holder of a General Unsecured Claim, votes (check one box only):

| | |
|--|--|
| <input type="checkbox"/> to ACCEPT the Plan | <input type="checkbox"/> to REJECT the Plan |
|--|--|

Amount of Your Claim for Voting Purposes Only:
\$ _____

By signing this Ballot, the undersigned makes the certifications set forth below.

Name of Creditor:

(Print or Type)

Street Address: _____

City, State, and Zip Code

By: _____

Telephone Number: (____) _____

Print Name of Signatory: _____

Social Security or Federal Tax I.D. No.

Title: _____
(if Appropriate)

Date Completed: _____

PLEASE READ THE FOLLOWING BEFORE COMPLETING YOUR BALLOT

Please complete, sign, and date this Ballot. Return this Ballot to **THE CHRISTIAN BROTHERS INSTITUTE, ET AL., C/O OMNI ACQUISITION CORP., 5955 DESOTO AVE., STE. 100, WOODLAND HILLS, CA 91367**. If your Ballot is NOT RECEIVED by 5:00 p.m., Eastern Time on January 3, 2014, it will not be counted.

On November __, 2013, the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") signed an order, which establishes certain procedures for the solicitation and tabulation of votes to accept or reject the Plan.

By signing this Ballot, you make the following certifications under penalty of perjury pursuant to 28 U.S.C. § 1746:

- "I have been provided with a copy of the Disclosure Statement, dated August 22, 2013, and the exhibits thereto."
- "I have the full power and authority to vote to accept or reject the Plan on behalf of the creditor listed on the reverse side."
- "I have reviewed and accept the following exculpation and release provisions in the Plan."

EXCEPT AS EXPRESSLY PROVIDED IN THIS PLAN, NONE OF THE EXCULPATED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY HOLDER OF A CLAIM, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE AGENTS, EMPLOYEES, REPRESENTATIVES, FINANCIAL ADVISORS, ATTORNEYS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN CONNECTION WITH, RELATING TO, OR ARISING OUT OF THE CASE, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED HOWEVER THE DEBTORS AND REORGANIZED DEBTORS WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE CONFIRMATION DATE) OR ANY CAUSES OF ACTION ARISING FROM OR RELATED TO DENIALS OF COVERAGE OR COVERAGE DEFENSES RAISED BY NON SETTling INSURERS, AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE CASE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND ITS TRUSTEES, OFFICERS, MEMBERS, EMPLOYEES, ATTORNEYS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF § 1125(E) OF THE BANKRUPTCY CODE. FOR THE AVOIDANCE OF DOUBT, THIS SECTION AND THE DEFINITION OF "EXCULPATED PARTIES" SHALL NOT, DIRECTLY OR INDIRECTLY, INURE TO OR FOR THE BENEFIT OF (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTLING INSURER, (II), THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAM'S) PREDECESSORS, (IV) A SUCCESSOR OR PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR'S OR

PREDECESSOR'S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS AND (VI) THE HOLY SEE.

PARTICIPATING PARTIES, SETTLING INSURERS, THE REORGANIZED DEBTORS, THE TRUST, THE TRUSTEE AND PROFESSIONALS EMPLOYED BY THE FOREGOING SHALL NOT HAVE ANY LIABILITY TO ANY GOVERNMENTAL ENTITY OR INSURER ON ACCOUNT OF PAYMENTS MADE TO AN ABUSE CLAIMANT, INCLUDING BUT NOT LIMITED TO LIABILITY UNDER THE MEDICARE SECONDARY PAYER ACT.

To have your vote count you must complete and return this Ballot by 5:00 p.m., Eastern Time on January 3, 2014.

This Ballot is for voting purposes only and does not constitute and shall not be deemed a proof of claim or interest or an admission of the validity of a claim or interest.

IF THIS BALLOT IS NOT RECEIVED BY THE BALLOTING AGENT BY 5:00 P.M. ON JANUARY 3, 2014 YOUR VOTE WILL NOT BE COUNTED.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,
Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**CLASS 4 (SEXUAL ABUSE
CLAIMS)**

**BALLOT FOR ACCEPTING OR REJECTING JOINT
PLAN OF REORGANIZATION DATED AUGUST 22, 2013**

PLEASE READ BOTH SIDES OF THIS BALLOT BEFORE COMPLETING THIS BALLOT.

The undersigned, a holder of a Sexual Abuse Claim, votes (check one box only):

to **ACCEPT** the Plan

to **REJECT** the Plan

Regardless of whether you Accept or Reject the Plan, indicate your treatment election below:

I elect treatment as an Allocation Plan Claimant.

I elect treatment as a Sexual Abuse Litigation Claimant.

Amount of Your Claim for Voting Purposes Only: \$1.00

By signing this Ballot, the undersigned makes the certifications set forth below.

Name of Creditor:

Street Address: _____

(Print or Type)

City, State, and Zip Code

By: _____

Telephone Number: (____) _____

Print Name of
Signatory: _____

Social Security or Federal Tax I.D. No.

Title: _____
(if Appropriate)

Date Completed: _____

PLEASE READ THE FOLLOWING BEFORE COMPLETING YOUR BALLOT

Please complete, sign, and date this Ballot. Return this Ballot to **THE CHRISTIAN BROTHERS INSTITUTE, ET AL., C/O OMNI ACQUISITION CORP., 5955 DESOTO AVE., STE. 100, WOODLAND HILLS, CA 91367.** If your Ballot is NOT RECEIVED by 5:00 p.m., Eastern Time on January 3, 2014, it will not be counted.

On November __, 2013, the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") signed an order, which establishes certain procedures for the solicitation and tabulation of votes to accept or reject the Plan.

By signing this Ballot, you make the following certifications under penalty of perjury pursuant to 28 U.S.C. § 1746:

- "I have been provided with a copy of the Disclosure Statement, dated August 22, 2013, and the exhibits thereto."
- "I have the full power and authority to vote to accept or reject the Plan on behalf of the creditor listed on the reverse side."
- "I have reviewed and accept the following exculpation, release and injunction provisions in the Plan."

EXCULPATION

EXCEPT AS EXPRESSLY PROVIDED IN THE PLAN, NONE OF THE EXCULPATED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY HOLDER OF A CLAIM, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE AGENTS, EMPLOYEES, REPRESENTATIVES, FINANCIAL ADVISORS, ATTORNEYS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN CONNECTION WITH, RELATING TO, OR ARISING OUT OF THE CASE, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED HOWEVER THE DEBTORS AND REORGANIZED DEBTORS WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE CONFIRMATION DATE) OR ANY CAUSES OF ACTION ARISING FROM OR RELATED TO DENIALS OF COVERAGE OR COVERAGE DEFENSES RAISED BY NON SETTLING INSURERS, AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE CASE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND ITS TRUSTEES, OFFICERS, MEMBERS, EMPLOYEES, ATTORNEYS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF § 1125(E) OF THE BANKRUPTCY CODE. FOR THE AVOIDANCE OF DOUBT, THIS SECTION AND THE DEFINITION OF "EXCULPATED PARTIES" SHALL NOT, DIRECTLY OR INDIRECTLY, INURE TO OR FOR THE BENEFIT OF (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTLING INSURER, (II), THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE

CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAM'S) PREDECESSORS, (IV) A SUCCESSOR OR PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR'S OR PREDECESSOR'S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS AND (VI) THE HOLY SEE.

PARTICIPATING PARTIES, SETTLING INSURERS, THE REORGANIZED DEBTORS, THE TRUST, THE TRUSTEE AND PROFESSIONALS EMPLOYED BY THE FOREGOING SHALL NOT HAVE ANY LIABILITY TO ANY GOVERNMENTAL ENTITY OR INSURER ON ACCOUNT OF PAYMENTS MADE TO AN ABUSE CLAIMANT, INCLUDING BUT NOT LIMITED TO LIABILITY UNDER THE MEDICARE SECONDARY PAYER ACT.

SETTLING INSURER INJUNCTION

IN CONSIDERATION OF THE UNDERTAKINGS OF THE SETTLING INSURERS, PURSUANT TO THEIR RESPECTIVE SETTLEMENTS WITH THE DEBTORS OR THE TRUSTEE, THE FUNDING OF THE TRUST, OTHER CONSIDERATION, AND TO FURTHER PRESERVE AND PROMOTE THE AGREEMENTS BETWEEN AND AMONG THE SETTLING INSURERS AND THE DEBTORS, AND THE PROTECTIONS AFFORDED THE SETTLING INSURERS, AND PURSUANT TO SECTIONS 105 AND 363 OF THE BANKRUPTCY CODE EXCEPT AS OTHERWISE PROVIDED IN THE PLAN ANY AND ALL PERSONS OR ENTITIES (INCLUDING, WITHOUT LIMITATION, ALL DEBT HOLDERS, ALL EQUITY HOLDERS, GOVERNMENTAL, TAX, AND REGULATORY AUTHORITIES, LENDERS, TRADE AND OTHER CREDITORS, TORT CLAIM HOLDERS, OTHER INSURERS, AND ALL OTHERS HOLDING CLAIMS OR INTERESTS) ARE PERMANENTLY ENJOINED AND BARRED FROM ASSERTING AGAINST A SETTLING INSURER ANY CLAIM (INCLUDING, WITHOUT LIMITATION, ANY INSURANCE COVERAGE CLAIM OR INTEREST OF ANY KIND OR NATURE WHATSOEVER ARISING FROM OR RELATING IN ANY WAY TO ANY CLAIM OR ANY OF THE INSURANCE POLICIES).

NOTHING CONTAINED IN THIS SECTION IS INTENDED TO AFFECT, DIMINISH OR IMPAIR ANY INJUNCTIONS CONTAINED IN AN AGREEMENT BETWEEN THE DEBTORS OR THE TRUSTEE AND ANY SETTLING INSURER, INCLUDING BUT NOT LIMITED TO PROVIDENCE WASHINGTON. SUCH INJUNCTIONS ARE INCORPORATED HEREIN BY REFERENCE AND ARE DEEMED FULLY SET FORTH HEREIN

ANY INSURER THAT BECOMES A SETTLING INSURER AND SIGNS A BANKRUPTCY COURT APPROVED-SETTLEMENT AGREEMENT SHALL BE ENTITLED TO THE BENEFITS, INCLUDING ALL INJUNCTIONS, AS SET FORTH IN THE FORM OF SETTLEMENT AGREEMENT SIGNED BY SUCH INSURER.

CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES AND SETTLING INSURERS

IN CONSIDERATION OF THE UNDERTAKINGS OF THE PARTICIPATING PARTIES AND SETTLING INSURERS, PURSUANT TO THEIR RESPECTIVE SETTLEMENTS WITH THE DEBTORS OR THE TRUSTEE, THE FUNDING OF THE TRUST, OTHER CONSIDERATION, AND TO FURTHER PRESERVE AND PROMOTE THE AGREEMENTS BETWEEN AND AMONG THE PARTICIPATING PARTIES, SETTLING INSURERS AND THE DEBTORS, AND THE PROTECTIONS AFFORDED THE PARTICIPATING PARTIES AND SETTLING

INSURERS, AND PURSUANT TO SECTIONS 105 AND 363 OF THE BANKRUPTCY CODE EXCEPT AS OTHERWISE PROVIDED IN THE PLAN:

- a) **ANY AND ALL CHANNELED CLAIMS ARE CHANNELED INTO THE TRUST; AND**

- b) **ALL PERSONS OR ENTITIES THAT HAVE HELD OR ASSERTED, HOLD OR ASSERT, OR MAY IN THE FUTURE HOLD OR ASSERT, ANY CHANNELED CLAIM (INCLUDING ALL DEBT HOLDERS, GOVERNMENTAL, TAX AND REGULATORY AUTHORITIES, LENDERS, TRADE AND OTHER CREDITORS, ABUSE CLAIMANTS, OTHER INSURERS, AND ALL OTHERS HOLDING CLAIMS OR INTERESTS OF ANY KIND OR NATURE WHATSOEVER) ARE HEREBY PERMANENTLY STAYED, ENJOINED, BARRED AND RESTRAINED FROM TAKING ANY ACTION, DIRECTLY OR INDIRECTLY, FOR THE PURPOSES OF ASSERTING, ENFORCING, OR ATTEMPTING TO ASSERT OR ENFORCE ANY CHANNELED CLAIM, INCLUDING:**
 - (i) **COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND WITH RESPECT TO ANY CHANNELED CLAIM AGAINST ANY PARTICIPATING PARTY, SETTLING INSURERS THEIR RESPECTIVE PREDECESSORS, SUCCESSORS, AND ASSIGNS, OR THEIR RESPECTIVE EMPLOYEES, OFFICERS, AND DIRECTORS, OR AGAINST THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER;**

 - (ii) **ENFORCING, ATTACHING, COLLECTING OR RECOVERING, BY ANY MANNER OR MEANS, FROM ANY PARTICIPATING PARTY INSURERS OR FROM THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER, WITH RESPECT TO ANY SUCH CHANNELED CLAIM, ANY JUDGMENT, AWARD, DECREE, OR ORDER AGAINST ANY PARTICIPATING PARTY OR SETTLING INSURER;**

 - (iii) **CREATING, PERFECTING OR ENFORCING ANY LIEN OF ANY KIND AGAINST ANY PARTICIPATING PARTY, OR SETTLING INSURER OR THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER WITH RESPECT TO ANY SUCH CHANNELED CLAIM (EXCEPT AS PROVIDED IN THE PLAN); AND**

 - (iv) **ASSERTING, IMPLEMENTING OR EFFECTUATING ANY CHANNELED CLAIM OF ANY KIND AGAINST:**
 - (1) **ANY OBLIGATION DUE ANY PARTICIPATING PARTY OR SETTLING INSURER;**

- (2) ANY PARTICIPATING PARTY OR SETTLING INSURER; OR
- (3) THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER WITH RESPECT TO ANY SUCH CHanneled CLAIM.

ANY INJUNCTION CONTAINED IN A BANKRUPTCY-COURT APPROVED AGREEMENT WITH A PARTICIPATING PARTY OR SETTLING INSURER IS INCORPORATED INTO THE PLAN BY REFERENCE, IS DEEMED FULLY SET FORTH IN THE PLAN AND IS IN ADDITION TO THE CHANNELING INJUNCTION. ANY DIFFERENCES BETWEEN THE CHANNELING INJUNCTION IN SECTION 15.9 OF THE PLAN AND THE INJUNCTION(S) DEEMED SET FORTH BY THIS SUBPARAGRAPH ARE NOT INTENDED TO AFFECT, DIMINISH OR IMPAIR THE INJUNCTION(S) INCORPORATED HEREIN AND CONTAINED IN SUCH AGREEMENT.

NOTWITHSTANDING ANY PROVISION OF THE PLAN, THE FOREGOING "CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES OR SETTLING INSURERS PROVIDES ABSOLUTELY NO PROTECTION TO (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTLING INSURER, (II) THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAMS) PREDECESSORS, (IV) A SUCCESSOR OR PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR'S OR PREDECESSOR'S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS, (VI) THE HOLY SEE OR (VII) ANY PERSON OR ENTITY ON ACCOUNT OF CLAIMS EXCEPTED FROM THE EXCULPATION UNDER SECTION 15.7 OF THE PLAN.

TO THE EXTENT NOT OTHERWISE ENJOINED IN SECTION 15.9 OF THE PLAN, ASSERTION AND ENFORCEMENT OF CHanneled CLAIMS, AND ANY ATTEMPT TO ASSERT OR ENFORCE SUCH CLAIMS, BY ANY PERSON OR ENTITY, AGAINST A PARTICIPATING PARTY OR SETTLING INSURER IS HEREBY PERMANENTLY STAYED, ENJOINED, BARRED, AND RESTRAINED.

NOTWITHSTANDING ANY PROVISION OF SECTION 15.9 OF THE PLAN, THE FOREGOING "CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES AND SETTLING INSURERS" IS NOT INTENDED TO AFFECT, DIMINISH OR IMPAIR THE RIGHTS OF ANY SEXUAL ABUSE LITIGATION CLAIMANT TO COMMENCE OR PROSECUTE AN ABUSE CLAIM AGAINST THE DEBTORS, THE PROVINCE; CHRISTIAN BROTHERS COMMUNITIES WITHIN THE PROVINCE OR THE PROVINCIAL LEADERSHIP TEAM (OR ANY OF ITS PREDECESSORS OR SUCCESSORS) PROVIDED THAT SUCH COMMENCEMENT OR PROSECUTION IS SUBJECT TO THE TERMS AND CONDITIONS OF THE DEBTORS' DISCHARGE AND SECTION 15.3 OF THE PLAN.

**RELEASE OF AVOIDANCE CLAIMS AGAINST
PARTICIPATING PARTIES AND SETTLING INSURERS**

ON THE EFFECTIVE DATE, ALL AVOIDANCE RIGHTS, INCLUDING THOSE ARISING UNDER SECTIONS 544, 547, 548, 549, 550, AND 553 OF THE BANKRUPTCY CODE, AGAINST EACH OF THE PARTICIPATING PARTIES AND SETTLING INSURERS AND THE DEBTORS AND REORGANIZED DEBTORS SHALL BE DEEMED SETTLED, COMPROMISED, AND RELEASED BY THE PLAN. FOR AVOIDANCE OF DOUBT, THIS RELEASE DOES NOT INCLUDE A RELEASE OF THE AVOIDANCE RIGHTS ASSERTED IN THE ADVERSARY PROCEEDING ENTITLED *THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF THE CHRISTIAN BROTHERS' INSTITUTE AND THE CHRISTIAN BROTHERS OF IRELAND, INC., V. ALL HALLOWS INSTITUTE*, ADV. NO. 13-08229-RDD, FILED IN THE BANKRUPTCY COURT.

RELEASE OF CLAIMS AGAINST PARTICIPATING PARTY OR SETTLING INSURER

EXCEPT FOR OBLIGATIONS ARISING UNDER ANY EXECUTORY CONTRACT ASSUMED BY REORGANIZED DEBTORS PURSUANT TO SECTION XVI OF THE PLAN, OBLIGATIONS UNDER ANY SETTLEMENT AGREEMENT AND CLAIMS EXCEPTED FROM EXCULPATION UNDER SECTION 15.4 OF THE PLAN, , ON THE EFFECTIVE DATE, DEBTORS, REORGANIZED DEBTORS AND THE ESTATES WAIVE, RELEASE AND DISCHARGE ANY AND ALL CLAIMS OR CAUSES OF ACTION OF EVERY KIND AND NATURE THAT DEBTORS, REORGANIZED DEBTORS, OR THE ESTATES HAVE OR MAY HAVE AGAINST A PARTICIPATING PARTY OR SETTLING INSURER, INCLUDING AVOIDANCE RIGHTS, AND ANY CLAIM THAT SUCH PARTICIPATING PARTY OR SETTLING INSURER OR THEIR ASSETS ARE A PART OF OR OWNED BY DEBTORS OR THE ESTATES. NO SUCH CLAIM WILL SURVIVE THE EFFECTIVE DATE OR BE DEEMED TO BE ASSIGNED TO THE TRUST. TO THE EXTENT OF ANY RELEASES IN A BANKRUPTCY COURT-APPROVED AGREEMENT WITH A PARTICIPATING PARTY OR SETTLING INSURER, NOTHING CONTAINED IN THE PLAN IS INTENDED TO AFFECT, DIMINISH OR IMPAIR SUCH RELEASES.

To have your vote count you must complete and return this Ballot by 5:00 p.m., Eastern time on January 3, 2014.

This Ballot is for voting purposes only and does not constitute and shall not be deemed a proof of claim or interest or an admission of the validity of a claim or interest.

IF THIS BALLOT IS NOT RECEIVED BY THE BALLOTING AGENT BY 5:00 P.M. ON JANUARY 3, 2014 YOUR VOTE WILL NOT BE COUNTED.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,

Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

CLASS 5 (FRAUD CLAIMS)

**BALLOT FOR ACCEPTING OR REJECTING JOINT
PLAN OF REORGANIZATION DATED AUGUST 22, 2013**

PLEASE READ BOTH SIDES OF THIS BALLOT BEFORE COMPLETING THIS BALLOT.

The undersigned, a holder of a Fraud Claim, votes (check one box only):

to **ACCEPT** the Plan

to **REJECT** the Plan

Amount of Your Claim for Voting Purposes Only: \$1.00

By signing this Ballot, the undersigned makes the certifications set forth below.

Name of Creditor:

(Print or Type)

Street Address: _____

City, State, and Zip Code

By: _____

Telephone Number: (____) _____

Print Name of Signatory: _____

Social Security or Federal Tax I.D. No.

Title: _____
(if Appropriate)

Date Completed: _____

PLEASE READ THE FOLLOWING BEFORE COMPLETING YOUR BALLOT

Please complete, sign, and date this Ballot. Return this Ballot to **THE CHRISTIAN BROTHERS INSTITUTE, ET AL., C/O OMNI ACQUISITION CORP., 5955 DESOTO AVE., STE. 100, WOODLAND HILLS, CA 91367..** If your Ballot is NOT RECEIVED by 5:00 p.m., Eastern Time on January 3, 2014, it will not be counted.

On November __, 2013, the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") signed an order, which establishes certain procedures for the solicitation and tabulation of votes to accept or reject the Plan.

By signing this Ballot, you make the following certifications under penalty of perjury pursuant to 28 U.S.C. § 1746:

- "I have been provided with a copy of the Disclosure Statement, dated August 22, 2013, and the exhibits thereto."
- "I have the full power and authority to vote to accept or reject the Plan on behalf of the creditor listed on the reverse side."
- "I have reviewed and accept the following exculpation and release provisions in the Plan."

EXCULPATION

EXCEPT AS EXPRESSLY PROVIDED IN THE PLAN, NONE OF THE EXCULPATED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY HOLDER OF A CLAIM, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE AGENTS, EMPLOYEES, REPRESENTATIVES, FINANCIAL ADVISORS, ATTORNEYS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN CONNECTION WITH, RELATING TO, OR ARISING OUT OF THE CASE, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED HOWEVER THE DEBTORS AND REORGANIZED DEBTORS WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE CONFIRMATION DATE) OR ANY CAUSES OF ACTION ARISING FROM OR RELATED TO DENIALS OF COVERAGE OR COVERAGE DEFENSES RAISED BY NON SETTling INSURERS, AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE CASE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND ITS TRUSTEES, OFFICERS, MEMBERS, EMPLOYEES, ATTORNEYS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF § 1125(E) OF THE BANKRUPTCY CODE. FOR THE AVOIDANCE OF DOUBT, THIS SECTION AND THE DEFINITION OF "EXCULPATED PARTIES" SHALL NOT, DIRECTLY OR INDIRECTLY, INURE TO OR FOR THE BENEFIT OF (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTling INSURER, (II), THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAM'S) PREDECESSORS, (IV) A SUCCESSOR OR

PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR'S OR PREDECESSOR'S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS AND (VI) THE HOLY SEE.

PARTICIPATING PARTIES, SETTLING INSURERS, THE REORGANIZED DEBTORS, THE TRUST, THE TRUSTEE AND PROFESSIONALS EMPLOYED BY THE FOREGOING SHALL NOT HAVE ANY LIABILITY TO ANY GOVERNMENTAL ENTITY OR INSURER ON ACCOUNT OF PAYMENTS MADE TO AN ABUSE CLAIMANT, INCLUDING BUT NOT LIMITED TO LIABILITY UNDER THE MEDICARE SECONDARY PAYER ACT.

SETTLING INSURER INJUNCTION

IN CONSIDERATION OF THE UNDERTAKINGS OF THE SETTLING INSURERS, PURSUANT TO THEIR RESPECTIVE SETTLEMENTS WITH THE DEBTORS OR THE TRUSTEE, THE FUNDING OF THE TRUST, OTHER CONSIDERATION, AND TO FURTHER PRESERVE AND PROMOTE THE AGREEMENTS BETWEEN AND AMONG THE SETTLING INSURERS AND THE DEBTORS, AND THE PROTECTIONS AFFORDED THE SETTLING INSURERS, AND PURSUANT TO SECTIONS 105 AND 363 OF THE BANKRUPTCY CODE EXCEPT AS OTHERWISE PROVIDED IN THE PLAN ANY AND ALL PERSONS OR ENTITIES (INCLUDING, WITHOUT LIMITATION, ALL DEBT HOLDERS, ALL EQUITY HOLDERS, GOVERNMENTAL, TAX, AND REGULATORY AUTHORITIES, LENDERS, TRADE AND OTHER CREDITORS, TORT CLAIM HOLDERS, OTHER INSURERS, AND ALL OTHERS HOLDING CLAIMS OR INTERESTS) ARE PERMANENTLY ENJOINED AND BARRED FROM ASSERTING AGAINST A SETTLING INSURER ANY CLAIM (INCLUDING, WITHOUT LIMITATION, ANY INSURANCE COVERAGE CLAIM OR INTEREST OF ANY KIND OR NATURE WHATSOEVER ARISING FROM OR RELATING IN ANY WAY TO ANY CLAIM OR ANY OF THE INSURANCE POLICIES).

NOTHING CONTAINED IN THIS SECTION IS INTENDED TO AFFECT, DIMINISH OR IMPAIR ANY INJUNCTIONS CONTAINED IN AN AGREEMENT BETWEEN THE DEBTOR OR THE TRUSTEE AND ANY SETTLING INSURER, INCLUDING BUT NOT LIMITED TO PROVIDENCE WASHINGTON. SUCH INJUNCTIONS ARE INCORPORATED HEREIN BY REFERENCE AND ARE DEEMED FULLY SET FORTH HEREIN

ANY INSURER THAT BECOMES A SETTLING INSURER AND SIGNS A BANKRUPTCY COURT APPROVED-SETTLEMENT AGREEMENT SHALL BE ENTITLED TO THE BENEFITS, INCLUDING ALL INJUNCTIONS, AS SET FORTH IN THE FORM OF SETTLEMENT AGREEMENT SIGNED BY SUCH INSURER.

CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES AND SETTLING INSURERS

IN CONSIDERATION OF THE UNDERTAKINGS OF THE PARTICIPATING PARTIES AND SETTLING INSURERS, PURSUANT TO THEIR RESPECTIVE SETTLEMENTS WITH THE DEBTORS OR THE TRUSTEE, THE FUNDING OF THE TRUST, OTHER CONSIDERATION, AND TO FURTHER PRESERVE AND PROMOTE THE AGREEMENTS BETWEEN AND AMONG THE PARTICIPATING PARTIES, SETTLING INSURERS AND THE DEBTORS, AND THE PROTECTIONS AFFORDED THE PARTICIPATING PARTIES AND SETTLING INSURERS, AND PURSUANT TO SECTIONS 105 AND 363 OF THE BANKRUPTCY CODE EXCEPT AS OTHERWISE PROVIDED IN THE PLAN:

- c) **ANY AND ALL CHANNELED CLAIMS ARE CHANNELED INTO THE TRUST; AND**
- d) **ALL PERSONS OR ENTITIES THAT HAVE HELD OR ASSERTED, HOLD OR ASSERT, OR MAY IN THE FUTURE HOLD OR ASSERT, ANY CHANNELED CLAIM (INCLUDING ALL DEBT HOLDERS, GOVERNMENTAL, TAX AND REGULATORY AUTHORITIES, LENDERS, TRADE AND OTHER CREDITORS, ABUSE CLAIMANTS, OTHER INSURERS, AND ALL OTHERS HOLDING CLAIMS OR INTERESTS OF ANY KIND OR NATURE WHATSOEVER) ARE HEREBY PERMANENTLY STAYED, ENJOINED, BARRED AND RESTRAINED FROM TAKING ANY ACTION, DIRECTLY OR INDIRECTLY, FOR THE PURPOSES OF ASSERTING, ENFORCING, OR ATTEMPTING TO ASSERT OR ENFORCE ANY CHANNELED CLAIM, INCLUDING:**
 - (v) **COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND WITH RESPECT TO ANY CHANNELED CLAIM AGAINST ANY PARTICIPATING PARTY, SETTLING INSURERS THEIR RESPECTIVE PREDECESSORS, SUCCESSORS, AND ASSIGNS, OR THEIR RESPECTIVE EMPLOYEES, OFFICERS, AND DIRECTORS, OR AGAINST THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER;**
 - (vi) **ENFORCING, ATTACHING, COLLECTING OR RECOVERING, BY ANY MANNER OR MEANS, FROM ANY PARTICIPATING PARTY INSURERS OR FROM THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER, WITH RESPECT TO ANY SUCH CHANNELED CLAIM, ANY JUDGMENT, AWARD, DECREE, OR ORDER AGAINST ANY PARTICIPATING PARTY OR SETTLING INSURER;**
 - (vii) **CREATING, PERFECTING OR ENFORCING ANY LIEN OF ANY KIND AGAINST ANY PARTICIPATING PARTY, OR SETTLING INSURER OR THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER WITH RESPECT TO ANY SUCH CHANNELED CLAIM (EXCEPT AS PROVIDED IN THE PLAN; AND**
 - (viii) **ASSERTING, IMPLEMENTING OR EFFECTUATING ANY CHANNELED CLAIM OF ANY KIND AGAINST:**
 - (1) **ANY OBLIGATION DUE ANY PARTICIPATING PARTY OR SETTLING INSURER;**
 - (2) **ANY PARTICIPATING PARTY OR SETTLING INSURER; OR**

**(3) THE PROPERTY OF ANY PARTICIPATING PARTY OR
SETTLING INSURER WITH RESPECT TO ANY SUCH
CHANNELED CLAIM.**

ANY INJUNCTION CONTAINED IN A BANKRUPTCY-COURT APPROVED AGREEMENT WITH A PARTICIPATING PARTY OR SETTLING INSURER IS INCORPORATED INTO THE PLAN BY REFERENCE, IS DEEMED FULLY SET FORTH IN THE PLAN AND IS IN ADDITION TO THE CHANNELING INJUNCTION. ANY DIFFERENCES BETWEEN THE CHANNELING INJUNCTION IN SECTION 15.9 OF THE PLAN AND THE INJUNCTION(S) DEEMED SET FORTH BY THIS SUBPARAGRAPH ARE NOT INTENDED TO AFFECT, DIMINISH OR IMPAIR THE INJUNCTION(S) INCORPORATED HEREIN AND CONTAINED IN SUCH AGREEMENT.

NOTWITHSTANDING ANY PROVISION OF THE PLAN, THE FOREGOING “CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES OR SETTLING INSURERS PROVIDES ABSOLUTELY NO PROTECTION TO (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTLING INSURER, (II) THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAMS) PREDECESSORS, (IV) A SUCCESSOR OR PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR’S OR PREDECESSOR’S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS, (VI) THE HOLY SEE OR (VII) ANY PERSON OR ENTITY ON ACCOUNT OF CLAIMS EXCEPTED FROM THE EXCULPATION UNDER SECTION 15.7 OF THE PLAN.

TO THE EXTENT NOT OTHERWISE ENJOINED IN SECTION 15.9 OF THE PLAN, ASSERTION AND ENFORCEMENT OF CHANNELED CLAIMS, AND ANY ATTEMPT TO ASSERT OR ENFORCE SUCH CLAIMS, BY ANY PERSON OR ENTITY, AGAINST A PARTICIPATING PARTY OR SETTLING INSURER IS HEREBY PERMANENTLY STAYED, ENJOINED, BARRED, AND RESTRAINED.

NOTWITHSTANDING ANY PROVISION OF SECTION 15.9 OF THE PLAN, THE FOREGOING “CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES AND SETTLING INSURERS” IS NOT INTENDED TO AFFECT, DIMINISH OR IMPAIR THE RIGHTS OF ANY SEXUAL ABUSE LITIGATION CLAIMANT TO COMMENCE OR PROSECUTE AN ABUSE CLAIM AGAINST THE DEBTORS, THE PROVINCE; CHRISTIAN BROTHERS COMMUNITIES WITHIN THE PROVINCE OR THE PROVINCIAL LEADERSHIP TEAM (OR ANY OF ITS PREDECESSORS OR SUCCESSORS) PROVIDED THAT SUCH COMMENCEMENT OR PROSECUTION IS SUBJECT TO THE TERMS AND CONDITIONS OF THE DEBTORS’ DISCHARGE AND SECTION 15.3 OF THE PLAN.

**RELEASE OF AVOIDANCE CLAIMS AGAINST
PARTICIPATING PARTIES AND SETTLING INSURERS**

ON THE EFFECTIVE DATE, ALL AVOIDANCE RIGHTS, INCLUDING THOSE ARISING UNDER SECTIONS 544, 547, 548, 549, 550, AND 553 OF THE BANKRUPTCY CODE, AGAINST EACH OF THE PARTICIPATING PARTIES AND SETTLING INSURERS AND THE DEBTORS

AND REORGANIZED DEBTORS SHALL BE DEEMED SETTLED, COMPROMISED, AND RELEASED BY THE PLAN. FOR AVOIDANCE OF DOUBT, THIS RELEASE DOES NOT INCLUDE A RELEASE OF THE AVOIDANCE RIGHTS ASSERTED IN THE ADVERSARY PROCEEDING ENTITLED *THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF THE CHRISTIAN BROTHERS' INSTITUTE AND THE CHRISTIAN BROTHERS OF IRELAND, INC., V. ALL HALLOWS INSTITUTE*, ADV. NO. 13-08229-RDD, FILED IN THE BANKRUPTCY COURT.

RELEASE OF CLAIMS AGAINST PARTICIPATING PARTY OR SETTLING INSURER

EXCEPT FOR OBLIGATIONS ARISING UNDER ANY EXECUTORY CONTRACT ASSUMED BY REORGANIZED DEBTORS PURSUANT TO SECTION XVI OF THE PLAN, OBLIGATIONS UNDER ANY SETTLEMENT AGREEMENT AND CLAIMS EXCEPTED FROM EXCULPATION UNDER SECTION 15.4 OF THE PLAN, , ON THE EFFECTIVE DATE, DEBTORS, REORGANIZED DEBTORS AND THE ESTATES WAIVE, RELEASE AND DISCHARGE ANY AND ALL CLAIMS OR CAUSES OF ACTION OF EVERY KIND AND NATURE THAT DEBTORS, REORGANIZED DEBTORS, OR THE ESTATES HAVE OR MAY HAVE AGAINST A PARTICIPATING PARTY OR SETTLING INSURER, INCLUDING AVOIDANCE RIGHTS, AND ANY CLAIM THAT SUCH PARTICIPATING PARTY OR SETTLING INSURER OR THEIR ASSETS ARE A PART OF OR OWNED BY DEBTORS OR THE ESTATES. NO SUCH CLAIM WILL SURVIVE THE EFFECTIVE DATE OR BE DEEMED TO BE ASSIGNED TO THE TRUST. TO THE EXTENT OF ANY RELEASES IN A BANKRUPTCY COURT-APPROVED AGREEMENT WITH A PARTICIPATING PARTY OR SETTLING INSURER, NOTHING CONTAINED IN THE PLAN IS INTENDED TO AFFECT, DIMINISH OR IMPAIR SUCH RELEASES.

To have your vote count you must complete and return this Ballot by 5:00 p.m., Eastern time on January 3, 2014.

This Ballot is for voting purposes only and does not constitute and shall not be deemed a proof of claim or interest or an admission of the validity of a claim or interest.

IF THIS BALLOT IS NOT RECEIVED BY THE BALLOTING AGENT BY 5:00 P.M. ON JANUARY 3, 2014 YOUR VOTE WILL NOT BE COUNTED.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,

Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**CLASS 6 (PHYSICAL ABUSE
CLAIMS)**

**BALLOT FOR ACCEPTING OR REJECTING JOINT
PLAN OF REORGANIZATION DATED AUGUST 22, 2013**

PLEASE READ BOTH SIDES OF THIS BALLOT BEFORE COMPLETING THIS BALLOT.

The undersigned, a holder of a Physical Abuse Claim, votes (check one box only):

| | |
|--|--|
| <input type="checkbox"/> to ACCEPT the Plan | <input type="checkbox"/> to REJECT the Plan |
|--|--|

Amount of Your Claim for Voting Purposes Only: \$1.00

By signing this Ballot, the undersigned makes the certifications set forth below.

Name of Creditor:

(Print or Type)

Street Address: _____

City, State, and Zip Code

By: _____

Telephone Number: (____) _____

Print Name of Signatory: _____

Social Security or Federal Tax I.D. No.

Title: _____
(if Appropriate)

Date Completed: _____

PLEASE READ THE FOLLOWING BEFORE COMPLETING YOUR BALLOT

Please complete, sign, and date this Ballot. Return this Ballot to **THE CHRISTIAN BROTHERS INSTITUTE, ET AL., C/O OMNI ACQUISITION CORP., 5955 DESOTO AVE., STE. 100, WOODLAND HILLS, CA 91367**. If your Ballot is NOT RECEIVED by 5:00 p.m., Eastern Time on January 3, 2014, it will not be counted.

On November __, 2013, the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") signed an order, which establishes certain procedures for the solicitation and tabulation of votes to accept or reject the Plan.

By signing this Ballot, you make the following certifications under penalty of perjury pursuant to 28 U.S.C. § 1746:

- "I have been provided with a copy of the Disclosure Statement, dated August 22, 2013, and the exhibits thereto."
- "I have the full power and authority to vote to accept or reject the Plan on behalf of the creditor listed on the reverse side."
- "I have reviewed and accept the following exculpation and release provisions in the Plan."

EXCULPATION

EXCEPT AS EXPRESSLY PROVIDED IN THE PLAN, NONE OF THE EXCULPATED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY HOLDER OF A CLAIM, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE AGENTS, EMPLOYEES, REPRESENTATIVES, FINANCIAL ADVISORS, ATTORNEYS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN CONNECTION WITH, RELATING TO, OR ARISING OUT OF THE CASE, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED HOWEVER THE DEBTORS AND REORGANIZED DEBTORS WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE CONFIRMATION DATE) OR ANY CAUSES OF ACTION ARISING FROM OR RELATED TO DENIALS OF COVERAGE OR COVERAGE DEFENSES RAISED BY NON SETTling INSURERS, AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE CASE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND ITS TRUSTEES, OFFICERS, MEMBERS, EMPLOYEES, ATTORNEYS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF § 1125(E) OF THE BANKRUPTCY CODE. FOR THE AVOIDANCE OF DOUBT, THIS SECTION AND THE DEFINITION OF "EXCULPATED PARTIES" SHALL NOT, DIRECTLY OR INDIRECTLY, INURE TO OR FOR THE BENEFIT OF (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTling INSURER, (II), THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAM'S) PREDECESSORS, (IV) A SUCCESSOR OR PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR'S OR

PREDECESSOR'S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS AND (VI) THE HOLY SEE.

PARTICIPATING PARTIES, SETTLING INSURERS, THE REORGANIZED DEBTORS, THE TRUST, THE TRUSTEE AND PROFESSIONALS EMPLOYED BY THE FOREGOING SHALL NOT HAVE ANY LIABILITY TO ANY GOVERNMENTAL ENTITY OR INSURER ON ACCOUNT OF PAYMENTS MADE TO AN ABUSE CLAIMANT, INCLUDING BUT NOT LIMITED TO LIABILITY UNDER THE MEDICARE SECONDARY PAYER ACT.

SETTLING INSURER INJUNCTION

IN CONSIDERATION OF THE UNDERTAKINGS OF THE SETTLING INSURERS, PURSUANT TO THEIR RESPECTIVE SETTLEMENTS WITH THE DEBTORS OR THE TRUSTEE, THE FUNDING OF THE TRUST, OTHER CONSIDERATION, AND TO FURTHER PRESERVE AND PROMOTE THE AGREEMENTS BETWEEN AND AMONG THE SETTLING INSURERS AND THE DEBTORS, AND THE PROTECTIONS AFFORDED THE SETTLING INSURERS, AND PURSUANT TO SECTIONS 105 AND 363 OF THE BANKRUPTCY CODE EXCEPT AS OTHERWISE PROVIDED IN THE PLAN ANY AND ALL PERSONS OR ENTITIES (INCLUDING, WITHOUT LIMITATION, ALL DEBT HOLDERS, ALL EQUITY HOLDERS, GOVERNMENTAL, TAX, AND REGULATORY AUTHORITIES, LENDERS, TRADE AND OTHER CREDITORS, TORT CLAIM HOLDERS, OTHER INSURERS, AND ALL OTHERS HOLDING CLAIMS OR INTERESTS) ARE PERMANENTLY ENJOINED AND BARRED FROM ASSERTING AGAINST A SETTLING INSURER ANY CLAIM (INCLUDING, WITHOUT LIMITATION, ANY INSURANCE COVERAGE CLAIM OR INTEREST OF ANY KIND OR NATURE WHATSOEVER ARISING FROM OR RELATING IN ANY WAY TO ANY CLAIM OR ANY OF THE INSURANCE POLICIES).

NOTHING CONTAINED IN THIS SECTION IS INTENDED TO AFFECT, DIMINISH OR IMPAIR ANY INJUNCTIONS CONTAINED IN AN AGREEMENT BETWEEN THE DEBTOR OR THE TRUSTEE AND ANY SETTLING INSURER, INCLUDING BUT NOT LIMITED TO PROVIDENCE WASHINGTON. SUCH INJUNCTIONS ARE INCORPORATED HEREIN BY REFERENCE AND ARE DEEMED FULLY SET FORTH HEREIN

ANY INSURER THAT BECOMES A SETTLING INSURER AND SIGNS A BANKRUPTCY COURT APPROVED-SETTLEMENT AGREEMENT SHALL BE ENTITLED TO THE BENEFITS, INCLUDING ALL INJUNCTIONS, AS SET FORTH IN THE FORM OF SETTLEMENT AGREEMENT SIGNED BY SUCH INSURER.

CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES AND SETTLING INSURERS

IN CONSIDERATION OF THE UNDERTAKINGS OF THE PARTICIPATING PARTIES AND SETTLING INSURERS, PURSUANT TO THEIR RESPECTIVE SETTLEMENTS WITH THE DEBTORS OR THE TRUSTEE, THE FUNDING OF THE TRUST, OTHER CONSIDERATION, AND TO FURTHER PRESERVE AND PROMOTE THE AGREEMENTS BETWEEN AND AMONG THE PARTICIPATING PARTIES, SETTLING INSURERS AND THE DEBTORS, AND THE PROTECTIONS AFFORDED THE PARTICIPATING PARTIES AND SETTLING INSURERS, AND PURSUANT TO SECTIONS 105 AND 363 OF THE BANKRUPTCY CODE EXCEPT AS OTHERWISE PROVIDED IN THE PLAN:

- e) **ANY AND ALL CHANNELED CLAIMS ARE CHANNELED INTO THE TRUST; AND**
- f) **ALL PERSONS OR ENTITIES THAT HAVE HELD OR ASSERTED, HOLD OR ASSERT, OR MAY IN THE FUTURE HOLD OR ASSERT, ANY CHANNELED CLAIM (INCLUDING ALL DEBT HOLDERS, GOVERNMENTAL, TAX AND REGULATORY AUTHORITIES, LENDERS, TRADE AND OTHER CREDITORS, ABUSE CLAIMANTS, OTHER INSURERS, AND ALL OTHERS HOLDING CLAIMS OR INTERESTS OF ANY KIND OR NATURE WHATSOEVER) ARE HEREBY PERMANENTLY STAYED, ENJOINED, BARRED AND RESTRAINED FROM TAKING ANY ACTION, DIRECTLY OR INDIRECTLY, FOR THE PURPOSES OF ASSERTING, ENFORCING, OR ATTEMPTING TO ASSERT OR ENFORCE ANY CHANNELED CLAIM, INCLUDING:**
 - (ix) **COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND WITH RESPECT TO ANY CHANNELED CLAIM AGAINST ANY PARTICIPATING PARTY, SETTLING INSURERS THEIR RESPECTIVE PREDECESSORS, SUCCESSORS, AND ASSIGNS, OR THEIR RESPECTIVE EMPLOYEES, OFFICERS, AND DIRECTORS, OR AGAINST THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER;**
 - (x) **ENFORCING, ATTACHING, COLLECTING OR RECOVERING, BY ANY MANNER OR MEANS, FROM ANY PARTICIPATING PARTY INSURERS OR FROM THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER, WITH RESPECT TO ANY SUCH CHANNELED CLAIM, ANY JUDGMENT, AWARD, DECREE, OR ORDER AGAINST ANY PARTICIPATING PARTY OR SETTLING INSURER;**
 - (xi) **CREATING, PERFECTING OR ENFORCING ANY LIEN OF ANY KIND AGAINST ANY PARTICIPATING PARTY, OR SETTLING INSURER OR THE PROPERTY OF ANY PARTICIPATING PARTY OR SETTLING INSURER WITH RESPECT TO ANY SUCH CHANNELED CLAIM (EXCEPT AS PROVIDED IN THE PLAN; AND**
 - (xii) **ASSERTING, IMPLEMENTING OR EFFECTUATING ANY CHANNELED CLAIM OF ANY KIND AGAINST:**
 - (1) **ANY OBLIGATION DUE ANY PARTICIPATING PARTY OR SETTLING INSURER;**
 - (2) **ANY PARTICIPATING PARTY OR SETTLING INSURER; OR**

**(3) THE PROPERTY OF ANY PARTICIPATING PARTY OR
SETTLING INSURER WITH RESPECT TO ANY SUCH
CHANNELED CLAIM.**

ANY INJUNCTION CONTAINED IN A BANKRUPTCY-COURT APPROVED AGREEMENT WITH A PARTICIPATING PARTY OR SETTLING INSURER IS INCORPORATED INTO THE PLAN BY REFERENCE, IS DEEMED FULLY SET FORTH IN THE PLAN AND IS IN ADDITION TO THE CHANNELING INJUNCTION. ANY DIFFERENCES BETWEEN THE CHANNELING INJUNCTION IN SECTION 15.9 OF THE PLAN AND THE INJUNCTION(S) DEEMED SET FORTH BY THIS SUBPARAGRAPH ARE NOT INTENDED TO AFFECT, DIMINISH OR IMPAIR THE INJUNCTION(S) INCORPORATED HEREIN AND CONTAINED IN SUCH AGREEMENT.

NOTWITHSTANDING ANY PROVISION OF THE PLAN, THE FOREGOING “CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES OR SETTLING INSURERS PROVIDES ABSOLUTELY NO PROTECTION TO (I) A PERSON OR PERSONS HAVING PERSONALLY COMMITTED AN ACT OR ACTS OF ABUSE RESULTING IN A CLAIM AGAINST THE DEBTORS, A PARTICIPATING PARTY OR A SETTLING INSURER, (II) THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS PREDECESSORS; (III) THE CONGREGATIONAL LEADERSHIP TEAMS (AND ANY MEMBER THEREOF) OF THE CONGREGATION OF CHRISTIAN BROTHERS OR ANY OF ITS (I.E. THE CONGREGATIONAL LEADERSHIP TEAMS) PREDECESSORS, (IV) A SUCCESSOR OR PREDECESSOR OF THE DEBTORS TO THE EXTENT OF SUCH SUCCESSOR’S OR PREDECESSOR’S INDEPENDENT LIABILITY FOR AN ACT OR ACTS OF ABUSE, (V) THE CHRISTIAN BROTHERS SCHOOLS, (VI) THE HOLY SEE OR (VII) ANY PERSON OR ENTITY ON ACCOUNT OF CLAIMS EXCEPTED FROM THE EXCULPATION UNDER SECTION 15.7 OF THE PLAN.

TO THE EXTENT NOT OTHERWISE ENJOINED IN SECTION 15.9 OF THE PLAN, ASSERTION AND ENFORCEMENT OF CHANNELED CLAIMS, AND ANY ATTEMPT TO ASSERT OR ENFORCE SUCH CLAIMS, BY ANY PERSON OR ENTITY, AGAINST A PARTICIPATING PARTY OR SETTLING INSURER IS HEREBY PERMANENTLY STAYED, ENJOINED, BARRED, AND RESTRAINED.

NOTWITHSTANDING ANY PROVISION OF SECTION 15.9 OF THE PLAN, THE FOREGOING “CHANNELING INJUNCTION PREVENTING PROSECUTION OF ABUSE CLAIMS AGAINST PARTICIPATING PARTIES AND SETTLING INSURERS” IS NOT INTENDED TO AFFECT, DIMINISH OR IMPAIR THE RIGHTS OF ANY SEXUAL ABUSE LITIGATION CLAIMANT TO COMMENCE OR PROSECUTE AN ABUSE CLAIM AGAINST THE DEBTORS, THE PROVINCE; CHRISTIAN BROTHERS COMMUNITIES WITHIN THE PROVINCE OR THE PROVINCIAL LEADERSHIP TEAM (OR ANY OF ITS PREDECESSORS OR SUCCESSORS) PROVIDED THAT SUCH COMMENCEMENT OR PROSECUTION IS SUBJECT TO THE TERMS AND CONDITIONS OF THE DEBTORS’ DISCHARGE AND SECTION 15.3 OF THE PLAN.

**RELEASE OF AVOIDANCE CLAIMS AGAINST
PARTICIPATING PARTIES AND SETTLING INSURERS**

ON THE EFFECTIVE DATE, ALL AVOIDANCE RIGHTS, INCLUDING THOSE ARISING UNDER SECTIONS 544, 547, 548, 549, 550, AND 553 OF THE BANKRUPTCY CODE, AGAINST EACH OF THE PARTICIPATING PARTIES AND SETTLING INSURERS AND THE DEBTORS

AND REORGANIZED DEBTORS SHALL BE DEEMED SETTLED, COMPROMISED, AND RELEASED BY THE PLAN. FOR AVOIDANCE OF DOUBT, THIS RELEASE DOES NOT INCLUDE A RELEASE OF THE AVOIDANCE RIGHTS ASSERTED IN THE ADVERSARY PROCEEDING ENTITLED *THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF THE CHRISTIAN BROTHERS' INSTITUTE AND THE CHRISTIAN BROTHERS OF IRELAND, INC., V. ALL HALLOWS INSTITUTE*, ADV. NO. 13-08229-RDD, FILED IN THE BANKRUPTCY COURT.

RELEASE OF CLAIMS AGAINST PARTICIPATING PARTY OR SETTLING INSURER

EXCEPT FOR OBLIGATIONS ARISING UNDER ANY EXECUTORY CONTRACT ASSUMED BY REORGANIZED DEBTORS PURSUANT TO SECTION XVI OF THE PLAN, OBLIGATIONS UNDER ANY SETTLEMENT AGREEMENT AND CLAIMS EXCEPTED FROM EXCULPATION UNDER SECTION 15.4 OF THE PLAN, , ON THE EFFECTIVE DATE, DEBTORS, REORGANIZED DEBTORS AND THE ESTATES WAIVE, RELEASE AND DISCHARGE ANY AND ALL CLAIMS OR CAUSES OF ACTION OF EVERY KIND AND NATURE THAT DEBTORS, REORGANIZED DEBTORS, OR THE ESTATES HAVE OR MAY HAVE AGAINST A PARTICIPATING PARTY OR SETTLING INSURER, INCLUDING AVOIDANCE RIGHTS, AND ANY CLAIM THAT SUCH PARTICIPATING PARTY OR SETTLING INSURER OR THEIR ASSETS ARE A PART OF OR OWNED BY DEBTORS OR THE ESTATES. NO SUCH CLAIM WILL SURVIVE THE EFFECTIVE DATE OR BE DEEMED TO BE ASSIGNED TO THE TRUST. TO THE EXTENT OF ANY RELEASES IN A BANKRUPTCY COURT-APPROVED AGREEMENT WITH A PARTICIPATING PARTY OR SETTLING INSURER, NOTHING CONTAINED IN THE PLAN IS INTENDED TO AFFECT, DIMINISH OR IMPAIR SUCH RELEASES.

To have your vote count you must complete and return this Ballot by 5:00 p.m., Eastern time on January 3, 2014.

This Ballot is for voting purposes only and does not constitute and shall not be deemed a proof of claim or interest or an admission of the validity of a claim or interest.

EXHIBIT D

(Notices of Non-Voting Status)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,
Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**NOTICE OF NON-VOTING STATUS WITH RESPECT
TO CLASSES 1, 2, 3, AND 7**

PLEASE TAKE NOTICE THAT on November __, 2013, the United States Bankruptcy Court for the Southern District of New York (the "Court") entered an order approving the Disclosure Statement for the Joint Plan of Reorganization (the "Plan"), dated as of August 22, 2013, filed by The Christian Brothers' Institute and The Christian Brothers of Ireland, Inc. (the "Debtors") and the Official Committee of Unsecured Creditors of The Christian Brothers' Institute and The Christian Brothers of Ireland, Inc. (the "Committee", collectively with the Debtors, the "Proponents") (as such disclosure statement may be amended, the "Disclosure Statement") filed by the Proponents for use in soliciting acceptances or rejections of the Plan.

UNDER THE TERMS OF THE PLAN, YOUR CLAIM/INTEREST IN CLASS __ AGAINST THE CHRISTIAN BROTHERS' INSTITUTE AND THE CHRISTIAN BROTHERS OF IRELAND, INC. IS/ARE NOT IMPAIRED AND, THEREFORE, PURSUANT TO SECTION 1126(g) OF THE BANKRUPTCY CODE, YOU ARE (I) DEEMED TO HAVE ACCEPTED THE PLAN, AND (II) NOT ENTITLED TO VOTE ON THE PLAN. ACCORDINGLY, THE ENCLOSED DOCUMENTS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. COPIES OF THE PLAN AND DISCLOSURE STATEMENT ARE AVAILABLE AT:
www.omnimgt.com/thechristianbrothers

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,
Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**NOTICE OF NON-VOTING STATUS WITH RESPECT
TO CLASSES 9 AND 10**

PLEASE TAKE NOTICE THAT on November __, 2013, the United States Bankruptcy Court for the Southern District of New York (the "Court") entered an order approving the Disclosure Statement for the Joint Plan of Reorganization (the "Plan"), dated as of August 22, 2013, filed by The Christian Brothers' Institute and The Christian Brothers of Ireland, Inc. (the "Debtors") and the Official Committee of Unsecured Creditors of The Christian Brothers' Institute and The Christian Brothers of Ireland, Inc. (the "Committee", collectively with the Debtors, the "Proponents") (as such disclosure statement may be amended, the "Disclosure Statement") filed by the Proponents for use in soliciting acceptances or rejections of the Plan.

UNDER THE TERMS OF THE PLAN, YOUR CLAIM IN CLASSES 9 OR 10 AGAINST THE CHRISTIAN BROTHERS' INSTITUTE AND THE CHRISTIAN BROTHERS OF IRELAND, INC. IS/ARE IMPAIRED AND WILL NOT RECEIVE ANY PROPERTY UNDER THE PLAN, THEREFORE, PURSUANT TO SECTION 1126(g) OF THE BANKRUPTCY CODE, YOU ARE (I) DEEMED TO HAVE REJECTED THE PLAN, AND (II) NOT ENTITLED TO VOTE ON THE PLAN. ACCORDINGLY, THE ENCLOSED DOCUMENTS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE ANY QUESTIONS ABOUT THE STATUS OF YOUR INTEREST(S), YOU MAY CONTACT THE BALLOTING AGENT: THE CHRISTIAN BROTHERS INSTITUTE, ET AL., C/O OMNI ACQUISITION CORP., 5955 DESOTO AVE., STE. 100, WOODLAND HILLS, CA 91367. COPIES OF THE PLAN AND DISCLOSURE STATEMENT ARE AVAILABLE AT:
www.omnimgt.com/thechristianbrothers

EXHIBIT E

(Notice of Hearing to Approve the Disclosure Statement)

TARTER KRINSKY & DROGIN LLP

Counsel for The Christian Brothers Institute, et al.
1350 Broadway, 11th Floor
New York, New York 10018
(212) 216-8000
Scott S. Markowitz, Esq.
Anthony Dougherty, Esq.

PACHULSKI STANG ZIEHL & JONES LLP

Counsel for the Official Committee of Unsecured Creditors
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067-4003
James I. Stang, Esq.

-And-

PACHULSKI STANG ZIEHL & JONES LLP

Counsel for the Official Committee of Unsecured Creditors
780 Third Avenue, 36th Floor
New York, New York 10017-2024
Ilan D. Scharf, Esq.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|--|---|--------------------------|
| ----- | X | |
| In re: | : | Chapter 11 |
| | : | |
| THE CHRISTIAN BROTHERS' INSTITUTE, <i>et al.</i> , | : | Case No.: 11-22820 (RDD) |
| | : | |
| Debtors. | : | (Jointly Administered) |
| ----- | X | |

**NOTICE OF HEARING TO APPROVE DISCLOSURE
STATEMENT AND FOR RELATED RELIEF**

PLEASE TAKE NOTICE that on August 22, 2013, The Christian Brothers' Institute, Inc. and The Christian Brothers of Ireland, Inc. (the "Debtors") and the Official Committee of Unsecured Creditors (the "Committee", collectively with the Debtors, the "Proponents") filed the Disclosure Statement (the "Disclosure Statement") for the Proponents' Joint Plan of Reorganization dated August 22, 2013 (the "Plan"), each of which as may hereafter be amended, modified, or supplemented, with the Bankruptcy Court for the Southern District of New York.

The Proponents submitted the Disclosure Statement pursuant to section 1125 of the Bankruptcy Code for use in the solicitation of votes on the Plan. The Proponents reserve the right to hereafter amend, supplement or modify the Plan and Disclosure Statement.

PLEASE TAKE FURTHER NOTICE that a hearing is currently scheduled for **November 15, 2013 at 10 a.m. (EST)** (the "Hearing"), before the Honorable Robert D. Drain, United States Bankruptcy Judge for the Southern District of New York, 300 Quarropas Street, Courtroom # 118, White Plains, New York 12601-4155 (the "Court") to consider, among other things, entry of an order (i) approving the Disclosure Statement, (ii) establishing procedures for solicitation and tabulation of votes to accept or reject the plan, and (iii) estimating all sexual abuse claims at \$1.00 for voting purposes only (the "Motion").

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion must: (a) be in writing; (b) state with particularity the grounds thereof, including any proposed language that the objecting party believes may satisfy such objection; (c) be filed electronically with the Clerk of the Court on the docket of In re The Christian Brothers Institute, Inc., Case No. 11-22820, pursuant to the Court's General Order M-399, by registered users on the Court's filing system and by all other parties in interest on a 3.5 inch disc, preferably in portable document format, Microsoft Word or any other Windows-based word processing format and served by U.S. mail, overnight delivery, or hand delivery, and be received in the chambers of the Honorable Robert D. Drain at the Court's address; and (d) served upon (i) counsel for the Debtors, Tarter Krinsky & Drogin, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Scott S. Markowitz, Esq.; (ii) counsel for the Committee, Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Blvd., 13th Floor, Los Angeles, CA 90067-4003, Attn: James I. Stang, Esq., with a copy to Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 36th Floor, New York, New York 10017-2024, Attn: Ilan D. Scharf, Esq., and (iii) the Office of the United

States Trustee, Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004, Attn: Paul Schwartzberg, Esq., so as to be actually received no later than **November 8, 2013 at 4:00 p.m. (EST)**.

PLEASE TAKE FURTHER NOTICE that copies of the Disclosure Statement which has been filed but not yet approved by the Bankruptcy Court can be obtained by written request to Tarter Krinsky & Drogin, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Scott S. Markowitz, Esq., or can be viewed at www.omnimgt.com/thechristianbrothers.

PLEASE TAKE FURTHER NOTICE that only those objections that are timely filed, served and received will be considered at the hearing to approve the Motion. Failure to file a timely objection may result in entry of a final order approving the Disclosure Statement and the Motion as requested by the Proponents without further notice.

PLEASE TAKE FURTHER NOTICE that you need not appear at the Hearing if you do not object to the relief to be requested at the Hearing.

PLEASE TAKE FURTHER NOTICE that the Hearing may be adjourned from time to time without further notice other than by announcement of the adjournment date at the Hearing or by a notice of adjournment filed with the Court.

Dated: New York, New York
September 26, 2013

TARTER KRINSKY & DROGIN LLP

By: _____
Scott S. Markowitz
1350 Broadway, 11th Floor
New York, New York 10018
Tel: (212) 216-8000
Fax: (212) 216-8001

*Counsel for The Christian Brothers
Institute, Inc., et al.*

Dated: New York, New York
September 26, 2013

PACHULSKI STANG ZIEHL & JONES LLP

By: _____

James I. Stang
Ilan D. Scharf
780 Third Avenue, 36th Floor
New York, New York 10017
Tel: (212) 561-7700
Fax: (212) 561-7777

*Counsel for the Official Committee of Unsecured
Creditors*