

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-9108-RLM-11

**JOINT MOTION TO SHORTEN NOTICE ON JOINT MOTION REQUESTING THE
COURT TO CONDUCT A SETTLEMENT CONFERENCE AND FOR OTHER RELIEF**

USA Gymnastics, as debtor and debtor in possession in the above-captioned chapter 11 case (the “**Debtor**”), and the Additional Tort Claimants Committee of Sexual Abuse Survivors (the “**Survivors’ Committee**”) jointly move this Court (the “**Motion**”) for the entry of an order, substantially in the form attached hereto as Exhibit A, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), Rule 9006-1(a) of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana (the “**Local Rules**”), and section III.F of the Case Management Procedures (as defined below), shortening notice on the *Joint Motion Requesting The Court To Conduct A Settlement Conference And For Other Relief* (the “**Motion**”), filed jointly by the Debtor and the Survivors’ Committee, and respectfully state as follows:

1. The Debtor and the Survivors’ Committee have contemporaneously filed herewith the Motion, requesting that the Court hold a settlement conference in this case and grant certain other relief.

¹ The last four digits of the Debtor’s federal tax identification number are 7871. The location of the Debtor’s principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

2. As set forth in the Motion, the Debtor and the Survivors' Committee are asking the Court to hold a settlement conference in September. The next omnibus hearing is on August 26, 2020 at which the parties who would participate in a settlement conference would most likely appear and thus, the Debtor and the Survivors' Committee request that the Court hear the Motion on shortened notice at the upcoming August 26, 2020 omnibus hearing.

3. Bankruptcy Rule 9006(c), Local Rule 9006-1(a), and section III.F of the case management procedures appended to the *Order Granting Debtor's Motion For Order Establishing Certain Notice, Case Management, And Administrative Procedures* [Dkt. 213] (the "**Case Management Procedures**") permit the consideration of motions on shortened notice for cause.

4. The Debtor submits that in light of the importance of the Motion to an efficient resolution of this case, cause exists to hear the Motion on shortened notice. Courts frequently shorten notice periods when a debtor or other party identifies cause to do so. *See e.g., In re Fayette Memorial Hospital Assoc., Inc.*, Case No. 18-07762-JJG-11, Dkt. 206 (Bankr. S.D. Ind. Jan. 18, 2019); *In re Scotty's Holdings, LLC*, Case No. 18-09243-JJG-11, Dkt. 93 (Bankr. S.D. Ind. Dec. 28, 2018); *In re hgregg, Inc.*, Case No. 17-01302-RLM-11, Dkt. 1292 (Bankr. S.D. Ind. June 30, 2017).

5. Accordingly, consistent with Bankruptcy Rule 9006(c), Local Rule 9006-1(a), and section III.F of the Case Management Procedures, the Debtor requests the Court shorten notice on the Motion and set the Motion to be heard at the omnibus hearing to be held on August 26, 2020 at 1:30 p.m. (prevailing Eastern time) and fix an objection deadline of August 24, 2020 at 4:00 p.m. (prevailing Eastern time).

NOTICE

6. The Debtor will provide notice of this Motion and any order entered hereon in accordance with the Case Management Procedures and Local Rules 9006-1(d) and 9006-1(e). In

light of the nature of the relief requested herein, the Debtor and the Survivors' Committee submit that no other or further notice is necessary.

WHEREFORE, the Debtor and the Survivors' Committee respectfully request entry of an order, substantially in the form attached as Exhibit A, granting the relief requested in this Motion and granting such other relief as is just and proper.

Dated: August 20, 2020

JENNER & BLOCK LLP

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EXHIBIT A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-9108-RLM-11

**ORDER GRANTING MOTION FOR AN EXPEDITED HEARING ON
THE JOINT MOTION REQUESTING THE COURT TO CONDUCT
A SETTLEMENT CONFERENCE AND FOR OTHER RELIEF**

¹The last four digits of the Debtor's federal tax identification number are 7871. The location of the Debtor's principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

This matter came before the Court on the *Motion To Shorten Notice* (the “**Motion**”) on the *Joint Motion Requesting The Court To Conduct A Settlement Conference And For Other Relief* (the “**Settlement Conference Motion**”), filed by USA Gymnastics as debtor and debtor in possession (the “**Debtor**”) and the Additional Tort Claimants Committee of Sexual Abuse Survivors (the “**Survivors’ Committee**”), for an order pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure, Rule 9006-1(a) of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana (the “**Local Rules**”), and section III.F of the case management procedures appended to the *Order Granting Debtor’s Motion For Order Establishing Certain Notice, Case Management, And Administrative Procedures* [Dkt. 213] (the “**Case Management Procedures**”); and the Court finds that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; (ii) this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the best interests of the Debtor, its estate, and creditors, and any party in interest; and after due deliberation, and good and sufficient cause appearing therefore, the Court hereby determines the Motion should be GRANTED.

IT IS HEREBY ORDERED:

1. The Motion is granted.
2. The Debtor shall serve this Order and certify such service in accordance with the Case Management Procedures and Local Rules 9006-1(d) and 9006-1(e).
3. The Settlement Conference Motion is set to be heard at a telephonic hearing (the “**Hearing**”) to be held on **August 26, 2020 at 1:30 p.m. (prevailing Eastern time)**.
4. A dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-273-3658, passcode: 9247462#. All callers shall keep their phones muted

unless addressing the Court. All callers must identify themselves and the party(ies) they represent when addressing the Court. Callers shall not place their phones on hold during the Hearing.

5. Any objections to the Settlement Conference Motion must be in writing and filed with the Clerk's Office and served, via the Court's ECF system, on or before **August 24, 2020 at 4:00 p.m. (prevailing Eastern time)**.

6. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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