

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND
DELAWARE BSA, LLC,¹

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

Ref. D.I. 8813

**NOTICE OF IDENTITIES OF THE CLAIMS ADMINISTRATORS AND STATUS
UPDATE REGARDING THE SETTLEMENT TRUSTEE
IN CONNECTION WITH THE DEBTORS' THIRD MODIFIED FIFTH
AMENDED CHAPTER 11 PLAN OF REORGANIZATION**

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On February 15, 2022, Boy Scouts of America (the "BSA") and Delaware BSA, LLC, the non-profit corporations that are debtors and debtors in possession in the above-captioned chapter 11 cases (together, the "Debtors"), filed the *Third Modified Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 8813] (together with all exhibits, schedules and attachments thereto, the "Plan")² with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court").

2. Article 5 of the BSA Settlement Trust Agreement (attached as Exhibit B to the Plan) provides for the appointment of one trustee who shall carry out the purposes of the Settlement Trust (the "Settlement Trustee"). The selection of the Settlement Trustee shall be approved by at least five (5) members of the Settlement Trust Advisory Committee (the "STAC") with the reasonable consent of the Future Claimants' Representative (the "FCR").

3. Article 4 of the BSA Settlement Trust Agreement provides for the appointment of two claims administrators to oversee the administration of claims in accordance with the Trust Documents, including the TDP (the "Claims Administrators"). The selection of the two Claims Administrators shall be approved by at least five (5) members of the STAC with the reasonable consent of the FCR.

4. Pursuant to the *Order (I) Amending and Scheduling Certain Supplemental Dates and Deadlines in Connection with Confirmation of the Debtors' Plan of Reorganization and (II) Approving a Limited Supplemental Voting Deadline for Class 8 Direct Abuse Claims and Class 9*

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtors' federal tax identification number, are as follows: Boy Scouts of America (6300); and Delaware BSA, LLC (4311). The Debtors' mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Plan.

Indirect Abuse Claims [D.I. 8830] (the “Amended Scheduling Order”), the Court established February 18, 2022 as the Deadline to Identify Settlement Trustee and Claims Administrators.

5. On Wednesday, February 16, 2022, and Thursday, February 17, 2022, the proposed initial members of the STAC interviewed a number of candidates to serve as the Settlement Trustee and the Claims Administrators. Counsel to the Debtors and FCR also participated in all interviews.

6. Following the completion of the interviews on February 17, 2022, and with the assistance of the Mediator, the members of the STAC conferred and were in constant communication regarding the final selection of the Settlement Trustee and the two Claims Administrators.

7. The Debtors have been informed that the STAC has agreed initial Claims Administrators shall be (1) **Former Judge Michael Reagan** principally to serve in the role of Claims Administrator for the Independent Review Process and (2) **Former Judge Diane Welsh** principally to serve in the role of Claims Administrator for the claims otherwise administered under the TDP. The FCR consents to these selections.

8. Unfortunately, as of the date of this status update, no candidate for the Settlement Trustee position has received the requisite approval of at least five (5) members of the STAC. The Debtors are disappointed that the members of the STAC have not yet reached a resolution regarding this selection, but understand that discussions are ongoing. At this time, the Debtors believe it is important to disclose the names of the individuals the Debtors believe may receive the requisite approval of the STAC to fill the Settlement Trustee position. These individuals are as follows:

- i. Former Judge Barbara Houser
- ii. Former Judge David Levi

9. The Debtors believe that each of these candidates is well-qualified to support the Settlement Trust. The Debtors intend to file an appropriate notice identifying the individual who has received the requisite approval from the STAC for the Settlement Trustee role when resolution has been reached.

[Remainder of Page Left Intentionally Blank]

Dated: February 18, 2022

WHITE & CASE LLP

Jessica C. Lauria (admitted *pro hac vice*)
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 819-8200
Email: jessica.lauria@whitecase.com

– and –

WHITE & CASE LLP

Michael C. Andolina (admitted *pro hac vice*)
Matthew E. Linder (admitted *pro hac vice*)
Laura E. Baccash (admitted *pro hac vice*)
Blair M. Warner (admitted *pro hac vice*)
111 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 881-5400
Email: mandolina@whitecase.com
mlinder@whitecase.com
laura.baccash@whitecase.com
blair.warner@whitecase.com

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Paige N. Topper

Derek C. Abbott (No. 3376)
Andrew R. Remming (No. 5120)
Paige N. Topper (No. 6470)
1201 North Market Street, 16th Floor
P.O. Box 1347
Wilmington, Delaware 19899-1347
Telephone: (302) 658-9200
Email: dabbott@morrisnichols.com
aremring@morrisnichols.com
ptopper@morrisnichols.com