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U.S. BANKRUPTCY COURT -
DISTRICT OF DELAWARE

February 25, 2022

The Honorable Laurie Selber Silverstein
United States Bankruptcy Judge
United States Bankruptcy Court for the District of Delaware
824 North Market Street North 3rd Floor
Wilmington, Delaware 19801

Re: In re Boy Scouts of America and Delaware BSA, LLC, Case No. 20-1043
Open Court Statements by Counsel

Honorable Judge Silverstein:

I am an Eagle and Vigil Honor Scout, past officer of my Order of the Arrow Lodge, former Local Council Executive Board Member, Scouting donor, survivor of years of child sexual abuse while a Boy Scout, and a pro se claimant in this case. I have a concern to present to you today. Perhaps more a grievance or offense. In advance, I greatly appreciate your time and consideration and apologize for the informality and length of this letter.

During numerous hearings, but particularly February 18, 2022, counsel for the Debtors, the Official Tort Claimants' Committee, the Coalition of Abused Scouts for Justice, and others had much to say about the effort being exerted to reach agreement on the recently filed Amended Plan. Because I am not studied in this, I do not know what things are typically said and resaid in bankruptcy court. Perhaps it is only these individual attorneys, this contentious case, the intensity, and complexity of the matters at hand or other factors unknown to me. I cannot say. What I can say is I have never heard so many professionals making so much money drone on so incessantly about how hard they are working. It is a good thing I am many years clean and sober or there would be a wonderful drinking game to be had. During the noted hearing we were regaled with tales of all-night, marathon mediation sessions, superhuman negotiating stamina, champions who fell asleep mid-negotiation only to be stayed by a more enduring hero, and [*gasp*] a truly sad, though presumed gallant, yarn of a passionate football fan who sacrificed his beloved Superbowl to negotiate on behalf of 82,458 child sexual abuse survivors. Your honor, with all due respect to these professionals and your court, I did not shed a tear. To the contrary, I nearly threw a perfectly good MacBook Pro through my office window. Please allow me to explain.

As Mr. Buchbinder of the U.S. Trustee's Office has passionately noted on at least two occasions, this is "not a bond holder case," but a one involving "survivors of child sex abuse." In

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addition to addressing the difficulty we might have deciphering myriad labyrinthian documents¹, I believe he had deeper pathos at the heart of his comments to your Honor. One might ask, what does a child sexual abuse case (as opposed to a bond holder or pure business reorganization case) have to do with retelling stories of alleged self-sacrifice, fortitude, and great diligence in pursuit of a deal. Those are noble pursuits in the general course of human endeavor. However, people who are paid very, very handsomely to stay up “day and night” and “work around the clock...chopping wood” are making these grandiose pronouncements in a case where the principal claimants are *survivors of child sexual abuse*. Perhaps it is missed on them, but we too frequently stay awake all night. I cannot speak for my fellows, but I have not slept well in 50 years, less so the last two. To my dismay, I have not made a dime for the innumerable nights spent shambling the floor, stalking the night, and chasing elusive demons. Nary a meager bonus check or ten pence dividend has posted to my sidewalk letter box. Instead, I have and continue to spend tens of thousands of dollars on treatment. I have faithfully attended decades of therapy sessions with no less than 12 therapists and multiple psychiatrists. I have further found it necessary to continue the equally protracted and unpleasant ingestion of pharmaceuticals, all of these in a futile effort to sleep through the night and arrive at a more normal life. The attorneys making the above-noted statements bill between \$1200 and \$1700 per hour for their firms. As a result, they make millions of dollars per year for the grave misfortune of providing hours of selfless service to their clients. Forgive me for not sending them candy or flowers, as well as for the sarcasm. I am angry and somewhat disgusted. Ruminating, I have no one else to whom I can express my ire. I risk revealing my emotions and crossing the line of decorum to beg you to understand my frustration and encourage counsel to cease with the dissonant violin music.

Your Honor, if you would be so kind, please remind the attorneys on this case that sexual abuse survivors listen to these hearings. We also read the docket and see the requests for monthly payment. Juxtaposed with their always granted fee requests, their bemoaning is neither becoming nor convincing. Again, with respect, I venture my father worked harder than any professional on this case. Over the course of his blue-collar life, I suspect he made less in any one year than any one of these attorneys makes in any one week. He never received a bonus, was never granted a pension or partner’s draw, and never complained. Not once did I hear my father say how hard he worked or seek acknowledgement for his efforts. Yet, he often worked three jobs concurrently and then died four months after he retired at sixty-three years old. It is my sincere hope that counsel would dispense with the now over-flogged, open court refrains of, “the parties are working night and day” and “we have been in negotiations around the clock” and “all the professionals are putting in incredible hours” and strained metaphors about “chopping wood.” As an uninitiated observer of cases of this nature, their repeated behavior plays to me as sycophantic and self-aggrandizing in equal measures. To counsel who may read this letter, I ask that you please leave the theatrics, hyperbole, and self-congratulatory recitations of suffering, benevolent sacrifice, and laboring unto exhaustion for another case. Woe, is you? “How about, no?!”

¹ This is a matter for a different day, but one worthy of note.

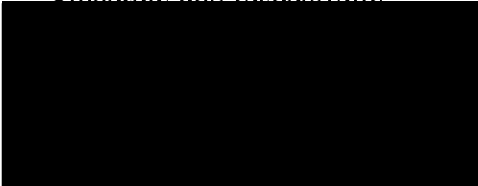
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Contrary to what you might think after reading this letter, I am truly grateful for your work on this case. I know it is not easy, convenient, enjoyable, or typical. I will continue to pray for you and all involved, as well as for a favorable resolution of my claim and all well-vetted survivor claims.

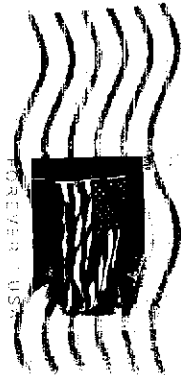
Sincerely and respectfully,





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The Honorable Laurie Selber Silverstein
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