

AS SET FORTH IN THE DEBTORS' PLAN OF REORGANIZATION, IN EXCHANGE FOR MAKING CERTAIN CONTRIBUTIONS TO THE SETTLEMENT TRUST ESTABLISHED FOR THE BENEFIT OF HOLDERS OF ABUSE CLAIMS, (I) ADDITIONAL CHARTERED ORGANIZATIONS MAY BECOME PROTECTED PARTIES OR LIMITED PROTECTED PARTIES AND (II) ADDITIONAL INSURANCE COMPANIES MAY BECOME PROTECTED PARTIES. UNDER THE PLAN, PROTECTED PARTIES AND LIMITED PROTECTED PARTIES WILL RECEIVE BROAD PROTECTIONS AGAINST THE ASSERTION OF ABUSE CLAIMS ALLEGED TO HAVE FIRST OCCURRED BEFORE FEBRUARY 18, 2020. YOU ARE ADVISED TO CONSULT WITH YOUR ATTORNEY REGARDING HOW THE DESIGNATION OF ADDITIONAL PROTECTED PARTIES OR LIMITED PROTECTED PARTIES MAY AFFECT YOUR RIGHTS.

**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)

**NOTICE OF CURRENT AND POTENTIAL
PROTECTED PARTIES AND LIMITED PROTECTED PARTIES**

On September 30, 2021, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") entered an order in the above-captioned chapter 11 cases [D.I. 6438] approving the *Amended Disclosure Statement for the Modified Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 6445] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Disclosure Statement").²

I. PROTECTED PARTIES AND LIMITED PROTECTED PARTIES GENERALLY

As described in the Disclosure Statement and the *Modified Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 6443] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Plan"), on the Effective Date (i) all Abuse Claims – both Direct and Indirect – shall be "channeled" to the Settlement Trust and away from any "Protected Party" or "Limited Protected

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's 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 have the meanings ascribed to such terms in the Disclosure Statement or the Plan, as applicable.

Party” and (ii) all holders of Abuse Claims – both Direct and Indirect – will be deemed to forever release the Protected Parties and the Limited Protected Parties from liability for all such Abuse Claims. Subject to the terms of the Plan and applicable bankruptcy law, additional non-debtor third parties may become Protected Parties or Limited Protected Parties, either before the Effective Date or after the Effective Date. Limited Protected Parties (*i.e.*, Participating Chartered Organizations) shall be beneficiaries of the Channeling Injunction only with respect to Post-1975 Chartered Organization Abuse Claims.

II. CURRENT PROTECTED PARTIES

The Protected Parties include: (a) the Debtors; (b) Reorganized BSA; (c) the Related Non-Debtor Entities; (d) the Local Councils; (e) the Contributing Chartered Organizations, including TCJC; (f) the Settling Insurance Companies, including Hartford; and (g) all of such Persons’ Representatives; provided, however, that no Perpetrator is or shall be a Protected Party.

YOU ARE HEREBY ADVISED THAT EACH OF THE DEBTORS AND RELATED NON-DEBTOR ENTITIES LISTED ON SCHEDULE 1 BELOW IS A PROTECTED PARTY.

YOU ARE HEREBY FURTHER ADVISED THAT EACH OF THE LOCAL COUNCILS LISTED ON SCHEDULE 2 HERETO HAS AGREED, SUBJECT TO BANKRUPTCY COURT APPROVAL, TO MAKE A SUBSTANTIAL CONTRIBUTION TO THE SETTLEMENT TRUST TO BECOME A PROTECTED PARTY.

YOU ARE HEREBY FURTHER ADVISED THAT, AS OF THE DATE WRITTEN BELOW, EACH OF THE CHARTERED ORGANIZATIONS LISTED ON SCHEDULE 3 HERETO HAS AGREED, SUBJECT TO BANKRUPTCY COURT APPROVAL, TO MAKE A SUBSTANTIAL CONTRIBUTION TO THE SETTLEMENT TRUST TO BECOME A “CONTRIBUTING CHARTERED ORGANIZATION” AND A PROTECTED PARTY. THIS SCHEDULE WILL BE UPDATED IF THE DEBTORS REACH FURTHER SETTLEMENTS UNDER WHICH A CHARTERED ORGANIZATION WILL BE DESIGNATED AS A PROTECTED PARTY.

YOU ARE HEREBY FURTHER ADVISED THAT, AS OF THE DATE WRITTEN BELOW, EACH OF THE INSURANCE COMPANIES LISTED ON SCHEDULE 4 HERETO HAS AGREED, SUBJECT TO BANKRUPTCY COURT APPROVAL, TO PURCHASE FROM THE BSA ALL OF THE INSURANCE POLICIES ISSUED TO THE BSA THAT PROVIDE COVERAGE FOR ABUSE CLAIMS IN EXCHANGE FOR BECOMING A “SETTLING INSURANCE COMPANY” AND A PROTECTED PARTY. THIS SCHEDULE WILL BE UPDATED IF THE DEBTORS REACH FURTHER SETTLEMENTS UNDER WHICH AN INSURANCE COMPANY WILL BE DESIGNATED AS A PROTECTED PARTY.

III. PARTICIPATING CHARTERED ORGANIZATIONS

The Plan also provides that, in exchange for making the Participating Chartered Organization Insurance Assignment to the Settlement Trust, all current and former Chartered Organizations will automatically be treated as “Participating Chartered Organizations” under the

Plan and be deemed to become Limited Protected Parties on the Effective Date of the Plan unless they:

- a. object to the Plan;
- b. inform Debtors' counsel in writing on or before the confirmation objection deadline that it does not wish to make the Participating Chartered Organization Insurance Assignment. This "opt out" election may be made on the *Participating Chartered Organization Opt-Out Election Form* attached to the *Summary Regarding Chartered Organizations' Options Under the BSA's Chapter 11 Plan* that was mailed to each Chartered Organization; or
- c. are a debtor in their own bankruptcy case.

With respect to any Chartered Organization that is a debtor in bankruptcy as of the Confirmation Date, such Chartered Organization shall be a Participating Chartered Organization only if it advises Debtors' counsel in writing that it wishes to be a Participating Chartered Organization. A list of Chartered Organizations that are not Participating Chartered Organizations is attached to the Plan as Exhibit K.³

YOU ARE HEREBY ADVISED THAT THE CHARTERED ORGANIZATIONS LISTED ON SCHEDULE 5 WILL, SUBJECT TO THE EXCEPTIONS LISTED ABOVE, AUTOMATICALLY BE TREATED AS PARTICIPATING CHARTERED ORGANIZATIONS UNDER THE PLAN AND BE DEEMED TO BECOME LIMITED PROTECTED PARTIES ON THE EFFECTIVE DATE. SUCH CHARTERED ORGANIZATIONS MAY ALSO ENTER INTO SETTLEMENTS WITH THE DEBTORS UNDER WHICH THEY WILL BECOME CONTRIBUTING CHARTERED ORGANIZATIONS AND BE DESIGNATED AS PROTECTED PARTIES.

IV. SETTLING INSURANCE COMPANIES

The Plan also provides that, subject to Bankruptcy Court approval, Settling Insurance Companies will be deemed to be Protected Parties under the Plan in exchange for making substantial contributions to the Settlement Trust. This treatment is described in greater detail in the Plan and the Disclosure Statement.

³ As of the date hereof, such Chartered Organizations include: (a) Archbishop of Agaña, a Corporation Sole, Chapter 11 Debtor in Possession, District Court of Guam, Territory of Guam, Bankruptcy Division, Case 19-00010; (b) The Diocese of Buffalo, N.Y., Chapter 11 Debtor in Possession, United States Bankruptcy Court for the Western District of New York, Case No. 20-10322; (c) The Diocese of Rochester, Chapter 11 Debtor in Possession, United States Bankruptcy Court for the Western District of New York, Case No. 19-20905; (d) The Roman Catholic Diocese of Syracuse, New York, Chapter 11 Debtor in Possession, United States Bankruptcy Court for the Northern District of New York, Case No. 20-30663; (e) The Roman Catholic Diocese of Rockville Centre, New York, Chapter 11 Debtor in Possession, United States Bankruptcy Court for the Southern District of New York, Case No. 20-12345; (f) Roman Catholic Church of the Archdiocese of Santa Fe, Chapter 11 Debtor in Possession, United States District Court for the District of New Mexico, Case No. 18-13027; and (g) The Norwich Roman Catholic Diocesan Corporation, Chapter 11 Debtor in Possession, United States District Court for the District of Connecticut, Case No. 21-20687.

YOU ARE HEREBY ADVISED THAT THE BSA INSURANCE COMPANIES LISTED ON SCHEDULE 6 AND THE LOCAL COUNCIL INSURANCE COMPANIES LISTED ON SCHEDULE 7 ARE POTENTIAL PROTECTED PARTIES UNDER THE PLAN.

V. EFFECT OF PLAN CONFIRMATION

For the avoidance of doubt, if the Plan is confirmed, some or all of the parties listed on Schedules 1 through 7 will become Protected Parties or Limited Protected Parties as of the Effective Date of the Plan, or thereafter pursuant to the applicable terms of the Plan, and the Channeling Injunction that will be issued as a part of the Confirmation Order will permanently and forever stay, bar, and enjoin holders of abuse claims from taking any action for the purpose of directly or indirectly or derivatively collecting, recovering, or receiving payment of, on, or with respect to any Abuse Claim other than pursuant to the Settlement Trust Agreement and the Trust Distribution Procedures. No holder of an Abuse Claim will have any right whatsoever at any time to assert its Abuse Claim against any Protected Party or Limited Protected Party or any property or interest in property of any Protected Party or Limited Protected Party.

THIS NOTICE IS BEING PUBLISHED FOR INFORMATIONAL PURPOSES ONLY. IF YOU NEED LEGAL ADVICE, PLEASE CONSULT WITH YOUR ATTORNEY.

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Dated: September 30, 2021

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Attorneys for the Debtors and Debtors in Possession

Schedule 1

Debtors and Related Non-Debtor Entities

Schedule 2

Local Councils

Schedule 3

Contributing Chartered Organizations

1. The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, including any affiliates or personnel.

Schedule 4

Settling Insurance Companies

1. Hartford Accident and Indemnity Company, First State Insurance Company, Twin City Fire Insurance Company and Navigators Specialty Insurance Company and each of their past, present and future direct or indirect parents, subsidiaries, affiliates and controlled entities, and each of their respective officers, directors, stockholders, members, partners, managers, employees, predecessors, successors and assigns, each in their capacity as such.

Schedule 5

Potential Chartered Organization Protected Parties and Limited Protected Parties

Schedule 6

Potential BSA Insurance Company Protected Parties

Schedule 7

Potential Local Council Insurance Company Protected Parties