

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

In re:

BOY SCOUTS OF AMERICA AND
DELAWARE BSA, LLC,

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

DECLARATION OF KENNETH R. FEINBERG

I, Kenneth R. Feinberg, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an attorney and leading expert in mediation and alternative dispute resolution. I have been appointed to administer numerous high-profile compensation programs.

In particular, I was appointed and served as special master of the September 11th Victim Compensation Fund, TARP Executive Compensation, and the Agent Orange Victim Compensation Program. I was also appointed and served as administrator of the One Fund Boston Victim Relief Fund, the Aurora Victim Relief Fund, the Gulf Coast Claims Facility, and the Virginia Tech Hokie Spirit Memorial Fund.

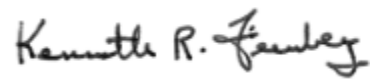
2. I submit this declaration in connection with the Court's consideration of possible mediators in this case.

3. I attach as Appendix A a true and correct copy of my bio. I attach as Appendix B my true and correct responses to the requests for disclosures concerning this case.

4. I have reviewed my past engagements, holdings, and interests, and I do not believe that, as a result of my past engagements, holdings, interests, or otherwise, there is anything that would prevent me from serving as a neutral mediator in these chapter 11 cases.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct.

Executed: June 2, 2020
Washington, DC

A handwritten signature in black ink that reads "Kenneth R. Feinberg". The signature is written in a cursive, slightly slanted style.

Ken Feinberg, Esq.

Appendix A

KENNETH R. FEINBERG, ESQ.

The Law Offices of Kenneth R. Feinberg, PC

Kenneth R. Feinberg is one of the nation's leading experts in mediation and alternative dispute resolution. He has administered numerous high-profile compensation programs, having served as Special Master of the September 11th Victim Compensation Fund. In this capacity, Mr. Feinberg developed and promulgated the Regulations governing the Fund's administration and oversaw the evaluation of applications, determinations of appropriate compensation, and dissemination of awards totaling over \$7 billion. He also served as the Court-appointed Settlement Master in the Agent Orange Victim Compensation Program.

Mr. Feinberg currently serves as Special Master of the U.S. Victims of State-Sponsored Terrorism Fund being administered by the Department of Justice, as well as independent Fund Administrator for various Catholic Church sexual abuse claims compensation programs established by Catholic dioceses in five states. He also currently serves as the Bankruptcy Court Appointed Mediator in the opioid Purdue Bankruptcy with a Court mandate to resolve financial allocation disputes involving various public and private creditors and the debtor.

In 2015, Mr. Feinberg was appointed as Special Master by the Secretary of the Treasury to oversee the Department of the Treasury's review of applications proposing to reduce pension benefits in connection with the Kline-Miller Multiemployer Pension Reform Act of 2014.

From 2014-2015, he served as the Administrator of the GM Ignition Compensation Claims Resolution Facility.

Mr. Feinberg recently served in a *pro bono* capacity as Administrator of the OneOrlando Fund, designing and implementing a claims program for the distribution of \$30 million in corporate and private donations to the victims of the Pulse Nightclub shooting in Orlando in June 2016. Mr. Feinberg has also served in a *pro bono* capacity as Fund Administrator for the One Fund Boston Victim Relief Fund arising out of the Boston Marathon bombings, Advisor for the Newtown-Sandy Hook Victim Compensation Fund, Administrator of the Aurora Victim Relief Fund following the Colorado movie theater shootings in 2012, and Administrator of the Hokie Spirit Memorial Fund following the shootings at Virginia Tech University in 2007.

Mr. Feinberg was appointed by the Obama Administration and BP in 2010 to serve as Administrator of the Gulf Coast Claims Facility to compensate victims of the BP Deepwater Horizon oil spill in the Gulf of Mexico.

Secretary of the Treasury Timothy Geithner appointed Mr. Feinberg in 2009 to serve as Special Master of the Troubled Asset Relief ("TARP") Executive Compensation Program in order to determine the compensation structures of certain employees of Corporate TARP recipients who had received exceptional financial assistance. During this time, Mr. Feinberg also served as Court appointed Fee Examiner of the Lehman Brothers bankruptcy case, examining and instituting caps on fees and expenses charged by professionals retained during the bankruptcy process.

In 2008, Mr. Feinberg designed, implemented and administered Alternative Dispute Resolution Programs for Liberty Mutual Insurance Company and Zurich Insurance Company

for resolving insurance claims arising from Hurricanes Katrina, Gustav, Ike and other hurricanes in the Gulf region.

Mr. Feinberg was appointed in June of 2007 as the Distribution Agent of *In Re: United States Securities and Exchange Commission v. American International Group, Inc.*, responsible for the design and implementation of a Plan for the distribution of a \$800 million Fund to eligible claimants. He has also served as Fund Administrator in other prominent settlements including: *In Re: United States of America v. Computer Associates International, Inc.* (responsible for the design and implementation of a restitution fund of \$275 million); *In Re: International Air Transportation Surcharge Antitrust Litigation* (responsible for the design and administration of a \$200 million fund in both the United States and England); *In Re: Zyprexa Product Liability Litigation* (a \$700 million settlement fund); and *In Re: Latino Officers Association City of New York v The City of New York* (a \$17 million settlement fund).

Mr. Feinberg received his B.A. *cum laude* from the University of Massachusetts in 1967 and his J.D. from New York University School of Law in 1970, where he was Articles Editor of the *Law Review*. He was a Law Clerk for Chief Judge Stanley H. Fuld, New York State Court of Appeals from 1970 to 1972; Assistant United States Attorney, Southern District of New York from 1972 to 1975; Special Counsel, United States Senate Committee on the Judiciary from 1975 to 1978; Chief of Staff to Senator Edward M. Kennedy from 1978 to 1980; Partner at Kaye, Scholer, Fierman, Hays & Handler from 1980 to 1993; and founded The Law Offices of Kenneth R. Feinberg, PC.

MEDIATION

Special Settlement Master, In re: Andrew Herman. et al. v. Westinghouse Electric Corporation (employment discrimination class action).

Special Settlement Master, In re: "Agent Orange" Product Liability Litigation.

Special Settlement Master, County of Suffolk et al. v. Long Island Lighting Co. et al. (Shoreham Nuclear Facility class action RICO litigation).

Special Settlement Master, In re: Eagle-Picher Industries Inc. (national asbestos personal injury/wrongful death class action).

Special Settlement Master, In re: Joint Eastern and Southern District Asbestos Litigation (federal and state asbestos personal injury/wrongful death litigation arising out of exposures at the Brooklyn Navy Yard).

Special Settlement Master, In re: Asbestos Personal Injury Litigation (asbestos personal injury/wrongful death litigation pending in the Maryland State courts).

Special Settlement Master, In re: Joint Eastern and Southern District Asbestos Litigation (federal asbestos personal injury/wrongful death litigation arising out of exposures at various New York utilities).

Special Settlement Master/Referee, In re: DES Cases (federal and state personal injury/wrongful death DES litigation).

Trustee, In re: A.H. Robins Co. (Dalkon Shield Claimants' Trust).

Mediator, FRT Plywood Mediation (fire retardant plywood litigation involving allegations of defective roofs in approximately 250,000 homes).

Mediator in hundreds of matters involving allegations of antitrust violations, breach of contract, civil RICO violations, civil fraud and product liability; mediator in various commercial and insurance coverage disputes.

Member, National Panel, Center for Public Resources (one of 64 individuals selected nationally by the CPR to mediate and/or engage in other forms of alternative dispute resolution).

Arbitrator, American Arbitration Association.

Arbitrator, Marine Spill Response Corporation.

Former Vice-Chair, Committee on Alternative Dispute Resolution, American Bar Association.

LAW

Managing Partner, Feinberg Rozen, LLP (2009 – present).

Founder, The Feinberg Group, LLP, Washington, D.C. (1993-2009).

Partner, Kaye, Scholer, Fierman, Hays & Handler, Washington, D.C. (1980-1993).

Steven and Maureen Klinsky Lecturer on Law, Harvard University Law School, Cambridge, Mass. (2015-present)

Adjunct Professor of Law, Harvard University Law School, Cambridge, Mass. (2008-2015)

Adjunct Professor of Law, Georgetown University Law Center, Washington, D.C. (1979-Present).

Adjunct Professor of Law, University of Pennsylvania Law School, Philadelphia, PA (1998-2005).

Adjunct Professor of Law, New York University School of Law, New York, NY (2000-Present).

Adjunct Professor of Law, Columbia University Law School (2002-2006).

Adjunct Professor of Law, University of Virginia Law School, Charlottesville, VA (Current Semester 2000).

Adjunct Professor of Law, The Graduate School of Political Management, New York, New York. (1988-1990).

Visiting Lecturer, University of California, Los Angeles, Los Angeles, California (2007).

Visiting Lecturer, Vanderbilt University, Nashville, Tennessee (2008).

Visiting Lecturer, Duke University, Durham, North Carolina (2008).

Visiting Lecturer, New York Law School, New York, New York (2008).

Administrative Assistant, Senator Edward M. Kennedy, Washington, D.C. (1978-1980).

Special Counsel, United States Senate Committee on the Judiciary, Washington, D.C. (1977-1978).

General Counsel, Subcommittee on Administrative Practice and Procedure, United States Senate Committee on the Judiciary, Washington, D.C. (1975-1977).

Assistant United States Attorney, Southern District of New York (1972-1975).

COMMISSIONS

General Counsel, James Madison Memorial Fellowship Foundation. (Public Law No. 99-591 (1986) and, as amended, Public Law No. 101-208 (1989).

Member, Presidential Advisory Committee on Human Radiation Experiments (1994-1998).

Member, Presidential Commission on Catastrophic Nuclear Accidents. (1989-1990).

Member, Carnegie Commission Task Force on Science and Technology in Judicial and Regulatory Decisionmaking. (1989-Present).

Member, American Bar Association Special Committee on Mass Torts. (1988-1989).

Special Consultant, United States Sentencing Commission. (1984-1987); Chairman, New York State Committee on Sentencing Reform. (1985-1987).

EDUCATION

J.D. (Cum Laude), New York University School of Law (1970) (New York University Law Review; Butler Prize for "Unusual distinction in scholarship, character and professional activities;" Newman Prize for "meritorious achievement in the area of public law.")

B.A. (Cum Laude), University of Massachusetts (1967) (Class commencement address)

Law Clerk, Chief Judge Stanley H. Fuld, New York State Court of Appeals. (1970-1972)

HONORS AND AWARDS

Listed in "The 100 Most Influential Lawyers in America," The National Law Journal (March 25, 2013).

Honorary Doctorate, Curry College, Milton, May 2013.

Honorary Doctor of Humane Letters, Salem State University, 2012.

Honorary Doctor of Laws, Saint Francis College, May, 2011.

Honorary Doctor of Laws, Suffolk University, May, 2010.

Designated "Lawyer of the Year" by the *National Law Journal* (December, 2004).

Listed in "Profiles in Power: The 100 Most Influential Lawyers in America" (*National Law Journal*, May 2, 1988; March 25, 1991; April 4, 1994; June 12, 2000; June 19, 2006).

Listed in "The Next Establishment: Twenty-Seven Future Leaders of America's Major Firms" (*The American Lawyer*, March, 1986).

Listed in "125 Alumni to Watch," University of Massachusetts (October 15, 1988).

Charles A. Fahy Annual Award for Best Adjunct Professor of Law, Georgetown University Law Center (1988-1989).

BAR AND PROFESSIONAL AFFILIATIONS

New York 1971

District of Columbia 1977

Massachusetts 1980

Southern District of New York 1973

Northern District of New York 1991

Federal District Court of the District of Columbia 1981

Federal District Court for the District of Massachusetts 1981

United States Court of Appeals for the Second Circuit 1972

Bar Association of the City of New York 1972

Bar Association of the District of Columbia 1977

Massachusetts Bar Association 1980

American Bar Association Ad Hoc Committee on Tort Law Reform (Chairman, Subcommittee on Statutory Compensation Systems).

Advisory Board, Center for Research in Crime and Justice of the New York University School of Law (1984)

Member of Board of Directors, Lawyers Committee for Human Rights, New York (1990).

Member of Board of Directors, National Organization for Victim Assistance, Washington, D.C. (1991)

Chairman of the Board of the RAND Institute for Civil Justice, Washington, D.C. (2009)

President of the Washington National Opera, Washington, D.C. (2007 – 2011)

Member, Board of Overseers, RAND Institute for Civil Justice, Washington, D.C. (2010-present)

Vice-Chairman of Human Rights First, New York, NY. (2007 - Present)

Member of the Board of Trustees, The Bazelon Center for Mental Health Law, Washington, D.C. (1996 - Present)

Founding Chairman, RAND Center for Catastrophic Risk Management and Compensation (2012 – present)

PUBLICATIONS

1. Books

Who Gets What? Fair Compensation After Tragedy and Financial Upheaval (Public Affairs Press, 2012).

What is Life Worth? The Unprecedented Effort to Compensate the Victims of 9/11 (Public Affairs Press, 2005).

2. Law Review Articles

“Unconventional Responses to Unique Catastrophes: Tailoring the Law to Meet the Challenges,” *The Thomas M. Cooley Law School, Law Review*, Vol. 30, No. 3 (Hilary Term 2013)

“BP Exploration & Production Inc., et al.” Supreme Court of the United States, On Petition for a Writ of Certiorari to the United States Court of Appeals, for the Fifth Circuit, No. 14-123 (2014)

“Unconventional Responses to Unique Catastrophes: Tailoring the Law to Meet the Challenges,” Chapman Law Review, Chapman Dialogue Series, Vol. 17, No. 2 (Spring 2014)

“Is the Class Half-Empty or Half-Full?,” Loyola University Chicago Law Journal, Vol. 44, No. 2 (Winter 2012)

"Democratization of Mass Litigation: Empowering the Beneficiaries," "The Democratization of Mass Litigation?" Columbia Journal of Law and Social Problems, Symposium, Vol. 45, No. 4, 481-498 (Summer 2012)

"Unconventional Responses to Unique Catastrophes," Akron L. Rev. Vol. 45, No. 3, 575-582 (2012)

"The September 11th Victim Compensation Fund of 2001: Policy and Precedent," New York Law School L. Rev. Vol. 56, 1115 (2011/12)

"Symposium on Executive Compensation," Keynote Address, 64, No.2 Vanderbilt L. Rev. 349 (2011)

"Reexamining the Arguments in Owen M. Fiss, Against Settlement," 78 Fordham L. Rev. 3 (2009)

"Keynote Presentation: The Sixth John A. Speziale Alternative Dispute Resolution Symposium," 27 No. 3 Quinnipiac University School of Law L. Rev. 779 (2009)

"Compensating Victims of Disaster: The United States Experience," 79 Papers on Parliament No. 49, Constitutional Politics and Other Lectures in the Senate Occasional Lecture Series (2008)

"Tributes to Justice Stephen G. Breyer," 64 N.Y.U. Annual Survey of American Law 1 (2008).

"How Can ADR Alleviate Long-Standing Social Problems? 34 Fordham Urban L.J., 785 (2007).

"Response to Robert L. Rabin," 106 Columbia L. Rev. 2 (2006).

"A Special Issue Dedicated to Judge Jack B. Weinstein," 97 Columbia L. Rev. 7 (1997).

"Response to Deborah Hensler, A Glass Half Full. A Glass Half Empty: The Use of Alternative Dispute Resolution in Mass Personal Injury Litigation," 73 Tex. L. Rev. 1647 (1995).

"Civil Litigation in the Twenty-First Century: A Panel Discussion," 59 Brooklyn L. Rev. 3 (1994).

"Federal Criminal Sentencing Reform: Congress and the United States Sentencing Commission," 28 Wake Forest L. Rev. 291 (1993).

"Using Mediation to Resolve Construction Disputes," in Cushman, Hedemann and Tucker, Alternative Dispute Resolution in the Construction Industry, ¶ 7.20 et seq. (John Wiley & Sons 1991).

"The Federal Law of Bribery and Extortion: Expanding Liability," in Obermaier and Morvillo, White Collar Crime: Business and Regulatory Offenses, ¶ 3.01 et seq. (Law Journal Seminars - Press 1990).

- "The Dalkon Shield Claimants Trust," 53 Law and Contemporary Problems 79 (1990).
- "The Federal Sentencing Guidelines: A Dialogue," 26 Crim. L. Bull. 5 (1990) (co-authored with Judge Stephen G. Breyer).
- "Mediation -- A Preferred Method of Dispute Resolution," 16 Pepperdine L. Rev. 5 (1989).
- "The Toxic Tort Litigation Crisis: Conceptual Problems and Proposed Solutions," 24 Houston L. Rev. 155 (1987).
- "The Separation of Powers Issue in the Independent Counsel Debate," 25 Amer. Crim. L. Rev. 171 (1987).
- "The Role of the Courts in Risk Management," 16 Environmental L. Reprtr. (1986).
- "Attorneys' Fees in the Agent Orange Litigation: Modifying the Lodestar Analysis for Mass Tort Cases," 14 N.Y.U. Rev. of Law & Social Change 613 (1986) (co-authored with John S. Gomperts).
- "The Comprehensive Crime Control Act of 1984 -- The Insanity Defense, Commitment Procedures, Victim Assistance, and Witness Protection," 5 Legal Notes & Viewpoints 34 (August, 1985).
- "Introduction: Symposium on the Crime Control Act of 1984," 22 Amer. Crim. L. Rev. xi (1985).
- "Selective Incapacitation and the Effort to Improve the Fairness of Existing Sentencing Practices," 12 N.Y.U. Rev. of Law & Social Change 53 (1984).
- "Legislative Options: Recent Developments in Tort Law Reform," 39 Bus. Lawyer 209, 216 (1983).
- "Foreword to the White-Collar Crime Symposium," 21 Amer. Crim. L. Rev. vii (1983).
- "Sentencing Reform and the Proposed Federal Criminal Code," 5 Hamline L. Rev. 217 (1982).
- "Extraterritorial Jurisdiction and the Proposed Federal Criminal Code," 72 J. of Crim. Law and Criminology 385 (1981).
- "Economic Coercion and Economic Sanctions: Extraterritorial Enforcement of the Federal Antitrust Laws," 30 Amer. Univ. L. Rev. 323 (1981).
- "Toward a New Approach to Proving Culpability: Mens Rea and the Proposed Federal Criminal Code," 18 Amer. Crim. L. Rev. 123 (Summer 1980).

3. Essays

"The Myth of Moral Justice In-Print Symposium: A Brief Response," 4 Cardozo Public Law, Policy, and Ethics Journal 1 (2006).

"The September 11th Victim Compensation Fund," 32 ABA Litigation 2 (Winter 2006).

"The Federal Guidelines and the Underlying Purposes of Sentencing," Federal Sentencing Reporter at 326-327 (May/June 1991).

"Do Mass Torts Belong in the Courtroom?," 74 Judicature 237 (February, 1991).

"In the Shadow of Fernald: Who Should Pay the Victims?," 8 The Brookings Rev. 41 (1990).

"Settling a Mass Tort with a Claimants Trust," 9 Product Liability Law and Strategy 1 (October, 1990).

"How to Use Bankruptcy to Settle Mass Torts," 9 Product Liability Law and Strategy 8 (November, 1990).

"Drug Enforcement: Criminal Division," in America's Transition Blueprints for the 1990s 440 (M. Green & M. Pinsky, eds.) (1989).

Editor, Violent Crime in America (National Policy Exchange, 1983).

"Why NIJ should be Kept Within the Justice Department," 62 Judicature 306 (1979).

4. Newspaper Articles & Periodicals

"The Power 100: The 100 Most Powerful People in Finance," Worth: The Evolution of Financial Intelligence, p. 76 (Vol. 19, Edition 05; 2010).

"9/11 Fund: Once was Enough," The Washington Post, op-ed, p. A17 (September 11, 2008).

"Radiation and Responsibility," The Washington Post, p. A23 (October 9, 1995).

"Truth and Fairness in Sentencing," N.Y. Times A31 (April 24, 1987).

"Whatever Gramm-Rudman is, it is not Material for the Courts," 99 Los Angeles Daily J. 4 (1986).

"Gramm-Rudman is Not Court Material," N.Y. Times p. A31 (March 11, 1986).

"Comprehensive Crime Control Act of 1984 - New Approaches to Federal Criminal Law," (Part 1) N.Y. Law Journal 1 (1985).

"The New Federal Reforms for Sentencing Criminals," (Part 2) N.Y. Law Journal 1 (1985).

"Crime Control Act of 1984 - Changes in Substantive Law," (Part 3) N.Y. Law Journal 1 (1985).

"Crime Control Act of 1984 - Changes in Criminal Procedure," (Part 4) N.Y. Law Journal 3 (1985).

"Crime Control Act of 1984 - Insanity Defense, Commitment, Aid to Victims, Witness Protection," (Part 5) N.Y. Law Journal 1 (1985).

"Get Tough on Criminals: Forget the Death Penalty," The Washington Post (Outlook) p.1 (May 20, 1984).

"Conrail's Future," N.Y. Times p. 19 (March 2, 1981).

"Biggest Proposed Changes Affect Sentencing and White-Collar Crime," National Law Journal 22 (1980).

"Proposed Code: Order, Consistency Replace Loopholes, Archaic Laws," National Law Journal 48 (1980).

"The Federal Criminal Code: Reform Effort Long Overdue: Analysis of Pending Legislation in Congress," (Part 1) N.Y. Law Journal 1 (1980). "The Federal Criminal Code: Culpability and Jurisdiction: Analysis of Pending Legislation in Congress," (Part 2) N.Y. Law Journal 1 (1980). "The Proposed Federal Criminal Code," (Part 3) N.Y. Law Journal 3 (1980).

"The Proposed Federal Criminal Code: An Analysis," N.Y. Law Journal 3 (1980).

5. Official Documents

K. Feinberg, et al., Final Report of The Special Master for the September 11th Victim Compensation Fund of 2001 (Vols. I & II) (www.usdoj.gov/final_report.pdf)

"Criminal Code Reform Act of 1979," Report of the Committee on the Judiciary United States Senate to Accompany S. 1722, Rpt. No. 96-553, 96th Cong. 2d Sess. (1980) . (A primary author of treatise of some 1500 pages analyzing all current federal criminal laws and proposals for modification and change.)

"Testimony of Kenneth R. Feinberg, Esq., Special Settlement Master in the Agent Orange Product Liability Litigation Before the Senate Subcommittee on Nuclear Regulation Committee on Environment and Public Works United States Senate," Reauthorization of the Price-Anderson Act, 99th Cong., 1st Sess. at pp. 151 et seq. (1986).

"Testimony of Kenneth R. Feinberg, Former Chairman of the New York State Committee on Sentencing Guidelines before the House Subcommittee on Criminal Justice," Sentencing Guidelines Hearings Before the Subcommittee on Criminal Justice of the Committee on the Judiciary House of Representatives, 100th Cong. (1987).

"Testimony of Kenneth R. Feinberg, Court-Appointed Special Master, Agent Orange Litigation, before the Senate Veterans Affairs Committee," Oversight of the Operations of

the Bureau of Veterans Affairs, Sen. Hearing 100-996, 100th Cong., 2d Sess. at pp. 33-39; 166-172 (1988).

“Testimony of Kenneth R. Feinberg, Former Special Master of the Federal September 11th Victim Compensation Fund of 2001, before the House Subcommittee on the Constitution, Civil Liberties and the House Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law,” H.R. 847, the “James Zadroga 9/11 Health and Compensation Act of 2009, U.S. House of Representatives, Committee on the Judiciary, Congressional Hearing, 111th Cong., pp. 1-80, (2009).

“Testimony of Kenneth R. Feinberg, Former Special Master for TARP Executive Compensation,” Congressional Oversight Panel, Congressional Hearing, 111th Cong., (2010).

“Testimony of Kenneth R. Feinberg Administrator, Gulf Coast Claims Facility before the United States Senate Ad Hoc Subcommittee on Disaster Recovery,” Gulf Coast Recovery – An Examination of Claims Administration and Social Services in the Aftermath of the Deepwater Horizon Oil Spill, Sen. Hearing, 112th Cong., (2011).

10.26.16

Appendix B

**In re *Boy Scouts of America*
MEDIATOR DISCLOSURE REQUEST (Rule 2014)**

Please disclose the following information for you and your spouse.

Mediator: Kenneth R. Feinberg **Spouse: Diane Shaff Feinberg**

List all memberships in professional societies or organizations.

**American Bar Association
American Arbitration Association
Institute for Conflict Prevention
RAND Research Institute
Massachusetts Bar Association
New York Bar Association
New York City Bar Association
District of Columbia Bar Association**

List all memberships in trade associations or organizations.

None

List all entities of which you serve as an officer or director.

**Washington National Opera
Metropolitan Opera
RAND Research Institute
Dr. Lee Pearce Foundation**

Do you or any entity in which you have a material interest have a claim against Boy Scouts of America, other debtors, or related parties in the Boy Scouts of America bankruptcy.

No

Have you or any entity in which you have a material interest ever represented Boy Scouts of America, other debtors, or its related parties.

No

Identify any financial interest you hold or have held in the past five years relating to Boy Scouts of America or related parties.

None

For the past ten years, list and describe any employment, consulting or administrative relationship you have had with any organization the activities of which relate to claims of sexual abuse. Have you received compensation from any of the above organizations? For the purposes of providing compensation figures, you need only provide the range into which the compensation or contribution fell: \$1-50,000, \$50,001-\$200,000, \$200,001-\$500,000, or \$500,000+.

- **Archdiocese of New York - Neutral Claims Administrator in the processing of Catholic Church sexual abuse claims during the period 9/2016 - present; I have received monthly flat fee compensation from the Archdiocese for my Administrator services (Total \$500,000 +)**
- **Diocese of Brooklyn - Neutral Claims Administrator in the processing of Catholic Church sexual abuse claims during the period 4/2017 - present; I have received monthly flat fee compensation from the Diocese for my Administrator services (Total \$500,000 +)**
- **The Roman Catholic Diocese of Syracuse, NY - Neutral Claims Administrator in the processing of Catholic Church sexual abuse Claims during the period 2/18 - 12/18; I received monthly flat fee compensation from the Diocese for my Administrator services (Total \$500,000 +)**

Other similar dioceses located in NY, NJ, PA, CO and CA (Total compensation \$500,000+)

For the past ten years, list and describe any instance in which you have lobbied or otherwise advocated concerning positions related to the Boy Scouts of America.

None

Please state whether any member of your immediate family is or has been employed or held a consulting role related to the Boy Scouts of America.

None

To the extent not reflected in response to the above questions, please identify any relationships/issues which you believe may give rise to an actual or potential conflict or appearance of a conflict, with respect to your ability to take on the mediator position.

During the past 40 years I have acted as a third party neutral (e.g., mediator, arbitrator and/or claims administrator) in literally thousands of disputes. In all such cases, I have not represented the various disputing parties but, instead, have acted as the neutral third party in attempting to resolve the various disputes. In the vast majority of cases, my compensation has been equally divided among the mediation and arbitration participants. In my claims administration experience, e.g. the Catholic Church sexual abuse claims involving dioceses in five states, the local Catholic Church diocese responsible for the claims has paid all my claims administration fees and expenses.

Acting as an independent neutral in all such cases, I have worked with scores of law firms, individual lawyers and claims administration vendors. They are listed as follows:

- **Banks: Bank of America (This bank serves as my personal checking account banker and also serves as my law firm checking account banker; no other services; 1992 - present)**
- **Insurers: I have served as a neutral mediator/claims administrator in numerous matters/disputes involving various insurers and their insureds; but I have not been retained by any insurers to serve as their advocate for any other purpose. I was also retained by Liberty Mutual Insurance Company and Zürich Insurance Company to design, implement and administer a neutral voluntary claims compensation program in the Gulf of Mexico following Hurricane Katrina.**
- **Litigation Parties: Archbishop Timothy Dolan, Archbishop of NY (As already indicated I continue to act as the neutral claims administrator in a voluntary program to compensate eligible victims of Catholic Church Sexual Abuse in the NY Diocese and elsewhere. As such, I have designed and administered the program with the help of Cardinal Dolan. I have conferred with the Cardinal on a number of occasions about the program but have retained my independence and authority in the processing of individual claims.)**
- **Professionals Representing Certain Parties in Interest: Ankura Consulting Group, LLC (I have retained, and continue to retain, Ankura Consulting Group, LLC in various claims administration matters requiring its services. I retain Ankura as a vendor to assist me in the processing and determination of individual claims. This retainer for various claims administration matters encompasses the last five years and is ongoing at the present time)**
- **Ordinary Course Professionals:**
 - **Locke Lord LLP (This law firm represents the Peterson Trust where I have acted as Sole Trustee of the Trust for the past three months; I became Trustee upon the death of the previous Trustee and inherited the law firm representation. I did not choose the law firm)**
 - **PricewaterhouseCoopers LLP (I have retained, and continue to retain, PWC, LLP in various claims administration matters requiring their services as Program Accountants. I retain PWC as a vendor to assist me in the processing and determination of individual claims. This retainer for various claims administration matters encompasses the last 20 years and is ongoing at the present time. PWC is actively**

involved at the current time in assisting my administration of the Catholic Church sexual abuse claims programs)

- **Top 25 Plaintiffs' Law Firms Representing the Largest Number of Abuse Victims Asserting Claims Against the Debtors:**
 - **Jeff Anderson & Associates, PA (This law firm represents numerous individual claimants in the various Church sexual abuse claims compensation programs I have designed and administered around the nation. As such, I have met with lawyers from this firm on a number of occasions in evaluating individual Church sexual abuse claims but I do not represent the firm or any of its clients)**
 - **Law Offices of Mitchell Garabedian (This law firm represents numerous individual claimants in the various Church sexual abuse claims compensation programs I have designed and administered around the nation. As such, I have met with Mr. Garabedian on a number of occasions but do not represent him or any of his clients)**
 - **Michael G. Dowd (This lawyer represents numerous individual claimants in the various Church sexual abuse claims compensation programs I have designed and administered around the nation. As such, I have met with Mr. Dowd on a number of occasions in evaluating individual Church sexual abuse claims but I do not represent him or his clients)**
 - **Robins Kaplan LLP (This law firm represents numerous individual claimants in the various Church sexual abuse claims compensation programs I have designed and administered around the nation. As such, I have met with lawyers from this firm on a number of occasions in evaluating individual Church sexual abuse claims but I do not represent the firm or any of its clients. I have also acted as a mediator in various commercial disputes involving plaintiffs and defendants represented by this Firm, but only as a neutral)**

In none of these respective cases/disputes have I been retained by these individual lawyers, law firms or companies to act on their behalf; instead, as already indicated, I have served as a neutral in assisting the respective parties in reaching comprehensive settlements, assisted by the vendors listed above.