

**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
BOY SCOUTS OF AMERICA, Plaintiff, v. A.A., <i>et al.</i> , Defendants.	Adv. Pro. No. 20-50527 (LSS) Re: A.D.I Nos. 77, 85 and 87

**SECOND CERTIFICATION OF COUNSEL REGARDING TERMINATION OF
PRELIMINARY INJUNCTION AS IT RELATES TO CIMARRON COUNCIL FOR
FAILING TO EXECUTE PRELIMINARY INJUNCTION ACKNOWLEDGMENT**

The undersigned hereby certifies that:

1. On June 9, 2020, the Court approved the second stipulation and agreed order [Adv. Docket No. 77] (this “Second Stipulation and Agreed Order”) modifying certain terms of the *Consent Order Pursuant to 11 U.S.C. §§ 105(a) and 362* Granting the BSA’s Motion for a Preliminary Injunction [Adv. Docket No. 54] (the “Consent Order”) and further extending the Termination Date of the Standstill Period thereunder entered into by and among the Boy Scouts of America (the “BSA”), the non-profit corporation that is, along with its affiliate, Delaware

¹ The Debtors in the 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.

BSA, LLC, a debtor and debtor in possession in the above-captioned chapter 11 cases, the official committee of survivors of childhood sexual abuse (the “Tort Claimants’ Committee” or the “TCC”), the official committee of unsecured creditors, the ad hoc committee of local councils, and the future claims representative, by and through their respective counsel.

2. As a condition for the extension of the preliminary injunction under the Consent Order as it pertains to the local councils (the “Local Councils”), the stipulating parties agreed that by July 6, 2020 the Local Councils must execute an acknowledgment (the “Acknowledgment”), produce certain information, and provide certain retrospective and prospective reporting about real estate transfers, in addition to other action items. *See* Second Stipulation and Agreed Order, Para. 6 and Exhibit 4. Failure to timely execute an Acknowledgment authorizes the Tort Claimants’ Committee to serve a notice of default on the applicable Local Councils.

3. On July 7, 2020, the TCC served the Cimarron Council with a *Notice of Preliminary Injunction Acknowledgment Default* (the “Notice of Default”). As set forth in Exhibit 4 of the Second Stipulation and Agreed Order and the Notice of Default, the Cimarron Council had ten (10) days to respond and cure the default by executing the Acknowledgment and supplying the other information required under Exhibit 4 of the Second Stipulation and Agreed Order.

4. On July 8, 2020, the TCC filed a certificate of service evidencing service of the Notice of Default on the Cimarron Council [Adv. Docket No.85].

5. On July 27, 2020, the TCC filed a *Certification of Counsel Regarding Termination of Preliminary Injunction as it Relates to Cimarron Council for Failing to Execute Preliminary Injunction Acknowledgment* [Docket No. 87] (the “Original Certification”) in which

it requested that the Court enter an order terminating the Consent Order solely as it pertained to the Cimarron Council.

6. On July 30, 2020, Cimarron Council executed the Acknowledgement and on July 31, 2020, the BSA delivered the executed Acknowledgement to the TCC.

7. While the TCC is aware of the executed Acknowledgment by Cimarron Council, the TCC's counsel has not been provided with authority to withdraw the Original Certification.

Dated: July 31, 2020

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O'Neill

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