

**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: Adv. D.I.s 6, 54, 72, 77, 107, 116 <u>Objection Deadline:</u> March 8, 2021 <u>Hearing Date:</u> March 17, 2021 at 10:00 a.m. (ET)

**THE BSA’S MOTION TO EXTEND PRELIMINARY INJUNCTION
PURSUANT TO 11 U.S.C. §§ 105(a) AND 362**

The Boy Scouts of America (the “BSA”), the non-profit corporation that is, along with its affiliate Delaware BSA, LLC, a debtor and debtor in possession in the above captioned chapter 11 cases (together, the “**Debtors**”), submits this motion (this “**Motion**”) for an order, in substantially the form annexed hereto as **Exhibit A** (the “**Proposed Order**”), under 11 U.S.C §§ 105(a) and 362, extending the termination date (the “**Termination Date**”) of the preliminary injunction issued

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 W. Walnut Hill Ln., Irving, TX 75038.

in this case to enjoin the prosecution of the Pending Abuse Actions and Further Abuse Actions² with respect to the BSA Related Parties. As grounds for this Motion, the BSA respectfully represents as follows:

RELIEF REQUESTED

By this Motion, pursuant to sections 105(a) and 362 of title 11 of United States Code (the “**Bankruptcy Code**”) and Rule 7065 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), the BSA requests entry of an order extending the Termination Date of the preliminary injunction to enjoin the prosecution of Pending Abuse Actions and Further Abuse Actions as against the BSA Related Parties up to and including July 19, 2021. The Pending Abuse Actions and Further Abuse Actions comprise claims filed in state and federal courts around the country against the BSA and the BSA Related Parties, which include non-debtor entities Learning for Life (a non-stock organization affiliated with the BSA), the Local Councils, and certain Chartered Organizations. Each of the Pending Abuse Actions and Further Abuse Actions alleges abuse arising out of the abuse survivor’s involvement or connection with the BSA.

JURISDICTION AND VENUE

The Court has jurisdiction to consider this Motion pursuant to 28 U.S.C §§ 157 and 1334, and the *Amended Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2021. Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

BASIS FOR RELIEF REQUESTED

In support of this Motion, the BSA relies on its *Opening Brief in Support of the BSA’s Motion to Extend Preliminary Injunction Pursuant to 11 U.S.C. §§ 105(a) and 362* and the

² Capitalized terms used but not defined herein have the meanings set forth in the *Opening Brief in Support of the BSA’s Motion to Extend Preliminary Injunction Pursuant to 11 U.S.C. §§ 105(a) and 362*.

Declaration of Brian Whittman in Support of the BSA's Motion to Extend Preliminary Injunction Pursuant to 11 U.S.C. §§ 105(a) and 362 filed concurrently herewith, and incorporates the same herein by reference.

RESERVATION OF RIGHTS

Nothing contained herein or in any document supporting this Motion is intended or should be construed as (i) an admission as to the validity of any claim against the BSA, or (ii) a waiver of the BSA's or any appropriate party in interest's rights under the Bankruptcy Code or any other applicable law.

WHEREFORE, the BSA respectfully requests entry of the Proposed Order granting the relief requested herein and for such other and further relief as the Court may deem just and proper.

Dated: February 22, 2021
Wilmington, Delaware

Respectfully submitted,

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Paige N. Topper

Derek C. Abbott (No. 3376)

Andrew R. Remming (No. 5120)

Eric W. Moats (No. 6441)

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

aremming@morrisnichols.com

emoats@morrisnichols.com

ptopper@morrisnichols.com

– and –

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*)
111 South Wacker Drive, Suite 5100
Chicago, Illinois 60606
Telephone: (312) 881-5400
Email: mandolina@whitecase.com
mlinder@whitecase.com

COUNSEL TO THE DEBTORS AND DEBTORS IN
POSSESSION

EXHIBIT A

Proposed Order

**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)

**ORDER GRANTING THE BSA’S MOTION TO EXTEND PRELIMINARY
INUNCTION PURSUANT TO 11 U.S.C §§ 105(a) AND 362**

This matter coming before the Court on *The BSA’s Motion to Extend Preliminary Injunction Pursuant to 11 U.S.C. §§ 105(a) and 362* (the “**Motion**”), as well as the *Opening Brief in Support of the BSA’s Motion to Extend Preliminary Injunction Pursuant to 11 U.S.C §§ 105(a) and 362* (the “**Opening Brief**”)² and the *Declaration of Brian Whittman in Support of the BSA’s Motion to Extend Preliminary Injunction Pursuant to 11 U.S.C §§ 105(a) and 362* (the “**Whittman PI Extension Declaration**”), and it appearing that due and adequate notice was provided under

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² Capitalized terms used but not defined herein have the meanings set forth in the Opening Brief.

the circumstances, and the Court finding that the relief requested by the Motion is proper after due consideration of the Motion, Opening Brief, and Whittman PI Extension Declaration, and any responses and replies thereto,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Termination Date of the Standstill Period is extended up to and including July 19, 2021.
3. The Pending Abuse Actions and Further Abuse Actions identified on Schedule 1, as amended from time to time pursuant to the terms of the Consent Order, are hereby stayed as to the BSA Related Parties identified on Schedule 2, as amended from time to time pursuant to the terms of the Consent Order, through the extended Termination Date, without prejudice to any future requests for further extensions of the Termination Date.
4. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this Order.
5. The BSA is authorized to file a copy of this Order with any court in which a Pending Abuse Action or Further Abuse Action is or may hereafter become pending as proof that such action is stayed and enjoined as set forth herein.
6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.