

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

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

Hearing Date: April 29, 2021 at 10:00 a.m. (ET)

Objection Deadline: April 16, 2021 at 4:00 p.m. (ET)

**AMENDED NOTICE OF HEARING TO CONSIDER APPROVAL OF  
DISCLOSURE STATEMENT AND SOLICITATION PROCEDURES  
FOR THE AMENDED CHAPTER 11 PLAN OF REORGANIZATION  
FOR BOYS SCOUTS OF AMERICA AND DELAWARE BSA, LLC**

**PLEASE TAKE NOTICE THAT** the above-captioned debtors and debtors-in-possession (together, the “Debtors”) filed:

- the *Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 2293, filed March 1, 2021] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the “Plan”);<sup>2</sup>
- the *Disclosure Statement for the Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 2294, filed March 1, 2021] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the “Disclosure Statement”); and
- the *Debtors’ Motion for Entry of An Order (I) Approving Disclosure Statement and the Form and Manner of Notice, (II) Approving Plan Solicitation and Voting Procedures, (III) Approving Forms of Ballots, (IV) Approving Form, Manner, and Scope of Confirmation Notices, (V) Establishing Certain Deadlines in Connection with Approval of the Disclosure Statement and Confirmation of the Plan, and (VI) Granting Related Relief* [D.I. 2295, filed March 2, 2021] (the “Solicitation Procedures Motion”).

The Plan contains releases of the Debtors and certain third parties and related injunction provisions. If approved, these provisions could release Abuse Claims held against the BSA and certain third parties, including against Local Councils and Contributing Chartered Organizations.

<sup>1</sup> 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.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Plan, the Disclosure Statement, or the Solicitation Procedures Motion (defined as below), as applicable.

If approved, these provisions would prohibit holders of Abuse Claims from filing lawsuits against the BSA and certain third parties related to any Abuse Claim. Instead, the Plan provides a mechanism by which Abuse Claims against the Debtors will be channeled to a trust established pursuant to section 105(a) of the Bankruptcy Code. The Debtors are proponents of the Plan and support confirmation thereof. You should carefully review the Plan and the applicable release, injunction, and related provisions at <https://omniagentsolutions.com/BSA>.

**PLEASE TAKE FURTHER NOTICE THAT:**

1. The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) has scheduled a hearing for **April 29, 2021 at 10:00 a.m. (Eastern Time)** (the “Disclosure Statement Hearing”)<sup>3</sup> to determine whether to, among other things, approve the Disclosure Statement as containing “adequate information” within the meaning ascribed to such term in section 1125 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”).

2. The Disclosure Statement Hearing will be held before the Honorable Laurie Selber Silverstein, United States Bankruptcy Judge, at the Bankruptcy Court, 824 N. Market Street, 6th Floor, Courtroom No. 2, Wilmington, Delaware 19801. The Disclosure Statement Hearing may be adjourned from time to time without further notice other than the announcement of the adjourned date(s) at the Disclosure Statement Hearing or any continued hearing or as indicated in any notice of agenda of matters scheduled for the hearing filed with the Bankruptcy Court. If the Disclosure Statement Hearing is continued, the Debtors will post the new date and time of the Disclosure Statement Hearing at <https://omniagentsolutions.com/BSA>. The Disclosure Statement and Plan may be modified, if necessary, in accordance with the Bankruptcy Code, the Bankruptcy Rules, and other applicable law, before, during, or as a result of the Disclosure Statement Hearing, without further notice to creditors or other parties in interest.

3. Copies of the Disclosure Statement, the Plan, and the Solicitation Procedures Motion are available for review and download free of charge on the website maintained by the Debtors’ claims, noticing, and solicitation agent, Omni Agent Solutions (the “Solicitation Agent”), at <https://omniagentsolutions.com/BSA>. Copies of the Disclosure Statement and the Plan are also available upon request by (a) calling the Debtors’ toll-free restructuring hotline at 866-907-2721, (b) emailing [BSAballots@omniagnt.com](mailto:BSAballots@omniagnt.com), (c) writing to Boy Scouts of America Ballot Processing, c/o Omni Agent Solutions, 5955 De Soto Avenue, Suite 100, Woodland Hills, CA 91367, or (d) submitting an inquiry on the Debtors’ restructuring website at <https://omniagentsolutions.com/BSA>. You may also access these materials for a fee via PACER at <http://www.deb.uscourts.gov/>. Responses and objections to approval of the Disclosure Statement or the other relief sought by the Debtors in connection with the approval of the Disclosure Statement must: (i) be in writing; (ii) state the name and address of the objecting party or party proposing a modification to the Disclosure Statement and the nature and amount of the Claim of such party; (iii) state with particularity the basis and nature of any objection or response and include, where appropriate, proposed language to be inserted into the Disclosure Statement to

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<sup>3</sup> The Disclosure Statement Hearing was previously scheduled for a hearing on April 15, 2021 at 10:00 a.m. (Eastern Time), but, at the direction of the Bankruptcy Court, the Debtors have moved the Disclosure Statement Hearing to April 29, 2021 at 10:00 a.m. (Eastern Time).

resolve any such objection or response and include any evidentiary support therefor; and (iv) be filed, together with proof of service, with the Bankruptcy Court and served so as to be actually received on or before **April 16, 2021 at 4:00 p.m. (Eastern Time)** by:

- (a) counsel to the Debtors, (i) White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020 (Attn: Jessica C. Lauria (jessica.lauria@whitecase.com)), and 111 South Wacker Drive, Chicago, Illinois 60606 (Attn: Michael C. Andolina (mandolina@whitecase.com), Matthew E. Linder (mlinder@whitecase.com), and Blair Warner (blair.warner@whitecase.com)) and (ii) Morris, Nichols, Arsht & Tunnell LLP, 1201 North Market Street, 16th Floor, P.O. Box 1347, Wilmington, Delaware 19899-1347 (Attn: Derek C. Abbott (dabbott@morrisnichols.com), Andrew R. Remming (aremming@morrisnichols.com), Eric W. Moats (emoats@morrisnichols.com), and Paige N. Topper (ptopper@morrisnichols.com));
- (b) the U.S. Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801 (Attn: David L. Buchbinder (david.l.buchbinder@usdoj.gov) and Hannah M. McCollum (hannah.mccollum@usdoj.gov));
- (c) counsel to the Tort Claimants' Committee, Pachulski Stang Ziehl & Jones LLP, 919 North Market Street, 17th Floor, P.O. Box 8705, Wilmington, DE 19801 (Attn: James I. Stang (jstang@pszjlaw.com), John A. Morris (jmorris@pszjlaw.com), James E. O'Neill (joneill@pszjlaw.com), and John W. Lucas (jlucas@pszjlaw.com));
- (d) counsel to the Creditors' Committee, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036 (Attn: Thomas Moers Mayer (tmayer@kramerlevin.com), Rachael Ringer (rringer@kramerlevin.com), David E. Blabey, Jr. (dblabe@kramerlevin.com), Jennifer R. Sharret (jsharret@kramerlevin.com), and Megan M. Wasson (mwasson@kramerlevin.com));
- (e) counsel to the Future Claimants' Representative, Young Conaway Stargatt & Taylor, LLP, 1000 North King Street, Wilmington, Delaware 19801 (Attn: Robert S. Brady (rbrady@ycst.com), Edwin J. Harron (eharron@ycst.com), and Sharon M. Zieg (szieg@ycst.com)); and
- (f) counsel to JPMorgan Chase Bank National Association, Norton Rose Fulbright US LLP, 2200 Ross Avenue, Dallas, Texas 75201-7932 (Attn: Louis R. Strubeck (louis.strubeck@nortonrosefulbright.com) and Kristian W. Gluck (kristian.gluck@nortonrosefulbright.com)).

4. **IF ANY OBJECTION TO THE DISCLOSURE STATEMENT IS NOT FILED AND SERVED AS PRESCRIBED HEREIN, THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO THE ADEQUACY OF THE DISCLOSURE STATEMENT AND MAY NOT BE HEARD AT THE HEARING.**

5. To the extent any party has already filed an objection to the Disclosure Statement consistent with the procedures prescribed herein, they do not need to refile such objection.

6. Following approval of the Disclosure Statement by the Bankruptcy Court, holders of Impaired Claims against the Debtors **that are entitled to vote** will receive Solicitation Packages in accordance with the order approving the Solicitation Procedures Motion, including instructions to obtain, free of charge, the Plan, the Disclosure Statement, and various other documents related thereto, unless otherwise ordered by the Bankruptcy Court. Holders of Unclassified Claims and Claims in the Unimpaired Classes will receive the Non-Voting Status Notice (each as defined in the Solicitation Procedures Motion). Holders of Disputed Claims that are subject to a pending objection by the Debtors and who are not entitled to vote the disputed portion of such Claim will receive the Disputed Claim Notice (each as defined in the Solicitation Procedures Motion).

7. **THIS NOTICE IS NOT A SOLICITATION OF VOTES TO ACCEPT OR REJECT THE PLAN. VOTES ON THE PLAN MAY NOT BE SOLICITED UNLESS AND UNTIL THE PROPOSED DISCLOSURE STATEMENT IS APPROVED BY AN ORDER OF THE BANKRUPTCY COURT.**

Dated: March 19, 2021

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*)  
Laura E. Baccash (admitted *pro hac vice*)  
Blair M. Warner (admitted *pro hac vice*)  
111 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 881-5400  
Email: mandolina@whitecase.com  
mlinder@whitecase.com  
laura.baccash@whitecase.com  
blair.warner@whitecase.com

/s/ Eric W. Moats

MORRIS, NICHOLS, ARSHT & TUNNELL LLP  
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) 351-9314  
Email: dabbott@morrisnichols.com  
aremring@morrisnichols.com  
emoats@morrisnichols.com  
ptopper@morrisnichols.com

*Attorneys for the Debtors and Debtors in Possession*