

**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)

**CERTIFICATION OF COUNSEL REGARDING ORDER  
(I) AMENDING AND SCHEDULING CERTAIN SUPPLEMENTAL DATES  
AND DEADLINES IN CONNECTION WITH CONFIRMATION OF THE  
DEBTORS' PLAN OF REORGANIZATION AND (II) APPROVING A  
LIMITED SUPPLEMENTAL VOTING DEADLINE FOR CLASS 8 DIRECT  
ABUSE CLAIMS AND CLASS 9 INDIRECT ABUSE CLAIMS**

The undersigned counsel to the above-captioned debtors and debtors in possession (the "Debtors") hereby certifies as follows:

1. At the status conference on February 11, 2022 (the "Status Conference"), this Court revised certain dates and deadlines in connection with confirmation of the Debtors' plan of reorganization.

2. Attached hereto as Exhibit A is a proposed form of Order (the "Proposed Order") that revises the dates and deadlines as discussed on the record at the Status Conference. The Debtors informed the Court and parties in interest at the Status Conference that they would file the Plan, the settlement agreements, the Settlement Trust Agreement, and the Trust Distribution Procedures on Monday, February 14. Due to the significant number of documents and parties involved, the Debtors have filed these documents in the early morning hours of

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<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.

February 15. The Debtors respectfully submit that the proposed schedule set forth in the Proposed Order remains appropriate, and does not prejudice parties in interest with respect to the proposed timeline. The Debtors appreciate the monumental efforts of the supporting parties.

3. On February 13, 2022, the Debtors sent the Proposed Order to all Participating Parties.<sup>2</sup> The Debtors received comments on the Proposed Order from the Roman Catholic Ad Hoc Committee (the “RCAHC”), the Office of the United States Trustee (the “U.S. Trustee”) and AIG, on behalf of the Certain Insurers. Other than as set forth above, the Debtors believe that the Proposed Order reflects the comments received from the RCAHC, the U.S. Trustee and the Certain Insurers.

WHEREFORE, the Debtors hereby respectfully request that the Court enter the Proposed Order attached as **Exhibit A** at the Court’s earliest convenience.

*[Remainder of Page Left Intentionally Blank]*

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<sup>2</sup> Capitalized terms not defined herein are defined in the *Order (I) Scheduling Certain Dates and Deadlines in Connection with Confirmation of the Debtors’ Plan of Reorganization, (II) Establishing Certain Protocols, and (III) Granting Related Relief* [D.I. 6528].

Dated: February 15, 2022  
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Paige N. Topper

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**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,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

Ref. D.I. 6438, 6528, 7996, 8813

**ORDER (I) AMENDING AND SCHEDULING CERTAIN  
SUPPLEMENTAL DATES AND DEADLINES IN CONNECTION  
WITH CONFIRMATION OF THE DEBTORS' PLAN OF  
REORGANIZATION AND (II) APPROVING A LIMITED  
SUPPLEMENTAL VOTING DEADLINE FOR CLASS 8 DIRECT  
ABUSE CLAIMS AND CLASS 9 INDIRECT ABUSE CLAIMS**

Upon the *Certification of Counsel Regarding the Order (I) Amending and Scheduling Certain Supplemental Dates and Deadlines in Connection with Confirmation of the Debtors' Plan of Reorganization and (II) Approving a Limited Supplemental Voting Deadline for Class 8 Direct Abuse Claims and Class 9 Indirect Abuse Claims* of Boy Scouts of America (the "BSA") and Delaware BSA, LLC, the non-profit corporations that are debtors and debtors in possession in the above-captioned chapter 11 cases (together, the "Debtors"), for entry of an order scheduling certain supplemental dates and deadlines in connection with confirmation of the Plan and all related discovery; and this Court's *Order (I) Scheduling Certain Dates and Deadlines in Connection with Confirmation of the Debtors' Plan of Reorganization, (II) Establishing Certain Protocols, and (III) Granting Related Relief* [D.I. 6528]; and this Court's *Order Granting Certain Insurers' Motion to Modify the Confirmation Scheduling Order* [D.I. 7996] (together, the "Prior

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Confirmation Scheduling Orders”);<sup>2</sup> and this Court’s rulings and remarks at the hearing held before the Court on February 11, 2022; and the Court having jurisdiction pursuant to 28 U.S.C. § 1334(b), and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and consideration of the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice having been provided, and it appearing that no other or further notice need be provided; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT**

1. If the Settlement Trustee and Claims Administrators are not disclosed by February 18, 2022, this Order shall be of no force and effect.

2. The dates and deadlines in connection with confirmation of the Debtors’ Plan are hereby approved as follows:

<b>Event</b>	<b>Prior Date</b>	<b>New Date</b>
Deadline to Exchange Deposition Designations <sup>3</sup> and File Motions <i>in Limine</i>	February 10, 2022	February 10, 2022
Deadline to Exchange Deposition Counter-Designations	February 15, 2022	February 15, 2022
Deadline for Oppositions to Motions <i>in Limine</i> and for Objections to Deposition Counter-Designations	February 17, 2022	February 17, 2022 <sup>4</sup>

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Prior Confirmation Scheduling Orders or the *Third Modified Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 8813].

<sup>3</sup> For any depositions that occur after this date, designations will be due two days after the deposition takes place, counter-designations and objections two days after that, and objections to counter-designations two days after that.

<sup>4</sup> The deadline for oppositions to motions *in limine* with respect to testimony and evidence of Kathryn R. McNally is extended to February 25, 2022.

Deadline to Identify Settlement Trustee and Claims Administrators	N/A	February 18, 2022
Supplemental Plan Objection Deadline <sup>5</sup>	N/A	February 25, 2022
Supplemental Chartered Organization Opt Out Deadline	N/A	February 25, 2022
Confirmation Brief / Plan Reply Deadline	February 14, 2022	March 2, 2022
Limited Extended Voting Deadline	N/A	March 4, 2022 at 4:00 p.m. (Eastern Time)
Revised Final Voting Report Submission Date	N/A	March 7, 2022
Final Pre-Trial Conference	February 18, 2022 at 10:00 a.m. (Eastern Time)	March 8, 2022 at 10:00 a.m. (Eastern Time), <i>subject to the Court's availability</i>
Confirmation Hearing	February 22, 2022 at 10:00 a.m. (Eastern Time)	March 9, 2022 at 10:00 a.m. (Eastern Time)

3. The Limited Extended Voting Deadline of **March 4, 2022 at 4:00 p.m. (Eastern Time)** shall be limited to (a) representatives or holders of Class 8 Direct Abuse Claims and (b) representatives or holders of Class 9 Indirect Abuse Claims to submit votes in connection with the Plan [D.I. 8813] filed on Tuesday, February 15, 2022.

4. This Order only modifies the Prior Confirmation Scheduling Orders and the *Order (I) Approving the 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. 6438] (the “Solicitation Procedures Order”) as expressly provided herein. The other terms of the Prior Confirmation Scheduling Orders and the Solicitation Procedures Order,

<sup>5</sup> Parties’ supplemental objections shall be strictly limited to modifications to the Plan and Plan Documents filed on February 15, 2022 and the identity of the Settlement Trustee and Claims Administrators to be disclosed on February 18, 2022. Parties that do not have objections to modification to the Plan do not need to submit supplemental objections, and existing objections to the Plan shall remain in effect.

including without limitation the Solicitation Procedures attached as Exhibit 1 to the Solicitation Procedures Order, otherwise control.

5. All time periods set forth in this order shall be calculated in accordance with Bankruptcy Rule 9006(a).

6. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

7. Nothing in this Order, nor the entry thereof, shall be construed as a finding or conclusion of the Court that the revised deadlines set forth in this Order and notices contemplated by or issued pursuant to this Order satisfy the Debtors' obligations under , *inter alia*, sections 1125 and 1127 of the Bankruptcy Code and Bankruptcy Rule 2002. All parties reserve their rights to argue compliance, or lack thereof, at the Confirmation Hearing.

8. The Debtors are authorized to take all action necessary to effectuate the relief granted in this Order.

9. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.