

**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)

Ref. D.I. 10175

**NOTICE OF THIRTEENTH MEDIATOR'S REPORT REGARDING
MODIFICATIONS TO THE PLAN AND CONFIRMATION ORDER**

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On April 22, 2022, following the completion of the Confirmation Hearing, the Debtors filed the *Third Modified Fifth Amended Chapter 11 Plan of Reorganization (With Technical Modifications) for Boy Scouts of America and Delaware BSA, LLC* [D.I. 9696] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Plan").² On July 29, 2022, the Court issued the *Opinion* [D.I. 10136] (the "Confirmation Opinion").

2. The Confirmation Opinion neither confirms nor denies the Debtors' Plan, but rather offers detailed rulings on all of the objections and issues relating to confirmation of the Debtors' proposed Plan. Given that certain of the rulings modified certain aspects of the Debtors' existing Plan, following the issuance of the Confirmation Opinion, the Court invited the Debtors to make decisions on how to proceed and schedule a status conference.

3. The Debtors have set August 24, 2022, at 11:00 a.m. (Eastern Time) as the date to hold the status conference. As stated in the *Thirteenth Mediator's Report* [D.I. 10175] annexed hereto, the Debtors have been working with the Mediator and other Mediation Parties to modify the Plan and the proposed Confirmation Order in a manner consistent with the Confirmation Opinion.

4. This notice is being sent to you for informational purposes only. If you need legal advice, please consult with your attorney.

5. You may obtain copies of the Plan or any other documents related to the Plan, free of charge, by: (a) calling the Debtors' toll-free restructuring hotline at 866-907-2721, (b) emailing

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtors' 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.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Plan and Confirmation Opinion.

BSAballots@omniagnt.com, (c) writing to Boy Scouts of America, 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/>.

[Remainder of Page Intentionally Left Blank]

Dated: August 10, 2022

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

MORRIS, NICHOLS, ARSHT & TUNNELL LLP
/s/ Paige N. Topper
Derek C. Abbott (No. 3376)
Andrew R. Remming (No. 5120)
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
ptopper@morrisnichols.com

Attorneys for the Debtors and Debtors in Possession

Exhibit A

Thirteenth Mediator's Report

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

In re:

BOY SCOUTS OF AMERICA AND
DELAWARE BSA, LLC¹

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

THIRTEENTH MEDIATOR'S REPORT

The Court appointed Timothy V.P. Gallagher to serve as the Mediator in the above-captioned cases under the *Order (I) Appointing Mediators, (II) Referring Certain Matters to Mediation, and (III) Granting Related Relief*, dated June 9, 2020 [D.I. 812] (the "Mediation Order").²

The Debtors have been working diligently with the Mediator and other Mediation Parties to modify the Plan and the proposed Confirmation Order in a manner consistent with the Court's *Opinion* issued on July 29, 2022 [D.I. 10136]. The Mediator understands the Debtors intend to file their proposed modifications to the Plan and Confirmation Order, as well as a motion detailing the reasons for such modifications, to be heard at the hearing and status conference scheduled on August 24, 2022.

At the request of the Mediator and certain of the Mediation Parties and in an effort to consensually resolve as many remaining issues and concerns as possible, the Mediator understands the Debtors have agreed to postpone filing such motion until Friday, August 12, 2022. The

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 West Walnut Hill Lane, Irving, Texas 75038.

² Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Mediation Order, the *Third Modified Fifth Amended Chapter 11 Plan of Reorganization (With Technical Modifications) for Boy Scouts of America and Delaware BSA, LLC* [D.I. 9696] (the "Plan").

Mediator understands that, at that time, the Debtors with the support of the Plan Proponents, will request that the Court shorten notice and maintain the scheduled hearing and status conference on August 24, 2022. The Mediator further understands the Debtors will propose to shorten their reply deadline in an effort to eliminate any burden on objecting parties and the Court.

The Mediator appreciates the diligence of all of the Mediation Parties in negotiating the modifications to the Plan and the proposed Confirmation Order. The Mediator expresses no view on the merits of the modifications or the confirmability of any plan, matters properly reserved for the Court.

This report is submitted with the consent of the Mediation Parties.

[Remainder of Page Intentionally Left Blank]

Dated: August 10, 2022

/s/ Timothy V.P. Gallagher
Timothy V.P. Gallagher, Mediator