

**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. 8813, 8908

**NOTICE OF FILING OF ADDENDUM TO EXHIBIT J-1
TO THE DEBTORS' THIRD MODIFIED FIFTH AMENDED
CHAPTER 11 PLAN OF REORGANIZATION**

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On February 15, 2022, Boy Scouts of America 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"), filed the *Third Modified Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 8813] (together with all exhibits, schedules and attachments thereto, the "Plan"), with the United States Bankruptcy Court for the District of Delaware (the "Court").

2. On February 18, 2022, the Debtors filed the *Notice of Filing of Exhibit J-1 to Debtors' Third Modified Fifth Amended Chapter 11 Plan of Reorganization* [D.I. 8908]. Attached thereto as Exhibit 1 was the fully executed version of the TCJC Settlement Agreement and Release,² which is Exhibit J-1 to the Plan.

3. The Debtors hereby file this notice of addendum amending Article XIX.H of the TCJC Settlement Agreement and Release to reflect a resolution of an informal discovery dispute, which is attached hereto as Exhibit A.

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 not defined herein are defined in the Plan.

Dated: April 21, 2022

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Attorneys for the Debtors and Debtors in Possession

Exhibit A

ADDENDUM TO TCJC SETTLEMENT AGREEMENT AND RELEASE

This addendum to the TCJC Settlement Agreement and Release, dated as of February 14, 2022 (together with the TCJC Settlement Agreement and Release, the “Agreement”), is entered into between and among The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole (“TCJC”), Boy Scouts of America and Delaware BSA, LLC, as debtors and debtors in possession (collectively, “BSA” or the “Debtors”), the Ad Hoc Committee of Local Councils (the “AHCLC”),¹ the Coalition of Abused Scouts for Justice, solely and only in its capacity as an ad hoc committee (the “Coalition”), and the Future Claimants’ Representative (the “FCR” and, collectively with the TCJC, the Debtors, the AHCLC, and the Coalition, the “Parties”). The attorneys representing holders of Direct Abuse Claims listed on Schedule 1 hereto, which reflects the number of holders of Abuse Claims represented by each firm (the “State Court Counsel”) agree to support the terms of and be bound by this Agreement. This Agreement sets forth the entire agreement between the Parties as to its subject matter and shall be deemed effective and shall constitute the legal, valid, and binding obligation of each of the Parties upon the occurrence of the Effective Date.

WHEREAS, on February 15, 2022, the Debtors filed their *Third Modified Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC* [D.I. 8813] (as it may subsequently be amended from time to time, the “Plan”);

WHEREAS, on February 18, 2022, the Debtors filed the *Notice of Filing of Exhibit J-1 to Debtors’ Third Modified Fifth Amended Chapter 11 Plan of Reorganization* [D.I. 8908]. Attached thereto as Exhibit 1 was the fully executed version of the TCJC Settlement Agreement and Release, which is Exhibit J-1 to the Plan; and

WHEREAS, the Parties, having previously negotiated and entered into the TCJC Settlement Agreement and Release, intend to execute this addendum to amend Article XIX.H of the TCJC Settlement Agreement and Release.

1. The Parties hereby agree to amend the TCJC Settlement Agreement and Release as follows:
 - a. Article XIX.H of the TCJC Settlement Agreement and Release

H. TCJC will cooperate in good faith with the Settlement Trust regarding the resolution and defense of TCJC Claims to provide non-privileged/protected information in response to reasonable requests of the Settlement Trust, including, without limitation, (i) information regarding whether individuals relevant to TCJC Claims were/are members of TCJC and whether there are other claims involving the same perpetrator; and (ii) Rosters requested by the Settlement Trust to the extent in TCJC’s possession upon reasonable inquiry, provided that the Parties understand that TCJC is not aware that it possesses any Rosters, TCJC’s understanding based on its inquiries to date is that it does not possess

¹ Notwithstanding anything to the contrary in this Agreement, the obligations and undertakings of the AHCLC in connection with this Agreement shall be no greater than the AHCLC’s parallel obligations and undertakings under Section III of the Restructuring Support Agreement (including the “No Liability” subsection thereof) filed at Docket No. 5466-2.

any Rosters, and Rosters may not be in TCJC's possession despite TCJC's reasonable inquiry; *provided, however,* that TCJC shall not be bound by the Document Agreement or otherwise be subject to fact discovery, including depositions, by the Settlement Trust or holders of Abuse Claims after the Effective Date. Notwithstanding anything contained herein, or in the Plan, the Plan Documents, or the Settlement Trust Documents, TCJC shall not be compelled to disclose any information or documents protected from disclosure by any applicable privilege or protection, including any documents subject to or protected by attorney-client privilege, joint defense privilege, common interest privilege, clergy privilege, the First Amendment and/or confidentiality agreements, or any other applicable privilege, protection or defense from discovery, and the Debtors shall not disclose to the Settlement Trust or any other party any information or documents provided to the Debtors by TCJC that is subject to or protected by attorney-client privilege, joint defense privilege, common interest privilege, clergy privilege, and/or confidentiality agreements, or any other applicable privilege, protection or defense from discovery, without TCJC's prior consent in writing.

2. The amendment to Article XIX.H, as noted in paragraph 1 hereof, shall supersede and replace the prior Article XIX.H of the TCJC Settlement Agreement and Release in its entirety.
3. Except as noted above, all other provisions of the Agreement remain in full force and effect.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Parties have duly executed this TCJC Settlement Agreement as of the last date indicated below.

Boy Scouts of America and Delaware BSA, LLC

The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

By: Roger C. Mosby
Name: Roger C. Mosby

Title: President and CEO

Date: 4/20, 2022

By: _____
Name: Paul Rytting

Title: Director of Risk Management

Date: _____, 2022

Coalition of Abused Scouts for Justice

Future Claimants' Representative

By: /s/ _____

Name:

Title:

Date:

By: /s/ _____

Name:

Title:

Date:

Ad Hoc Committee of Local Councils

By: /s/ _____

Name:

Title:

Date:

IN WITNESS WHEREOF, the Parties have duly executed this TCJC Settlement Agreement as of the last date indicated below.

Boy Scouts of America and Delaware BSA, LLC

The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

By: _____

By: /s/ Paul Rytting _____

Name: Roger C. Mosby

Name: Paul Rytting

Title: President and CEO

Title: Director of Risk Management

Date: _____, 2022

Date: April 21, 2022

Coalition of Abused Scouts for Justice

Future Claimants' Representative

By: /s/ _____

By: /s/ _____

Name:

Name:

Title:

Title:

Date:

Date:

Ad Hoc Committee of Local Councils

By: /s/ _____

Name:

Title:

Date:

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Boy Scouts of America and Delaware BSA, LLC

The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

By: _____

By: _____

Name: Roger C. Mosby

Name: Paul Rytting

Title: President and CEO

Title: Director of Risk Management

Date: _____, 2022

Date: _____, 2022

Coalition of Abused Scouts for Justice

Future Claimants' Representative

By: /s/ Eric Goodman

By: /s/

Name: Eric Goodman

Name:

Title: Partner

Title:

Date: April 21, 2022

Date:

Ad Hoc Committee of Local Councils

By: /s/

Name:

Title:

Date:

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Boy Scouts of America and Delaware BSA, LLC

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By: _____

By: _____

Name: Roger C. Mosby

Name: Paul Rytting

Title: President and CEO

Title: Director of Risk Management

Date: _____, 2022

Date: _____, 2022

Coalition of Abused Scouts for Justice

Future Claimants' Representative

By: /s/ _____

By: /s/ _____

Name:

Name: Robert S. Brady

Title:

Title: Counsel to the FCR

Date:

Date: 4/21/22

Ad Hoc Committee of Local Councils

By: /s/ _____

Name:

Title:

Date:

IN WITNESS WHEREOF, the Parties have duly executed this TCJC Settlement Agreement as of the last date indicated below.

Boy Scouts of America and Delaware BSA, LLC

The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

By: _____

By: _____

Name: Roger C. Mosby

Name: Paul Rytting

Title: President and CEO

Title: Director of Risk Management

Date: _____, 2022

Date: _____, 2022

Coalition of Abused Scouts for Justice

Future Claimants' Representative

By: /s/ _____

By: /s/ _____

Name:

Name:

Title:

Title:

Date:

Date:

Ad Hoc Committee of Local Councils

By: /s/ Richard G. Mason

Name: Richard G. Mason

Title: Chair

Date: April 21, 2022