

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Buffalo, N.Y.,

Debtor.

Case No. 20-10322

Chapter 11

NOTICE OF SUPPLEMENTAL BAR DATE FOR ADULT CLAIMS

TO ALL PERSONS AND ENTITIES WITH ADULT SEXUAL ABUSE CLAIMS AGAINST THE DIOCESE OF BUFFALO, N.Y.:

PLEASE TAKE NOTICE that, on February 28, 2020 (the “Petition Date”) The Diocese of Buffalo, N.Y. (the “Diocese”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 *et seq.*, the “Bankruptcy Code”) in the United States Bankruptcy Court for the Western District of New York (the “Bankruptcy Court”). Information regarding the Diocese, its business, and other relevant information related to this chapter 11 case (the “Chapter 11 Case”) may be obtained by visiting the following case management website maintained by Stretto, the Diocese’s Claims and Noticing Agent at: <https://case.stretto.com/diocesefofbuffalo>.

PLEASE TAKE FURTHER NOTICE that, on December 11, 2020, the Bankruptcy Court entered an order [Docket No. 729] (the “Bar Date Order”) ¹ establishing August 14, 2021 at 11:59 p.m. (prevailing Eastern time), as the deadline for all persons and entities, including governmental units and persons asserting Sexual Abuse Claims, ² to file prepetition claims in this Chapter 11 Case (the “Bar Date”).

PLEASE TAKE FURTHER NOTICE that, pursuant to an order entered on January 13, 2023 [Docket No. 2202] (the “Supplemental Bar Date Order”), and notwithstanding any deadlines set forth in the Bankruptcy Court’s Bar Date Order, any Sexual Abuse Proof of Claim which asserts a Sexual Abuse Claim against the Diocese arising from abuse which is alleged to have occurred

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Bar Date Order.

² Pursuant to the Bar Date Order, the term “Sexual Abuse Claim” means any claim (as defined in section 101(5) of the Bankruptcy Code) against the Diocese resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephobophilia, or sexually-related physical, sexually-related psychological, or sexually-related emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or a nonconsenting adult and another adult, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other conduct constituting a sexual offense, incest, or use of a child in a sexual performance (as such terms are defined in the New York Penal Law), and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory, contribution, indemnity, or any other theory based on any acts or failures to act by the Diocese or any other person or entity for whose acts or failures to act the Diocese is or was allegedly responsible. A “Sexual Abuse Claimant” is any person asserting a Sexual Abuse Claim.

on or after the date on which the Sexual Abuse Claimant achieved the age of eighteen (18) years and which, prior to the enactment of the Adult Survivors Act (S.66A/A.648A), would have been subject to a statute of limitations defense under New York law (an “Adult Claim”), may be filed with respect to such Adult Claim only, if it is actually received by Stretto, the Diocese’s Claim and Noticing Agent, or filed with the Court, on or before **April 17, 2023, at 11:59 P.M. (prevailing Eastern time)** (the “Supplemental Bar Date”).

PLEASE TAKE FURTHER NOTICE that, except as modified by the Supplemental Bar Date Order, all terms and provisions of the Bar Date Order with respect to the form and manner of submission of Sexual Abuse Claim Proofs of Claim (including, without limitation, those provisions of the Bar Date Order relating to the Confidentiality Protocol and the Confidential Sexual Abuse Claim Supplement) shall remain in effect and shall apply with respect to all Adult Claims.

PLEASE TAKE FURTHER NOTICE that, all Sexual Abuse Claimants asserting an Adult Claim should submit their completed proof of claim in substantial conformity with Official Form 410 together with a completed Confidential Sexual Abuse Claim Supplement. The failure to include the Confidential Sexual Abuse Claim Supplement with your proof of claim may be the basis for a valid objection to your claim. Copies of Official Form 410 and the Confidential Sexual Abuse Claim Supplement may be obtained by visiting <https://case.stretto.com/dioceseofbuffalo> or may be requested by calling (855) 292-7696.

PLEASE TAKE FURTHER NOTICE that, Sexual Abuse Proofs of Claim asserting Adult Claims may be submitted to Stretto, the Diocese’s Claims and Noticing Agent, either (i) electronically using the interface available at <https://case.stretto.com/dioceseofbuffalo> or (ii) by delivering an original copy by hand mail or overnight courier to The Diocese of Buffalo, N.Y., Claims Processing c/o Stretto, 8269 E. 23rd Avenue, Suite 275, Denver, Colorado 80238. Proofs of claim sent by facsimile, telecopy, or e-mail will not be accepted. Proofs of claim will be deemed filed only when actually received by Stretto, or when filed with the Court. Proofs of claim submitted to Stretto electronically will be acknowledged via electronic mail or confirmation number from Stretto at the time of submission. If you wish to receive acknowledgement of Stretto’s receipt of a proof of claim submitted in paper format, you must also submit with your original proof of claim: (i) one additional copy of your original proof of claim; and (ii) a self-addressed, postage pre-paid return envelope.

PLEASE TAKE FURTHER NOTICE that, all Sexual Abuse Proofs of Claim filed with Stretto will be treated confidentially in this Chapter 11 Case unless the Sexual Abuse Claimant elects to have his or her claim publicly disclosed. Any Sexual Abuse Proof of Claim that you file with the Court will be available to the general public, and will not be confidential. Information from Sexual Abuse Proofs of Claim will be provided to certain Authorized Parties under the Bar Date Order, all of whom will agree to keep the information provided by you confidential pursuant to the Bar Date Order unless you have elected not to have your claim treated as confidential.

PLEASE TAKE FURTHER NOTICE, THAT IF YOU HAVE ALREADY FILED A SEXUAL ABUSE PROOF OF CLAIM ASSERTING AN ADULT CLAIM YOU ARE NOT REQUIRED TO TAKE ANY ADDITIONAL ACTION AT THIS TIME.

PLEASE TAKE FURTHER NOTICE THAT ANY CLAIM FILED PURSUANT TO THE SUPPLEMENTAL BAR DATE ORDER SHALL BE WITHOUT PREJUDICE TO THE RIGHT OF ANY PARTY IN INTEREST TO ASSERT OBJECTIONS TO ANY CLAIMS FILED, INCLUDING OBJECTIONS WITH REGARD TO THE TIMELINESS OF ANY CLAIMS

YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU HAVE A CLAIM OR WHETHER YOU MUST FILE A PROOF OF CLAIM. YOU MAY ALSO OBTAIN INFORMATION FROM THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS BY CALLING (855) 292-7696.

NOTHING IN THIS NOTICE SHALL BE CONSTRUED AS LIMITING ANY PARTY'S RIGHTS TO: (I) DISPUTE, OR TO ASSERT OFFSETS OR DEFENSES AGAINST, ANY FILED CLAIM OR ANY CLAIM LISTED OR REFLECTED IN THE SCHEDULES AS TO NATURE, AMOUNT, LIABILITY, CLASSIFICATION, TIMELINESS OF CLAIM, OR OTHERWISE; AND (II) SUBSEQUENTLY DESIGNATE ANY CLAIM AS DISPUTED, CONTINGENT OR UNLIQUIDATED.

Dated: January 13, 2023

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