

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re: )

The Roman Catholic Diocese of Syracuse, )  
New York, )

Debtor. )

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Case No. 20-30663

Chapter 11

**NOTICE OF APRIL 15, 2021 DEADLINE  
FOR FILING PROOFS OF CLAIM**

TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE ROMAN CATHOLIC  
DIOCESE OF SYRACUSE, NEW YORK:

PLEASE TAKE NOTICE that the United States Bankruptcy Court for the Northern District of New York has entered an order establishing **April 15, 2021 at 11:59 p.m.** (prevailing Eastern time) as the **deadline for all persons and entities, including persons asserting Sexual Abuse Claims and Governmental Units, to file prepetition claims in this chapter 11 case** (the "Bar Date Order"<sup>1</sup>, with April 15, 2021, the "Bar Date"). The court has approved the form of this notice.

**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 (612) 335-1831.**

The Roman Catholic Diocese of Syracuse, New York (the "Debtor") 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 Northern District of New York on June 19, 2020 (the "Petition Date"). Information regarding the Debtor, its business, and other relevant information related to this chapter 11 case ("Chapter 11 Case") may be obtained at the case management website maintained by Stretto, the Debtor's Claims and Noticing Agent at: <https://case.stretto.com/diocesefofsyracuse>.

Except as described below, the Bar Date Order requires all persons or Entities, including Governmental Units, that have or may assert prepetition claims of any nature against the Debtor, including Sexual Abuse Claims, to submit proofs of claim so that they are received by Stretto on or before the Bar Date. Please note that the terms "Entity," "Governmental Unit," "Claim," and "Sexual Abuse Claim" are defined below.

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

PLEASE TAKE FURTHER NOTICE that all claimants shall submit a proof of claim in substantial conformity with Official Form 410. If the Debtor has identified you as having a potential Claim, a copy of Official Proof of Claim Form 410 is enclosed with this Notice.

**The court has also adopted a Confidential Sexual Abuse Claim Supplement to assist in evaluating claims premised upon allegations of sexual abuse. All claimants wishing to assert Sexual Abuse Claims should complete and submit with Official Form 410 the Confidential Sexual Abuse Claim Supplement.** If the Debtor has identified you as having a potential Sexual Abuse Claim, a copy of the Confidential Sexual Abuse Claim Supplement is enclosed with this Notice. Failure to submit a completed Confidential Sexual Abuse Claim Supplement with your Sexual Abuse Proof of Claim may be the basis for a valid objection to your claim. If no proof of claim form accompanies this Notice, or if you did not receive the correct proof of claim form, copies of both Official Form 410 and the Confidential Sexual Abuse Claim Supplement may be obtained online by visiting <https://case.stretto.com/dioceseforsyracuse>, or may be requested by calling (855) 329-4244.

### **KEY DEFINITIONS**

As used in this Notice, the term “Entity” has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons (individuals, partnerships and corporations), estates, trusts, Governmental Units and the United States Trustee.

As used in this Notice, the term “Governmental Unit” has the meaning given to it in section 101(27) of the Bankruptcy Code and includes the United States, States, commonwealths, districts, territories, municipalities, foreign states, or departments, agencies or instrumentalities of the foregoing.

As used in this Notice, the term “Claim” shall mean, as to or against the Debtor and in accordance with section 101(5) of the Bankruptcy Code: (i) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (ii) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

As used in this Notice, the term “Sexual Abuse Claim” shall mean any Claim against the Debtor 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, ephebophilia, or sexually-related physical, psychological, or 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 Debtor or any other person or entity for whose acts or failures to act the Debtor is or was allegedly responsible.

**I. WHO MUST FILE A PROOF OF CLAIM PRIOR TO THE BAR DATE**

- a. ***The Bar Date:*** The Bar Date Order establishes April 15, 2021 at 11:59 p.m. (prevailing Eastern time) as the Bar Date for filing proofs of claim in this case.
- b. ***The Following Persons or Entities Must File a Proof of Claim on or Before the Bar Date:***
  - i. Any person or Entity whose prepetition claim was not listed in the Debtor's Schedules of Assets and Liabilities (as amended) filed in this Chapter 11 Case (the "Schedules"), or whose prepetition claim is listed in the Schedules, but is designated as being "contingent," "unliquidated," or "disputed," and who desires to participate in this Chapter 11 Case or to share in any distributions to creditors that may be made in this Chapter 11 Case;
  - ii. Any person or Entity who believes that its prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount and that desires to have its claim allowed in a classification or amount other than as identified in the Schedules; and
  - iii. Any person who wishes to assert a Sexual Abuse Claim against the Debtor, regardless of whether such person has previously filed a lawsuit against the Debtor or otherwise has given formal or informal notice of such claims to the Debtor.
- c. ***The Following Persons or Entities are Not Required to File Proofs of Claim at this Time:***
  - i. Any person or Entity that has already properly filed a proof of claim against the Debtor with the Clerk of the Court for the United States Bankruptcy Court for the Northern District of New York, Syracuse Division, *except that* any person who has asserted a Sexual Abuse Claim should submit a completed Confidential Sexual Abuse Claim Supplement;
  - ii. Any person or Entity: (a) whose claim is listed in the Schedules or any amendments thereto; and (b) whose claim is not identified therein as "contingent," "unliquidated," or "disputed," and (c) who does not dispute the amount or classification of its claim as set forth in the Schedules;
  - iii. Any professionals retained by the Debtor or the Committee pursuant to orders of this Court, who assert administrative claims for payment of fees and expenses subject to the Court's approval, pursuant to sections 330, 331(a) and 503(b) of the Bankruptcy Code;

- iv. Any person or Entity that asserts an administrative expense claim against the Debtor pursuant to sections 503(b) or 507(a)(2) of the Bankruptcy Code;
- v. Any person or Entity whose claim against the Debtor is allowed by an order of the Court entered on or before the Bar Date; and
- vi. Any person or Entity whose claim has been previously settled or paid in full.

## **II. CONFIDENTIALITY OF ABUSE CLAIMS**

Pursuant to the Bar Date Order, filed Sexual Abuse Proofs of Claim (including the Confidential Sexual Abuse Claim Supplement) 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 will not be available to the general public, and will be kept confidential, except that information will be provided to 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.

## **III. CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM**

**Any person or Entity that is required to file a proof of claim, but fails to do so on or before the Bar Date: may NOT be treated as a creditor with respect to such Claim and may not be entitled to vote on a plan, or to share in any distributions under any chapter 11 plan proposed and/or confirmed in this Chapter 11 Case. If it is unclear from the Schedules whether your Claim is disputed, contingent or unliquidated as to amount or is otherwise properly listed and classified, you must file a proof of claim on or before the Bar Date. Any party that relies on the information in the Schedules bears responsibility for determining that its Claim is accurately listed therein.**

### **RESERVATION OF RIGHTS**

Nothing in the Bar Date Order 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 or otherwise; and (ii) subsequently designate any Claim as disputed, contingent or unliquidated. Nothing contained in this Notice shall preclude any party from objecting to any Claim, whether scheduled or filed, on any grounds.

### **PROCEDURE FOR FILING PROOFS OF CLAIM**

**All claimants are directed to submit their proofs of claim to Stretto, the Debtor's Claims and Noticing Agent,** as set forth below:

To be considered valid, each proof of claim submitted in this Chapter 11 Case must: (a) be denominated in lawful currency of the United States as of the Petition Date, (b) have attached copies of any writings upon which the claim is based in accordance with Bankruptcy Rules 3001(c) and 3001(d) (including for secured claims, evidence that the security interest has been perfected),

and (c) be actually received by Stretto, the Debtor's Claims and Noticing Agent, on or prior to the Bar Date either (i) electronically using the interface available on Stretto's website at <https://case.stretto.com/diocesefofsyracuse> or (ii) **by delivering an original copy by hand, mail or overnight courier to The Roman Catholic Diocese of Syracuse, New York, 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. In the event that a completed proof of claim is mailed to or personally delivered to the Clerk of Court for the United States Bankruptcy Court for the Northern District of New York, the Clerk of Court shall: (i) mark the document with a date and time of receipt, (ii) maintain a copy of the claim and Confidential Sexual Abuse Claim Supplement under seal as provided by the Local Bankruptcy Rules, and (iii) place the proof of claim and any Confidential Sexual Abuse Claim Supplement in a sealed envelope marked confidential and transmit the sealed envelope via overnight delivery to Stretto at the address for receipt of proofs of claim above.

All claimants shall submit their proof of claim in substantial conformity with Official Form 410. All claimants asserting Sexual Abuse Claims should submit with their completed proof of claim, 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.** A Sexual Abuse Proof of Claim may only be made on account of Sexual Abuse of an individual. Any other claim may be asserted as a general proof of claim.

Proofs of claim will be deemed filed when actually received by Stretto. Proofs of claim submitted 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.

#### **ADDITIONAL INFORMATION**

You may be listed as the holder of a Claim in the Debtor's Schedules. If you hold or assert a Claim that is not listed in the Schedules, or if you disagree with the amount or priority of your Claim as listed in the Schedules, or your Claim is listed in the Schedules as contingent, unliquidated, or disputed, you must file a proof of claim. Copies of the Schedules and the Bar Date Order are available for inspection during regular business hours at the Clerk's Office, United States Bankruptcy Court for the Northern District of New York, 100 South Clinton Street, 3rd Floor, Syracuse, NY 13261. In addition, copies of the Debtor's Schedules and the Bar Date Order are available on the Stretto case management website at <https://case.stretto.com/diocesefofsyracuse> for free, or on the Court's website (<https://www.nynb.uscourts.gov/>) by following the directions for accessing the ECF system on such website (a PACER password is required). A list of entities within the territory of the Debtor that may be implicated by the Debtor's Chapter 11 Case, including parishes, schools, entities for which the Bishop is the president, and sole member entities for which the Bishop is the sole member, is available on the Stretto case management website at <https://case.stretto.com/diocesefofsyracuse>.

Requests for proofs of claim should be directed to Stretto, the Debtor's Claims and Noticing Agent at (855) 329-4244. Stretto is not permitted to give you legal advice. You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the contents of this notice or the completion or filing of a proof of claim.