

**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. Docket Nos. 18, 556, 557, 601, 603, 610, 630,
631, 632, 651, 656, 659 & 667

**ORDER, PURSUANT TO 11 U.S.C. § 502(b)(9), BANKRUPTCY RULES 2002
AND 3003(c)(3), AND LOCAL RULES 2002-1(e), 3001-1, AND 3003-1,
(I) ESTABLISHING DEADLINES FOR FILING PROOFS OF CLAIM,
(II) ESTABLISHING THE FORM AND MANNER OF NOTICE THEREOF,
(III) APPROVING PROCEDURES FOR PROVIDING NOTICE OF BAR DATE
AND OTHER IMPORTANT INFORMATION TO ABUSE SURVIVORS, AND
(IV) APPROVING CONFIDENTIALITY PROCEDURES FOR ABUSE SURVIVORS**

Upon the motion (the “Motion”)² of the 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”) for entry of an order (this “Order”), (i) establishing deadlines by which General Proofs of Claim and proofs of claim submitted by Sexual Abuse Survivors (as defined below) (“Sexual Abuse Survivor Proofs of Claim”) against the Debtors’ estates are to be filed, (ii) approving the proposed procedures for filing General Proofs of Claim and Sexual Abuse Survivor Proofs of Claim, including special procedures for holders of Sexual Abuse Claims (“Sexual Abuse Survivors”) to file confidential Sexual Abuse Survivor Proofs of Claim, (iii) approving the proposed procedures for notice of the bar dates, including the form of Bar Date Notices, (iv) approving the General Proof of Claim Form and 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 All capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Motion.

Sexual Abuse Survivor Proof of Claim Form, (v) approving the forms of supplemental notice and procedures for providing notice to unknown Sexual Abuse Survivors and other unknown creditors and parties in interest, and (vi) granting related relief; and upon consideration of the First Day Declaration, the declaration and supplemental declaration of Shannon Wheatman in support of the Motion and the Supplemental Notice Plan (together, the “Wheatman Declarations”); and certain objections and responses to the Motion (and joinders to such objections and responses) having been filed, including, without limitation, Docket Nos. 601, 603, 610, 651, 656 and 659 (each, an “Objection” and, collectively, the “Objections”); and upon consideration of the Supplement to Debtors’ Bar Date Motion [Docket No. 557] (the “Supplement”) and the Debtors’ Omnibus Reply in Support of Bar Date Motion [Docket No. 630] (the “Reply”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Debtors having consented to the entry of a final order by this Court under Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors’ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court held on May 18, 2020; and all Objections to the Motion having been withdrawn, resolved or overruled; and the relief requested in the Motion being in the best interests of the Debtors’ estates, their creditors and other parties in interest; and this Court having determined that the legal and factual bases set forth in the Motion

establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The relief requested in the Motion is GRANTED as set forth herein.
2. The following procedures for filing General Proofs of Claim are approved:
 - (a) Unless otherwise provided herein, the General Bar Date shall be **5:00 p.m. (prevailing Eastern Time) on November 16, 2020.**
 - (b) Unless otherwise provided herein, the Governmental Bar Date shall be **August 17, 2020 at 5:00 p.m. (prevailing Eastern Time).**
 - (c) **General Proofs of Claim** must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) conform substantially to the General Proof of Claim Form attached to this Order as **Exhibit 6** or Official Bankruptcy Form No. 410; (iv) specify by name and case number the Debtor against which the General Proof of Claim is filed; (v) set forth with specificity the legal and factual basis for the alleged claim; (vi) include supporting documentation for the claim or an explanation as to why such documentation is not available, *provided, however*, that if the claimant elects not to supplement their proof of claim by attaching supporting documentation at the time of filing a claim, the absence of supporting documentation by itself will not automatically result in the disallowance of the claim, although the claimant may be asked or required to provide additional information or supporting documentation at a later date, and the claim may be subject to an objection on the grounds that the claimant failed to include any supporting documentation to indicate the existence of a claim, as required by Bankruptcy Rule 3001(c); and (vii) be signed by the claimant or, if the claimant is not an individual, by an authorized agent or authorized representative of the claimant.
 - (d) Any General Proof of Claim that does not clearly identify the Debtor against which the claim is asserted and the case number will be deemed as being submitted only against the Boy Scouts of America.
 - (e) If a claimant asserts a claim against more than one Debtor or has claims against both Debtors, the claimant must file a separate General Proof of Claim against each Debtor. To the extent a submitted General Proof of Claim identifies more than one Debtor, such proof of claim will be deemed as being submitted only against the first-identified Debtor.
 - (f) General Proofs of Claim must be filed either (i) electronically through the Claims and Noticing Agent's website using the interface available on the

website located at <http://www.omniagentsolutions.com/bsaclaims> (the “Electronic Filing System”) or (ii) by delivering the original General Proof of Claim by hand, or mailing the original General Proof of Claim so that it is received by the Claims and Noticing Agent on or before the General Bar Date as follows:

**BSA Claims Processing
c/o Omni Agent Solutions
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367**

- (g) A General Proof of Claim shall be deemed timely filed only if it is **actually received** by the Claims and Noticing Agent (i) at the address listed in subparagraph (f) above or (ii) electronically through the Electronic Filing System on or before the General Bar Date or Governmental Bar Date, as applicable.
- (h) General Proofs of Claim sent by email, facsimile, or telecopy transmission (other than General Proofs of Claim filed electronically through the Electronic Filing System) **shall not** be accepted.
- (i) Any person or entity (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts, and Governmental Units) that asserts a claim that arises from the rejection of an executory contract or unexpired lease must file a General Proof of Claim based on such rejection by the later of (i) the General Bar Date or Governmental Bar Date, as applicable, and (ii) the date that is thirty (30) days following the entry of the Court order approving such rejection, (which order may be the order confirming a chapter 11 plan in the Debtors’ chapter 11 cases) or shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.
- (j) Notwithstanding the foregoing, a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a General Proof of Claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in subparagraph (m) below applies.
- (k) In the event that the Debtors amend or supplement their Schedules subsequent to the date of entry of this Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders who have not previously filed a proof of claim shall have until the later of (i) the General Bar Date and (ii) thirty (30) days from the date of such notice to file a General Proof of Claim or be barred from doing so and shall be given notice of such deadline.

- (l) Any person or entity that relies on the Schedules has the responsibility to determine that its claim is accurately listed in the Schedules.
- (m) The following persons or entities are **not** required to file a General Proof of Claim on or before the General Bar Date, solely with respect to the claims described below:
 - (1) any person or entity whose claim is listed on the Schedules; provided that (i) the claim is **not** listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
 - (2) any person or entity whose claim has been paid in full;
 - (3) any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (**other than** a holder of a section 503(b)(9) claim);
 - (4) any person or entity who holds a claim that heretofore has been allowed by order of this Court entered on or before the applicable Bar Date;
 - (5) any holder of a claim for which a separate deadline has been fixed by order of this Court;
 - (6) any person or entity who has, as of the date of this Order, already filed a Proof of Claim with the Claims and Noticing Agent or the Court, utilizing a claim form that substantially conforms to the General Proof of Claim Form or Official Bankruptcy Form No. 410; provided, however, that a Sexual Abuse Survivor who also holds or asserts a claim other than an Abuse Claim must file a General Proof of Claim by the General Bar Date; or
 - (7) either Debtor in these chapter 11 cases having a claim against the other Debtor in these chapter 11 cases.

3. An individual should submit a Sexual Abuse Survivor Proof of Claim, in the form annexed to this Order as **Exhibit 7**, and not a General Proof of Claim, if the individual holds a claim against the Debtors and/or the Debtors and a Local Council or chartered organization that is attributable to, arises from, is based upon, relates to, or results from, in whole or in part, directly, indirectly, or derivatively, “**Sexual Abuse.**” For purposes of this Order, “**Sexual**

Abuse” means, with respect to a child under the age of eighteen (18) at the time of the sexual abuse, sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, sexual touching, sexualized interaction, sexual comments about a person’s body, or other verbal or non-verbal behaviors that facilitated, contributed to, or led up to abuse, regardless of whether or not such behavior was itself sexual or against the law, and regardless of whether the child thought the behavior was sexual abuse at the time. Sexual Abuse includes behavior between a child and an adult and between a child and another child, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether the child associated the abuse with any physical, psychological, or emotional harm. Sexual Abuse involves behaviors including penetration or fondling of the child’s body, other body-on-body contact, or non-contact, behaviors such as observing or making images of a child’s naked body, showing or making pornography, or having children behave in sexual behavior as a group.

4. The following procedures for filing a Sexual Abuse Survivor Proof of Claim are approved:

- (a) Unless otherwise provided herein, the Abuse Claims Bar Date shall be **5:00 p.m. (prevailing Eastern Time) on November 16, 2020.**
- (b) **Sexual Abuse Survivor Proofs of Claim** must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) conform substantially to the Sexual Abuse Survivor Proof of Claim Form annexed to this Order as **Exhibit 7**; (iv) set forth with specificity the legal and factual basis for the alleged claim, including all of the information requested in the Sexual Abuse Survivor Proof of Claim Form; and (v) be signed by the Sexual Abuse Survivor.
- (c) Any Sexual Abuse Survivor Proof of Claim that does not clearly identify the Debtor against which the claim is asserted and the case number will be deemed as being submitted only against Boy Scouts of America.

- (d) To the extent a submitted Sexual Abuse Survivor Proof of Claim identifies more than one Debtor, such proof of claim will be deemed as being submitted only against Boy Scouts of America.
- (e) Sexual Abuse Survivor Proofs of Claim must be filed either (i) electronically through the Electronic Filing System available on the website located at www.OfficialBSAClaims.com or (ii) by delivering the original Sexual Abuse Survivor Proof of Claim Form by hand, or mailing the original Sexual Abuse Survivor Proof of Claim Form on or before the Abuse Claims Bar Date as follows:

**BSA Abuse Claims Processing
c/o Omni Agent Solutions
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367**

- (f) A Sexual Abuse Survivor Proof of Claim shall be deemed timely received only if it is **actually received** by the Claims and Noticing Agent (i) at the address listed above in subparagraph (e) or (ii) electronically through the Electronic Filing System available at www.OfficialBSAClaims.com on or before the Abuse Claims Bar Date.
- (g) Sexual Abuse Survivor Proofs of Claim sent by email, facsimile, or telecopy transmission (other than Sexual Abuse Survivor Proofs of Claim filed electronically through the Electronic Filing System) **shall not** be accepted.
- (h) **Any Sexual Abuse Survivor who believes that she or he has a Sexual Abuse Claim, including but not limited to Sexual Abuse Survivors who have previously filed lawsuits or asserted claims against the Debtors and/or the Debtors and a Local Council or chartered organization, Sexual Abuse Survivors who have called the Scouts First Hotline or otherwise reported a claim of Sexual Abuse, and Sexual Abuse Survivors who have never filed a lawsuit, asserted a claim against the Debtors, entered into a settlement, or reported their abuse, must submit the applicable Sexual Abuse Survivor Proof of Claim Form. For the avoidance of doubt, even if the Sexual Abuse Claim is time-barred under an applicable statute of limitations, each Sexual Abuse Survivor is required to file a Sexual Abuse Survivor Proof of Claim in order to preserve the right to pursue a Sexual Abuse Claim, or such Sexual Abuse Survivor who fails to timely file a Sexual Abuse Survivor Proof of Claim shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution. Any Sexual Abuse Survivor must file the applicable Sexual Abuse Survivor Proof of Claim even if such claimant may be included in, or represented by, another action filed against the Debtors with respect to such claimant's Sexual Abuse Claim.**

- (i) The following persons are **not** required to file a Sexual Abuse Survivor Proof of Claim on or before the Abuse Claims Bar Date, solely with respect to the claims described below:
- (1) any person who has a claim arising from sexual abuse and was at least eighteen (18) years of age at the time the sexual abuse began;
 - (2) any person who is not a Sexual Abuse Survivor, including claimants with claims arising from other types of non-sexual abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing;
 - (3) any Sexual Abuse Survivor whose claim has been paid in full; **provided, however, that this subsection does not include Sexual Abuse Survivors who were paid pursuant to settlement agreements but who believe they have additional claims against the Debtors beyond what was agreed to in the applicable settlement agreement;**
 - (4) any Sexual Abuse Survivor who has, as of the date of this Order, already filed a Sexual Abuse Survivor Proof of Claim with the Claims and Noticing Agent or the Court, utilizing a claim form that substantially conforms to the Sexual Abuse Survivor Proof of Claim Form or Official Bankruptcy Form No. 410, provided, however, that a Sexual Abuse Survivor who also holds or asserts a claim other than a Sexual Abuse Claim must file a General Proof of Claim by the General Bar Date; provided further, that any Sexual Abuse Survivor who has, as of the date of this Order, already filed a proof of claim on account of a Sexual Abuse Claim using a form other than the Sexual Abuse Survivor Proof of Claim Form, including Official Bankruptcy Form No. 410, may subsequently be required to answer additional questions regarding such Sexual Abuse Claim, including the questions set forth on the Sexual Abuse Survivor Proof of Claim Form, in connection with the administration of his or her Sexual Abuse Claim;
 - (5) any Sexual Abuse Survivor who holds a claim that heretofore has been allowed by order of this Court entered on or before the applicable Abuse Claims Bar Date;
 - (6) any individual holding a claim based on abuse that occurred prior to the Petition Date, but who (a) had not attained eighteen (18) years of age as of the date immediately preceding the Petition Date, or (b) was not aware of their Sexual Abuse Claim as a result of “repressed memory,” to the extent the concept of repressed memory is recognized by the highest appellate court of the State or territory where the claim arose; and

- (7) the Future Claimants' Representative (as defined in the *Motion for Entry of an Order Appointing James L. Patton, Jr., as Legal Representative for Future Claimants*, Nunc Pro Tunc to the *Petition Date*) [Docket No. 223], as modified, amended, or supplemented).³

5. The procedures set forth in paragraph 4 above shall apply to all Sexual Abuse Survivors only, and, unless otherwise subject to one of the exceptions specifically enumerated above, each Sexual Abuse Survivor (including Sexual Abuse Survivors (i) whose Sexual Abuse Claims may otherwise be included in, or represented by, a lawsuit or action filed against the Debtors, and (ii) **even if a Sexual Abuse Survivor's Sexual Abuse Claim is time-barred under an applicable statute of limitations, in order to preserve the right to pursue a Sexual Abuse Claim**), shall be required to file a Sexual Abuse Survivor Proof of Claim on or before the Abuse Claims Bar Date or shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.

6. An individual with a claim arising from sexual abuse who was at least eighteen (18) years of age when the sexual abuse began (including claimants (i) whose claims may otherwise be included in, or represented by, a lawsuit or action filed against the Debtors, and (ii) **even if such claim is time-barred under an applicable statute of limitations, in order to preserve the right to pursue such claim**), shall be required to file a General Proof of Claim on or before the General Bar Date or shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.

7. The following "Confidentiality Protocol" shall apply only with respect to all Proofs of Claim filed after the date of this Order:

³ Neither the exemption set forth in this subparagraph (i)(5), nor anything else in this Order, should be construed as a finding or conclusion that Sexual Abuse Claims of Future Claimants are not "claims" as defined in Bankruptcy Code section 101(5).

- (a) Sexual Abuse Survivors are directed **not** to file a Sexual Abuse Survivor Proof of Claim with the Court. Instead and as described above, the Sexual Abuse Survivor Proof of Claim must be mailed and delivered to the Claims and Noticing Agent at the following address: **BSA Abuse Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367** or filed through the Electronic Filing System via the website located at www.OfficialBSAClaims.com.
- (b) Minors and their parents and legal guardians holding claims other than Sexual Abuse Claims and individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began are directed **not** to file a General Proof of Claim with the Court. Instead and as described above, the General Proof of Claim must be mailed and delivered to the Claims and Noticing Agent at the following address: **BSA Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367** or filed through the Electronic Filing System via the website located at <http://www.omniagentsolutions.com/bsaclaims>.
- (c) Submitted Sexual Abuse Survivor Proofs of Claim will not be available to the general public unless the Sexual Abuse Survivor designates otherwise on the Sexual Abuse Survivor Proof of Claim Form. General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began will not be available to the general public unless a claimant requests otherwise by contacting the Claims and Noticing Agent. Submitted General Proofs of Claim related to minors will not be available to the general public. The Confidentiality Protocol is for the benefit of such holders. Sexual Abuse Survivors and individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began may, solely in their discretion, elect to make public the information contained in their submitted proofs of claim.
- (d) Sexual Abuse Survivor Proofs of Claim submitted by Sexual Abuse Survivors and General Proofs of Claim submitted on behalf of minors and by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began shall be held and treated as confidential by the Claims and Noticing Agent, the Debtors, the Debtors' counsel and retained advisors, and any of parties listed below (the "Permitted Parties") to the extent such Permitted Party requests access to proofs of claim, and shall be treated as confidential hereunder. Furthermore, each Permitted Party shall execute and return to the Debtors' counsel (with a copy to the official committee of tort claimants (the "Tort Claimants' Committee") with respect to Sexual Abuse Survivor Proofs of Claim and General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began, and with a copy to the official

committee of unsecured creditors (the “Creditors’ Committee”) with respect to General Proofs of Claim submitted on behalf of minors) a confidentiality agreement substantially in the form attached to this Order as **Exhibit 8** (the “Confidentiality Agreement”) by which such Permitted Party agrees to keep the information provided in such Sexual Abuse Survivor Proofs of Claim and/or the General Proofs of Claim confidential.

(e) With respect to Sexual Abuse Proofs of Claim and General Proofs of Claim of individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began, the Permitted Parties include:⁴

- (1) counsel and retained advisors to the Debtors;
- (2) officers, directors, and employees of the Debtors necessary to assist the Debtors and their counsel in reviewing and analyzing the Sexual Abuse Claims;
- (3) the Claims and Noticing Agent;
- (4) counsel to the Ad Hoc Committee of Local Councils;⁵
- (5) individual Local Councils solely with respect to Sexual Abuse Claims asserted against them;
- (6) the Tort Claimants’ Committee and its counsel and retained advisors;
- (7) the Court;
- (8) the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”);
- (9) certain insurers of the Debtors, including authorized claims administrators of such insurers and their reinsurers and their respective counsel;
- (10) the Future Claimants’ Representative and his counsel and retained advisors;

⁴ With the exception of counsel and advisors the Debtors retains pursuant to orders of this Court, counsel to the Tort Claimants’ Committee, the U.S. Trustee’s attorneys, the Court, counsel to the Future Claimants’ Representative, and the Claims and Noticing Agent, each Permitted Party receiving access to the Sexual Abuse Survivor Proofs of Claim or General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began (or any information aggregated or derived therefrom) must execute the Confidentiality Agreement.

⁵ Notwithstanding anything in this Order or any of its exhibits to the contrary, all personally identifiable information shall be redacted from any proofs of claim provided to counsel to the Ad Hoc Committee of Local Councils as a Permitted Party following such counsel’s execution of the Confidentiality Agreement.

- (11) any special arbitrator(s), mediator(s), or claims reviewer(s) appointed to review and resolve Sexual Abuse Claims;
 - (12) any trustee, or functional equivalent thereof, appointed to administer payments to Sexual Abuse Survivors and his or her counsel and retained advisors;
 - (13) any person with the express written consent of the Debtors, the Tort Claimants' Committee, and the Future Claimants' Representative upon seven (7) business days' notice to Sexual Abuse Survivors; and
 - (14) such other persons as the Court determines should have the information in order to evaluate Sexual Abuse Claims upon seven (7) business days' notice to such holders.
- (f) With respect to General Proofs of Claim submitted on behalf of minors, the Permitted Parties include:⁶
- (1) counsel and retained advisors to the Debtors;
 - (2) officers, directors, and employees of the Debtors necessary to assist the Debtors and their counsel in reviewing and analyzing such claims;
 - (3) the Claims and Noticing Agent;
 - (4) counsel to the Ad Hoc Committee of Local Councils;⁷
 - (5) individual Local Councils solely with respect to claims asserted against them;
 - (6) the Creditors' Committee;
 - (7) the Tort Claimants' Committee and its counsel and retained advisors;
 - (8) the Court;

⁶ With the exception of counsel and advisors the Debtors retains pursuant to orders of this Court, counsel to the Creditors' Committee, counsel to the Tort Claimants' Committee, the U.S. Trustee's attorneys, the Court, counsel to the Future Claimants' Representative, and the Claims and Noticing Agent, each Permitted Party receiving access to the General Proofs of Claim submitted on behalf of minors (or any information aggregated or derived therefrom) must execute the Confidentiality Agreement.

⁷ Notwithstanding anything in this Order or any of its exhibits to the contrary, all personally identifiable information shall be redacted from any proofs of claim provided to counsel to the Ad Hoc Committee of Local Councils as a Permitted Party following such counsel's execution of the Confidentiality Agreement.

- (9) the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”);
- (10) certain insurers of the Debtors, including authorized claims administrators of such insurers and their reinsurers and their respective counsel;
- (11) the Future Claimants’ Representative and his counsel and retained advisors;
- (12) any special arbitrator(s), mediator(s), or claims reviewer(s) appointed to review and resolve Sexual Abuse Claims;
- (13) any trustee, or functional equivalent thereof, appointed to administer payments to claimants and his or her counsel and retained advisors;
- (14) any person with the express written consent of the Debtors, the Tort Claimants’ Committee, the Creditors’ Committee, and the Future Claimants’ Representative upon seven (7) business days’ notice to such claimants; and
- (15) such other persons as the Court determines should have the information in order to evaluate claims submitted on behalf of minors upon seven (7) business days’ notice to such holders

8. For the avoidance of doubt, nothing in this Order precludes the Debtors from discharging any obligations to report child abuse under state or federal law.

9. Any holder of a claim against the Debtors, including any holder of a Sexual Abuse Claim, who is required to file a General Proof of Claim or Sexual Abuse Survivor Proof of Claim in accordance with this Order, but fails to do so on or before the applicable Bar Date, shall not be permitted to vote to accept or reject the Plan filed in these chapter 11 cases on account of such claim. Any holder of a claim against the Debtors, including any holder of a Sexual Abuse Claim, who is required to file a General Proof of Claim or Sexual Abuse Survivor Proof of Claim in accordance with this Order, but fails to do so on or before the applicable Bar Date, shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.

10. For the avoidance of doubt, nothing contained in this Order shall preclude a claimant from asserting a late-filed claim in accordance with Bankruptcy Rule 9006.

11. Nothing in this Order shall independently impair or affect, or be deemed to impair or affect, any claims including, without limitation, Sexual Abuse Claims that may be asserted against Local Councils or any entity or organization other than the Debtors.

12. The General Bar Date Notice, the Abuse Claims Bar Date Notice, the Abuse Claims Publication Notice, a form of the Abuse Claims Publication Notice adapted for email format (the “Abuse Claims Email Notice”), and the form of television spot copy (the “Abuse Claims TV Spot”) attached to this Order as Exhibits 1, 2, 3, 4, and 5 respectively, are hereby approved.

13. The following procedures are hereby approved with respect to the General Bar Date Notice:

- (a) At least **150 days** prior to the General Bar Date, the Debtors shall cause to be mailed (i) a General Proof of Claim Form and (ii) the General Bar Date Notice to the following parties:
 - (1) the U.S. Trustee;
 - (2) all parties listed on the creditor matrix;
 - (3) all creditors and other known holders of claims against the Debtors as of the date of entry of this Order, including all entities listed on the Schedules as holding claims against the Debtors, but excluding Sexual Abuse Survivors;
 - (4) all persons or entities that have filed General Proofs of Claim as of the date of entry of this Order;
 - (5) all counterparties to the Debtors’ executory contracts and unexpired leases as of the date of entry of this Order;
 - (6) all parties to pending litigation against the Debtors that is unrelated to Abuse Claims;

- (7) all current and former employees, directors, and officers (to the extent that contact information for former employees, director, and officers is available in the Debtors' records);
- (8) all regulatory authorities that regulate the Debtors' organization as of the date of entry of this Order;
- (9) the Offices of the United States Attorney for the District of Delaware and the Northern District of Texas;
- (10) the office of the attorney general for each state in which the Debtors maintain or conduct operations;
- (11) the District Director of the Internal Revenue Service for the District of Delaware;
- (12) all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct organizational operations;
- (13) all parties who have requested notice pursuant to Bankruptcy Rule 2002 as of the date of entry of this Order; and
- (14) such additional persons and entities deemed appropriate by the Debtors.

- (b) The Debtors shall also post the General Proof of Claim Form and the General Bar Date Notice on the website established by the Claims and Noticing Agent, <http://www.omniagentsolutions.com/bsaclaims>.

14. The Debtors are hereby ordered to, via the Claims and Noticing Agent, serve via first-class mail (i) the Abuse Claims Bar Date Notice, substantially in the form attached to this Order as **Exhibit 2**, and (ii) a Sexual Abuse Survivor Proof of Claim Form, at least **150 days** prior to the Abuse Claims Bar Date, to counsel of record, if any, for each known Sexual Abuse Survivor, or to the Sexual Abuse Survivor directly if address information for the Sexual Abuse Survivor is known and address information for counsel of record is not known, including, without limitation, any Sexual Abuse Survivor that has filed a Proof of Claim on or prior to the entry of this Order at the address listed in such Proof of Claim.

15. The Debtors shall also serve the Abuse Claims Bar Date Notice and Sexual Abuse Survivor Proof of Claim Form on counsel to the Tort Claimants' Committee.

16. Further, the Debtors shall post the Sexual Abuse Survivor Proof of Claim Form and the Abuse Claims Bar Date Notice on the Claims and Noticing Agent's website, www.OfficialBSAClaims.com.

17. The Debtors shall use commercially reasonable efforts to publish the Abuse Claims Publication Notice, in substantially the form attached to this Order as **Exhibit 3** (allowing reasonable time for administrative and logistical issues), in accordance with the Supplemental Notice Plan and with any necessary modifications for ease of publication.

18. The Debtors shall use commercially reasonable efforts to send the Abuse Claims Email Notice, in substantially the form attached to this Order as **Exhibit 4**, to current and former scouts, volunteers, and parents who provided an email address to the Debtors since 1999, and to send a Spanish version of such notice to individuals who purchased a Spanish Handbook from the Debtors' online Scout Shop and provided an email address to the Debtors.

19. The Court hereby finds and concludes that the Abuse Claims Notice Procedures, including the Supplemental Notice Plan, the Abuse Claims Publication Notice, and the Abuse Claims Email Notice, as set forth in the Motion (as modified in accordance with the Supplement and the Reply) and this Order, are reasonably calculated to provide notice to unknown creditors, including Sexual Abuse Survivors, of the Bar Dates and the other matters described therein, and are hereby approved and no other or further notice shall be required. The Court further finds and concludes that identities and contact information of Sexual Abuse Survivors and individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began, other than known holders of Sexual Abuse Claims, as described in the Motion and the Wheatman Declarations, are not reasonably ascertainable and that such parties therefore are unknown creditors with respect to any claims they may have against the Debtors'

estates, for whom notice by publication pursuant to Bankruptcy Rule 2002(l) is appropriate and sufficient.

20. The Debtors shall provide drafts of the internet, television, print, radio, and other copy created by the Debtors to implement the Supplemental Notice Plan to counsel for the Tort Claimants' Committee and the Future Claimants' Representative, respectively, in advance of publication thereof, and the Tort Claimants' Committee's and Future Claimants' Representative's rights related thereto are reserved.

21. The Court further finds and concludes that publication of the Abuse Claims Publication Notice as provided in this Order will itself constitute adequate notice of the Abuse Claims Bar Date and other matters described therein on all unknown creditors, without regard to the additional elements of the Supplemental Notice Plan.

22. The Debtors shall use commercially reasonable efforts, with the assistance of the Claims and Noticing Agent, to publish notice of the General Bar Date, with any necessary modifications for ease of publication, once in the national editions of *The Wall Street Journal*, *USA Today*, and *The New York Times*.

23. Any person or entity who desires to rely on the Schedules will have the responsibility for determining that such person's or entity's Claim is accurately listed in the Schedules.

24. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed as (a) an admission as to the validity or priority of any claim or lien against the Debtors, (b) a waiver of the rights of the Debtors or any party in interest to dispute any claim or lien on any grounds, (c) a promise or requirement to pay any prepetition claim, (d) an implication or admission that any particular claim is of a type specified

or defined in the Motion or this Order, (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code or any other applicable law, or (f) a waiver of the Debtors' or any other party's rights under the Bankruptcy Code or any other applicable law.

25. Entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing the date by which holders of claims **not** subject to the Bar Dates established herein must file such claims against the Debtors or be forever barred from doing so.

26. The Debtors and the Claims and Noticing Agent are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

27. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.

Dated: May 26th, 2020
Wilmington, Delaware


LAURIE SELBER SILVERSTEIN
UNITED STATES BANKRUPTCY JUDGE

Exhibit 1

Form of General Bar Date Notice

**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)

**TO ALL PERSONS OR ENTITIES WITH CLAIMS AGAINST BOY SCOUTS OF
AMERICA AND DELAWARE BSA, LLC:**

NOTICE OF DEADLINES REQUIRING FILING OF PROOFS OF CLAIM

NOTICE IS HEREBY GIVEN as follows:

The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) has entered an Order (the “Bar Date Order”) establishing **November 16, 2020 at 5:00 p.m. (Eastern Time)** the (“General Bar Date”) as the last date and time for each person or entity (including individuals, partnerships, corporations, joint ventures, and trusts, but not including any (i) any holder of a Sexual Abuse Claim, as described below (each, a “Sexual Abuse Survivor”) and (ii) governmental units (as defined in section 101(27) of the chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”)) to file a General Proof of Claim against any of the above-listed debtors (collectively, the “Debtors”).²

The Bar Dates (as defined below) and the procedures set forth below for filing General Proofs of Claim apply to all claims against the Debtors that arose prior to February 18, 2020 (the “Petition Date”), the date on which the Debtors commenced cases under chapter 11 of the Bankruptcy Code, including, for the avoidance of doubt, secured claims, priority claims, and claims arising under section 503(b)(9) of the Bankruptcy Code, but not holders of the claims listed in Section VI below that specifically are excluded from the General Bar Date and Governmental Bar Date (as defined below) filing requirement. Governmental units may have until **August 17, 2020 at 5:00 p.m. (Eastern Time)** (the “Governmental Bar Date,” and,

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 otherwise defined herein shall have the meanings ascribed to such terms in the Debtors’ Motion, Pursuant to § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, (III) Approve Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Victims, and (IV) Approve Confidentiality Procedures for Abuse Victims [Docket No. 18] or the Bar Date Order, as applicable.

together with the General Bar Date, the “Bar Dates”) to file General Proofs of Claim against the Debtors.

The procedures described in this Notice shall not apply to Sexual Abuse Survivors asserting Sexual Abuse Claims. Sexual Abuse Survivors should consult the notice titled *Notice of Deadline for Filing Sexual Abuse Claims in the Boy Scouts of America Bankruptcy Case* and file a Sexual Abuse Survivor Proof of Claim, which may be found at www.OfficialBSAClaims.com. See Section IV below for more information.

If you have a claim arising from other types of abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, OR if you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began, and you have not filed a proof of claim prior to the entry of the Bar Date Order, you must file a General Proof of Claim as set forth in the Bar Date Order and this Notice.

I. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a General Proof of Claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors’ bankruptcy estates if (i) you have a claim that arose prior to the Petition Date and (ii) it is not one of the types of claims described in Section VI below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word “claim” means: (a) a 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 (b) a 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.

II. WHAT TO FILE

The Debtors are enclosing a proof of claim form (the “General Proof of Claim Form”) for use in these cases; if your claim is listed on the schedules of assets and liabilities filed by the Debtors (collectively, the “Schedules”), the General Proof of Claim Form also sets forth the amount of your claim as listed on the Schedules, the specific Debtor against which the claim is scheduled, and whether the claim is scheduled as “disputed,” “contingent,” or “unliquidated.” You will receive a different General Proof of Claim Form for each claim listed in your name on the Schedules. You may utilize the General Proof of Claim Form(s) provided by the Debtors to file your claim. Additional General Proof of Claim Forms may be obtained at (i) the website established by the Debtors’ Court-approved claims and noticing agent, Omni Agent Solutions (the “Claims and Noticing Agent”), located at <http://www.omniagentsolutions.com/bsaclaims>, or (ii) the Bankruptcy Court’s website located at www.uscourts.gov/forms/bankruptcy-forms.

| | |
|-------------------------------------|-----------------------------|
| <u>Proofs of Claim must:</u> | √ Be signed by the claimant |
|-------------------------------------|-----------------------------|

| | |
|--|---|
| | <ul style="list-style-type: none"> √ Be written in English √ Be denominated in United States currency (using the exchange rate, if applicable, as of the Petition Date) √ Set forth with specificity the legal and factual basis for the alleged claim, including all of the information requested in the General Proof of Claim Form, and attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or explanation as to why the documents are not available. If you fail to attach supporting documents, the absence of such supporting documents will not automatically result in disallowance of your claim, but you may be required to provide additional information or supporting documentation at a later date, and your claim may be subject to an objection on the grounds that you failed to include any supporting documentation as required by Bankruptcy Rule 3001(c). |
|--|---|

Any holder of a claim against more than one Debtor who has not filed a proof of claim prior to entry of the Bar Date Order must file a separate General Proof of Claim with respect to each Debtor. Any holder of a claim must identify on its General Proof of Claim the specific Debtor against which its claim is asserted and the case number of that Debtor's bankruptcy case. The Debtors are set forth on the first page of this Notice. Any holder of a claim must sign the claim or, if the claimant is not an individual, an authorized agent or representative must sign the claim.

ATTENTION PARTICIPANTS IN THE RESTORATION PLAN: If you are a participant in the Restoration Plan, a non-qualified defined benefit retirement plan under section 457(f) of the Internal Revenue Code that provided supplemental retirement benefits to certain participants in the Debtors' retirement plans whose compensation exceeded the annual compensation limit, you will receive a General Proof of Claim that will include the amount that the Debtors' Schedules reflect you are owed on account of your employment as both an employee of BSA and a Local Council, if applicable. This amount is based only on a preliminary actuarial determination. The General Proof of Claim that you receive will not distinguish between your Restoration Plan claims in your capacity as a Local Council or National Council employee, if both exist. The Debtors' Schedules list these claims as "contingent" and/or "unliquidated," meaning that you **must** file a proof of claim in order to preserve any claims you may have under the Restoration Plan. **If you do not agree with the amount or entities listed in the General Proof of Claim that you receive, you must indicate on your General Proof of Claim what you believe to be the correct amount or responsible entity or entities.**

III. WHEN AND WHERE TO FILE

Except as provided for herein, all proofs of claim must be filed so as to be **received on or before November 16, 2020 at 5:00 p.m. (Eastern Time)** as follows:

IF BY FIRST CLASS MAIL, OVERNIGHT COURIER OR HAND DELIVERY:

BSA Claims Processing
c/o Omni Agent Solutions
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367

IF ELECTRONICALLY:

The website established by the Claims and Noticing Agent, using the interface available on the website located at <http://www.omniagentsolutions.com/bsaclaims> (the “Electronic Filing System”).

General Proofs of Claim will be deemed filed only when received at the address listed above or via the Electronic Filing System on or before the applicable Bar Dates. **General Proofs of Claim may not be delivered by email, facsimile, or telecopy transmission (other than General Proofs of Claim filed electronically through the Electronic Filing System).**

IV. SEXUAL ABUSE CLAIMS

If you have a Sexual Abuse Claim and you were a child under the age of eighteen (18) at the time of the sexual abuse, please see the *Notice of Deadline for Filing Sexual Abuse Claims in the Boy Scouts of America Case* and file a Sexual Abuse Survivor Proof of Claim, which may be found at www.OfficialBSAClaims.com. **If you have a Sexual Abuse Claim and you were a child under the age of eighteen (18) at the time of the sexual abuse and you have not filed a proof of claim prior to the entry of the Bar Date Order, you must complete a Sexual Abuse Survivor Proof of Claim, but you do NOT need to complete a General Proof of Claim.**

You have a Sexual Abuse Claim if you experienced **sexual abuse** in Scouting **on or before February 18, 2020**. **Sexual abuse** means, with respect to a child under the age of eighteen (18) at the time of the sexual abuse:

- sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, sexual touching, sexualized interaction, sexual comments about a person’s body, or other verbal or non-verbal behaviors that facilitated, contributed to, or led up to abuse, regardless of whether or not such behavior was itself sexual or against the law, and regardless of whether the child thought the behavior was sexual abuse at the time.
- Sexual abuse includes behavior between a child and an adult and between a child and another child, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether the child associated the abuse with any physical, psychological, or emotional harm.

- Sexual abuse involves behaviors including penetration or fondling of the child's body, other body-on-body contact, or non-contact, behaviors such as observing or making images of a child's naked body, showing or making pornography, or having children behave in sexual behavior as a group.

If you have a claim arising from other types of abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, OR if you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began, and you have not filed a proof of claim prior to the entry of the Bar Date Order, you must file a General Proof of Claim as set forth in the Bar Date Order and this Notice.

V. CONFIDENTIALITY PROTOCOL GOVERNING SUBMISSION OF PROOFS OF CLAIMS OF MINORS AND SEXUAL ABUSE SURVIVORS:

The Bar Date Order provides that a Confidentiality Protocol shall govern the submission of certain proofs of claim.

Minors and their parents and legal guardians and individuals with claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began are directed **not** to file a General Proof of Claim with the Court. Instead and as described above, the General Proof of Claim must be (a) mailed and delivered to the Claims and Noticing Agent at the following address:

**BSA Claims Processing
c/o Omni Agent Solutions
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367**

or (b) filed through the Electronic Filing System via the website located at <http://www.omniagentsolutions.com/bsaclaims>.

General Proofs of Claim submitted on behalf of minors will not be available to the general public. General Proofs of Claim submitted by individuals with claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began will not be available to the general public unless such claimant requests, solely in his or her discretion, for such proof of claim to be made public by contacting the Claims and Noticing Agent.

VI. WHO NEED NOT FILE A PROOF OF CLAIM

You do **not** need to file a General Proof of Claim on or prior to the applicable Bar Dates if you are:

- (1) any person or entity whose claim is listed on the Schedules; provided that (i) the claim is **not** listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity

does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;

- (2) any person or entity whose claim has been paid in full;
- (3) any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (other than a holder of a section 503(b)(9) claim);
- (4) any person or entity who holds a claim that heretofore has been allowed by order of the Bankruptcy Court entered on or before the applicable Bar Date;
- (5) any holder of a claim for which a separate deadline has been fixed by the Bankruptcy Court;
- (6) any person or entity who has, as of the date of entry of the Bar Date Order, already filed a proof of claim with the Claims and Noticing Agent or the Court, utilizing a claim form that substantially conforms to the General Proof of Claim Form or Official Bankruptcy Form No. 410; or
- (7) either Debtor in these chapter 11 cases having a claim against the other Debtor in these chapter 11 cases.

This Notice may be sent to persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. **The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Bankruptcy Court believe that you have a claim against the Debtors.**

VII. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you hold a claim arising out of the rejection of an executory contract or unexpired lease and you have not filed a proof of claim prior to the entry of the Bar Date Order, you must file a General Proof of Claim based on such rejection within thirty (30) days after the later of (i) the date of entry of an order of the Bankruptcy Court (including the Confirmation Order) approving such rejection, (ii) the effective date of such rejection, or (iii) the effective date of a plan of reorganization, or be forever barred from doing so; provided, however, that a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a General Proof of Claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in Section VI above applies.

VIII. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION VI ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE

FORM, SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

Please further note that only BSA is a debtor in BSA's chapter 11 proceeding and other third parties, such as the BSA Local Councils and chartered organizations, are not. If you believe you may have a claim against one of these organizations, you must take additional legal action to preserve and pursue such claim.

IX. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as a holder of a claim against one or more of the Debtors in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed General Proof of Claim Form(s) regarding the nature, amount, and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Bankruptcy Court) on account of your claim(s), the enclosed General Proof of Claim Form will reflect the net amount of your claim(s).

If you rely on the Debtors' Schedules and/or the enclosed General Proof of Claim Form(s), it is your responsibility to determine that the claim accurately is listed on the Schedules. However, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent, or unliquidated.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim only is against the Debtor specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a General Proof of Claim. Otherwise, or if you decide to file a General Proof of Claim, you must do so before the applicable Bar Dates, in accordance with the procedures set forth in this Notice.

If your claims are listed as contingent, unliquidated, or disputed in the Debtors' Schedules, you must file a General Proof of Claim by the applicable Bar Date, or your rights and claims may be waived.

In the event that the Debtors amend or supplement their Schedules subsequent to the entry of the Bar Date Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (i) the applicable Bar Date and (ii) thirty (30) days from the date of such notice to file a General Proof of Claim or be barred from doing so and shall be given notice of such deadline.

Copies of the Debtors' Schedules are available for inspection on the Bankruptcy Court's electronic docket for the Debtors' chapter 11 cases, which is posted on (i) the website established by Omni Agent Solutions, the claims and noticing agent for the Debtors' cases, at www.omniagentsolutions.com/bsa, at no charge and (ii) on the Court's website at <http://www.deb.uscourts.gov/>. A login and password to the Bankruptcy Court's Public

Access to Electronic Records (“PACER”) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.gov>.

Copies of the Schedules also may be examined between the hours of 8:00 a.m. and 4:00 p.m., Prevailing Eastern Time, Monday through Friday at the Office of the Clerk of the Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. Copies of the Debtors’ Schedules also may be obtained by request to the Claims and Noticing Agent.

A HOLDER OF A POTENTIAL CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

If you need additional information about the Bar Dates, proofs of claim forms, filing proofs of claim or other information about the Debtors’ chapter 11 cases, you can contact the Claims and Noticing Agent by:

Calling (toll-free): 866-907-BSA1

Emailing: BSAInquiries@omniagnt.com

Visiting: <http://www.omniagentsolutions.com/bsaclaims>

You may obtain information, but not legal advice, from the Claims and Noticing Agent. You may wish to consult an attorney if you have any questions, including if you should file a General Proof of Claim.

[Remainder of Page Intentionally Left Blank]

Dated: _____, 2020
Wilmington, Delaware

BY ORDER OF THE COURT

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/

Derek C. Abbott (No. 3376)
Andrew R. Remming (No. 5120)
Joseph C. Barsalona II (No. 6102)
Paige N. Topper (No. 6470)
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– and –

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COUNSEL TO THE DEBTORS AND DEBTORS IN
POSSESSION

Exhibit 2

Form of Abuse Claims Bar Date Notice

Notice of Deadline for Filing Sexual Abuse Claims in the Boy Scouts of America Bankruptcy Case

All Sexual Abuse Survivors Need to File Claims by November 16, 2020

This is an official notice approved by the Bankruptcy Court. This is not a solicitation from a lawyer.

Una versión en español de este aviso está disponible en www.OfficialBSAclaims.com
o llamando al 1-866-907-2721.

- Please read this notice carefully as it may impact your rights against the Boy Scouts of America (“BSA”), BSA Local Councils and the organizations that sponsored your troop or pack.
- Regardless of how old you are today, if you were sexually abused on or before February 18, 2020 in connection with the Boy Scouts, Cub Scouts, or any activity associated with BSA or Scouting, you are referred to in this notice as a “Sexual Abuse Survivor,” and you must file a claim.
- **If you do not file a Sexual Abuse Claim by November 16, 2020, you may lose rights against BSA, BSA Local Councils, and organizations that sponsored your troop or pack, including the right to compensation from BSA.** (Note that only BSA is a debtor in BSA’s chapter 11 proceeding and other third parties, such as the BSA Local Councils and chartered organizations, are not. If you believe you may have a claim against one of these organizations, you must take additional legal action to preserve and pursue such claim.)
- You can file a claim using the Sexual Abuse Survivor Proof of Claim Form approved by the court (1) at the following website: www.OfficialBSAClaims.com, or (2) by mailing your Sexual Abuse Survivor Proof of Claim to the address listed below. **Your information will be kept private (see Question 6 below).**
- **If a plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against BSA Local Councils and organizations that sponsored your troop or pack.** Please visit www.OfficialBSAClaims.com to learn more. See Question 9 below for more information.

| YOUR LEGAL RIGHTS AND OPTIONS IN THIS BANKRUPTCY CASE | |
|---|---|
| FILE A PROOF OF CLAIM | The only way to get compensation for any harm done to you during your time in Scouting. |
| DO NOTHING | Get no compensation. If you are an adult and do not have a repressed memory of sexual abuse, you will give up your right to bring your claim in the future. |

- Your rights and options – **and the deadline to exercise them by** – are explained in more detail in this notice.

BASIC INFORMATION**1. Why was this notice issued?**

BSA has filed a chapter 11 bankruptcy case. The Bankruptcy Court has set a deadline for filing claims against BSA for sexual abuse that took place on or before February 18, 2020, which is the date that BSA filed for bankruptcy.

This case is filed in the U.S. Bankruptcy Court for the District of Delaware, and the case is known as *In re Boy Scouts of America and Delaware BSA, LLC*, No. 20-10343 (Bankr. D. Del.). The Bankruptcy Court judge overseeing the case is Judge Laurie Selber Silverstein.

The Bankruptcy Court authorized BSA to send out this notice. You have the right to file a claim in the bankruptcy case if you were sexually abused in connection with Scouting, regardless of how old you are today. You are required to file a Sexual Abuse Survivor Proof of Claim on or before November 16, 2020 at 5:00 p.m. (Eastern Time).

SEXUAL ABUSE CLAIMS**2. What is considered sexual abuse?**

You have a Sexual Abuse Claim if you experienced **sexual abuse** in Scouting, as described below. The sexual abuse **must have occurred on or before February 18, 2020**.

For the purposes of submitting a Sexual Abuse Survivor Proof of Claim, **sexual abuse** means, with respect to a child under the age of eighteen (18) at the time of the sexual abuse:

- sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, sexual touching, sexualized interaction, sexual comments about a person's body, or other verbal or non-verbal behaviors that facilitated, contributed to, or led up to abuse, regardless of whether or not such behavior was itself sexual or against the law, and regardless of whether the child thought the behavior was sexual abuse at the time.
- Sexual abuse includes behavior between a child and an adult and between a child and another child, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether the child associated the abuse with any physical, psychological, or emotional harm.
- Sexual abuse involves behaviors including penetration or fondling of the child's body, other body-on-body contact, or non-contact, behaviors such as observing or making images of a child's naked body, showing or making pornography, or having children behave in sexual behavior as a group.

If you have a claim arising from other types of abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, OR if you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began, you should consult the *Notice of Deadlines Requiring Filing of Proof of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410).

For the avoidance of doubt, if you have a claim for sexual abuse and you were a child under the age of eighteen (18) when the sexual abuse began you must submit a Sexual Abuse Survivor Proof of Claim.

QUESTIONS? CALL 1-866-907-2721, EMAIL BSAINQUIRIES@OMNIAGNT.COM, OR VISIT WWW.OFFICIALBSACLAIMS.COM

3. Who should file a Sexual Abuse Survivor Proof of Claim?

You should file a Sexual Abuse Survivor Proof of Claim if you have a Sexual Abuse Claim as defined above. You should file a Sexual Abuse Survivor Proof of Claim regardless of whether you:

- Did or did not report your sexual abuse to BSA or to anyone else;
- Believe the applicable statute of limitations may have run on your Sexual Abuse Claim;
- Previously filed a lawsuit or asserted claims in connection with the sexual abuse against BSA and/or a BSA Local Council or organization that sponsored your troop or pack;
- Previously had your Sexual Abuse Claim paid in full by BSA under a settlement, but you believe you may have additional claims beyond what was agreed to in the settlement agreement;
- Are included in, or represented by, another action with respect to your Sexual Abuse Claim.

You should submit a Sexual Abuse Survivor Proof of Claim regardless of your age now or the length of time that has passed since the abuse took place.

Even if the applicable state statute of limitations has run on your Sexual Abuse Claim, you should still file your claim.

Statutes of limitation are laws passed by a legislative body in each state that sets the maximum time after an event or discovery of an event when a lawsuit may be filed. Statutes of limitation vary by state.

You do not need to file a Sexual Abuse Survivor Proof of Claim if you are a “future claimant.” Future claimants are individuals who:

- were under the age of 18 as of February 18, 2020; and/or
- are not aware of their sexual abuse claim as a result of “repressed memory,” to the extent this concept is recognized by the highest court of the state or territory where the sexual abuse occurred.

The court has appointed a Future Claimants’ Representative to represent your rights in the bankruptcy case.

As stated above, do not file a Sexual Abuse Survivor Proof of Claim if your claim is based on anything other than sexual abuse as defined above. If you have a claim arising from other types of non-sexual abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, OR if you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began, you should consult the *Notice of Deadlines Requiring Filing of Proof of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410).

4. What if I am still not sure if I have a Sexual Abuse Claim?

You should consult with an attorney if you have any questions, including whether you should file a Sexual Abuse Survivor Proof of Claim.

HOW TO FILE A SEXUAL ABUSE SURVIVOR PROOF OF CLAIM

5. How can I file my Sexual Abuse Survivor Proof of Claim?

If you have not previously submitted a proof of claim, you need to submit a Sexual Abuse Survivor Proof of Claim by **5:00 p.m. (Eastern Time) on November 16, 2020**. You can use the enclosed form or you can download one and send it electronically through the link below or by mail at the address below. If you have questions you can contact your attorney or call 1-866-907-2721 to speak to the Claims Agent. The Claims Agent can provide information about how to file a claim, but cannot offer any legal advice.

Please send your Sexual Abuse Survivor Proof of Claim to one of the following:

| By Mail, Overnight Courier or Hand Delivery | Through the Bankruptcy Case Website |
|---|--|
| BSA Abuse Claims Processing c/o Omni Agent Solutions 5955 De Soto Ave., Suite 100 Woodland Hills, CA 91367 | Go to www.OfficialBSAClaims.com |

6. Will my information be kept confidential?

Yes, subject to the limitations described below. The Bankruptcy Court has set up a procedure to protect your privacy. In order to protect your privacy, please do not file your Sexual Abuse Survivor Proof of Claim with the Bankruptcy Court. Instead, you must file according to the directions above. Sexual Abuse Survivor Proofs of Claim will not be available to the public unless you choose to release that information.

Unless you elect otherwise on the Sexual Abuse Survivor Proof of Claim, your identity and your Sexual Abuse Survivor Proof of Claim will be kept confidential and outside the public record. However, information about your Sexual Abuse Claim will be confidentially provided, pursuant to Bankruptcy Court-approved guidelines, to the following parties:

- Counsel and retained advisors to BSA;
- Officers, directors, and employees of BSA necessary to assist BSA and their counsel in reviewing and analyzing the Sexual Abuse Claims;
- The Claims Agent (Omni Agent Solutions);
- The Tort Claimants' Committee;
- Counsel to the Ad Hoc Committee of Local Councils (with all personally identifiable information redacted);
- Individual BSA Local Councils solely with respect to Sexual Abuse Claims asserted against them;

QUESTIONS? CALL 1-866-907-2721, EMAIL BSAINQUIRIES@OMNIAGNT.COM, OR VISIT WWW.OFFICIALBSACLAIMS.COM

- The Office of the United States Trustee for the District of Delaware;
- The United States Bankruptcy Court for the District of Delaware;
- Certain insurers of BSA, including authorized claims administrators of such insurers and their reinsurers and counsel;
- The Future Claimants' Representative;
- Any special arbitrator, mediator, or claims reviewer appointed to review and resolve Sexual Abuse Claims;
- Any trustee, or functional equivalent thereof, appointed to administer payments to holders of Sexual Abuse Claims;
- Anyone with the express written consent of BSA, the Tort Claimants' Committee appointed by this Court to represent holders of Sexual Abuse Claims, and the Future Claimants' Representative upon 7 business days' notice to holders of Sexual Abuse Claims; and
- Such other persons that the Court determines need the information in order to evaluate Sexual Abuse Claims.

Please note that information in your Sexual Abuse Survivor Proof of Claim may be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions.

ADDITIONAL INFORMATION

7. Where can I get support?

BSA will continue to fund in-person counseling for any current or former Scout or member of their family by a provider of their choice, when they are ready to take that step. To request in-person counseling, please call 1-866-907-2721 or email restructuring@scouting.org.

8. How do I report my sexual abuse to the authorities?

Reporting the sexual abuse protects other children by ensuring that perpetrators are barred from Scouting and are reported to law enforcement. You can learn more about how to report the sexual abuse at <https://childwelfare.gov/topics/responding/reporting/hoh/>. If you have not previously reported the sexual abuse to BSA, please call 1-866-907-2721 or email restructuring@scouting.org.

Please know that reporting sexual abuse is different than filing a claim in BSA's bankruptcy case.

9. What could be released under the plan of reorganization?

Please note that only BSA is a debtor in BSA's chapter 11 proceeding and other third parties, such as the BSA Local Councils and chartered organizations, are not. If you believe you may have a claim against one of these organizations, you must take additional legal action to preserve and pursue such claim.

The chapter 11 plan of reorganization may contain broad releases of BSA and certain third parties and related injunction provisions. If approved, these provisions could release claims you hold against BSA and certain third parties, including against BSA Local Councils and organizations that sponsored your troop or pack. Also if approved, these provisions would prohibit you from filing lawsuits against BSA and certain third parties related to any Sexual Abuse Claim. Instead, a proposed chapter 11 plan for BSA could channel these claims to a trust for Sexual Abuse Survivors. Please note that a chapter 11 plan has not yet been proposed for solicitation or agreed to by any parties in interest in BSA's chapter 11 proceeding. Once it becomes available for solicitation, you should carefully review the full text of the plan of reorganization release, injunction, and related provisions and any applicable release provision at www.OfficialBSAClaims.com.

10. What happens if I do not file a Sexual Abuse Survivor Proof of Claim?

If you fail to submit a completed Sexual Abuse Survivor Proof of Claim to the Claims Agent on or before **November 16, 2020**, you may not be able to:

- vote on BSA's plan of reorganization; or
- receive any compensation in BSA bankruptcy case for your Sexual Abuse Claim.

YOU MAY WANT TO CONSULT WITH AN ATTORNEY REGARDING THIS NOTICE AND WHETHER YOU SHOULD FILE A SEXUAL ABUSE SURVIVOR PROOF OF CLAIM.

Exhibit 3

Form of Abuse Claims Publication Notice



Sexual Abuse Claims in Boy Scouts Bankruptcy

Regardless of how old you are today or when the sexual abuse occurred, you need to file your claim by 5 p.m. (Eastern Time) on November 16, 2020.

The Boy Scouts of America (“BSA”) has filed bankruptcy in order to restructure its nonprofit organization and pay Sexual Abuse Survivors. Please read this notice carefully as it may impact your rights against BSA, BSA Local Councils and organizations that sponsored your troop or pack and provides information about the case, *In re Boy Scouts of America and Delaware BSA, LLC*, No. 20-10343 (Bankr. D. Del.). This notice is a short summary. For more detail, visit www.OfficialBSAclaims.com or call 1-866-907-2721.

Who Should File a Sexual Abuse Claim?

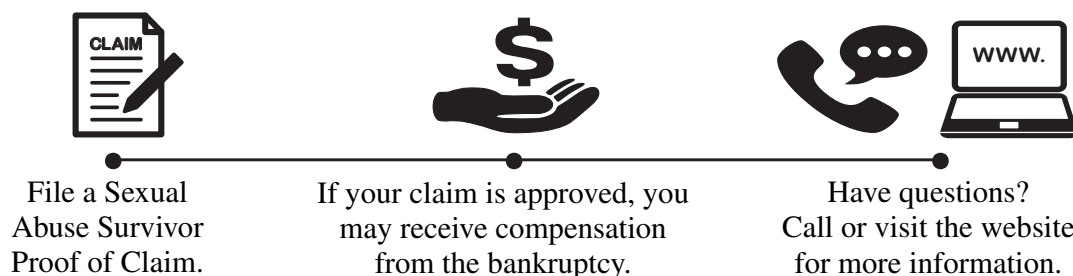
Anyone who was sexually abused during their time in Scouting, on or before February 18, 2020, must file a claim. This includes sexual abuse in connection with Boy Scouts, Cub Scouts, or any entity or activity associated with Scouting. Sexual Abuse Claims include, but are not limited to: sexual misconduct, exploitation, or touching, sexual comments about a person or other behaviors that led to abuse, even if the behavior was not sexual or against the law, and regardless of whether you thought the behavior was sexual abuse or not. These acts could be between a: (1) child and an adult or (2) child and another child.

When and How Should I File a Sexual Abuse Claim?

You should file a claim using the Sexual Abuse Survivor Proof of Claim by **November 16, 2020 at 5:00 p.m. (Eastern Time)**. **If you do not file a timely Sexual Abuse Claim, you may lose rights against BSA, BSA Local Councils or organizations that sponsored your troop or pack, including any right to compensation.** Only BSA is in bankruptcy. If you have a claim against the BSA Local Councils or other organizations, you must take additional legal action to preserve and pursue your rights.

Your information will be kept private. You can download and file a claim at www.OfficialBSAclaims.com or call 1-866-907-2721 for help on how to file a claim by mail. Scouting participants who were at least 18 years of age at the time the sexual abuse began may also have claims related to sexual abuse and should consult the appropriate claim form at www.OfficialBSAclaims.com.

ACT NOW Before Time Runs Out:



If a plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against BSA Local Councils and organizations that sponsored your troop or pack. Please visit the website to learn more.

Other Support

BSA will fund in-person counseling for current or former Scouts or their family. To request in-person counseling, please call 1-866-907-2721 or email restructuring@scouting.org.

Your information will be kept private.

Exhibit 4

Form of Abuse Claims Email Notice

To:
From: BSAInquiries@omniagnt.com
Re: Boys Scouts of America Bankruptcy Deadline

Sexual Abuse Claims in Boy Scouts of America Bankruptcy
Sexual Abuse Survivors Need to File Claims by November 16, 2020

Una versión en español de este aviso está disponible en
www.OfficialBSAclaims.com o llamando al 1-866-907-2721.

The Boy Scouts of America (“BSA”) has filed bankruptcy in order to restructure its nonprofit business and pay Sexual Abuse Survivors. Please read this notice carefully as it may impact your rights against BSA, BSA Local Councils and organizations that sponsored your troop or pack. This notice provides information about the bankruptcy case, *In re Boy Scouts of America and Delaware BSA, LLC*, No. 20-10343 (Bankr. D. Del.). Go to www.OfficialBSAclaims.com or call 1-866-907-2721 for more information.

We encourage Sexual Abuse Survivors, regardless of how old they are today or when the sexual abuse happened, to file claims.

Who Should File a Sexual Abuse Claim?

Anyone who was sexually abused during their time in Scouting, on or before February 18, 2020, must file a claim. This includes sexual abuse in connection with Boy Scouts, Cub Scouts, or any entity or activity associated with Scouting.

Sexual Abuse Claims include, but are not limited to: sexual misconduct, exploitation, or touching, sexual comments about a person or other behaviors that led to abuse, even if the behavior was not sexual or against the law, and regardless of whether you thought the behavior was sexual abuse or not. These acts could be between a: (1) child and an adult or (2) child and another child.

When and How Should I File a Sexual Abuse Claim?

You should file a claim using the Sexual Abuse Survivor Proof of Claim Form by **November 16, 2020 at 5:00 p.m. (Eastern Time)**. **If you do not file a timely Sexual Abuse Claim, you may lose rights against BSA, BSA Local Councils, or organizations that sponsored your troop or pack, including any right to compensation.** Only BSA is in bankruptcy. If you have a claim against the BSA Local Councils or other organizations, you must take additional legal action to preserve and pursue your rights.

Your information will be kept private. You can download and file a claim at www.OfficialBSAclaims.com or call 1-866-907-2721 for help on how to file a claim by mail. Scouting program participants who were at least eighteen (18) years of age at the time the sexual abuse began may also have claims related to sexual abuse and should consult the appropriate claim form at www.OfficialBSAclaims.com.

Act Now Before Time Runs Out:

- File a Sexual Abuse Survivor Proof of Claim.
- If your claim is approved, you may receive compensation from the bankruptcy.
- Have questions? Call or visit the website for more information.

Register your email address at www.OfficialBSAclaims.com to receive important case information. **If a plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against BSA Local Councils and organizations that sponsored your troop or pack.** Please visit the website to review the plan of reorganization and to learn more.

Other Support

BSA will fund in-person counseling for current or former Scouts or their family. To request in-person counseling, please call 1-866-907-2721 or email restructuring@scouting.org.

Your information will be kept private.

www.OfficialBSAclaims.com

1-866-907-2721

Exhibit 5

Form of Abuse Claims TV Spot

BSA :30 Second TV Script
72 words

VO:

This is an important message for all current and former Boy Scouts and volunteers.

The Boy Scouts of America have declared bankruptcy.

If you were sexually abused in Scouting, you could receive compensation, but you must file a claim in the bankruptcy case by November 16, 2020

You may file a Sexual Abuse Claim regardless of your current age or the year the sexual abuse occurred.

For more information, visit OfficialBSAclaims.com or call 1-866-907-2721.

Disclaimer language for last frame of TV (only appears on screen and not in VO): Paid for by the Boy Scouts of America by order of the U.S. Bankruptcy Court.

Exhibit 6

General Proof of Claim Form

UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE

Fill in the information to identify the case (Select only one Debtor per form):

- ☐ In re Boy Scouts of America, Case No. 20-10343 (LSS)
- ☐ In re Delaware BSA, LLC, Case No. 20-10342 (LSS)

Official Form 410

Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. With the exception of claims under section 503(b)(9), do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503. This form should not be used if you have a claim arising from sexual abuse and you were under the age of eighteen (18) at the time the sexual abuse began. If you have such a claim, you must file a Sexual Abuse Survivor Proof of Claim. For more information on how to file a Sexual Abuse Survivor Proof of Claim, go to: www.officialbsaclaims.com.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor

2. Has this claim been acquired from someone else?

☐ No☐ Yes

From whom?

3. Where should notices and payments to the creditor be sent?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Name

Name

Number Street

Number Street

City State ZIP Code

City State ZIP Code

Contact Phone

Contact Phone

Contact email

Contact email

Uniform claim identifier for electronic payments in chapter 13 (if you use one)

4. Does this claim amend one already filed?

☐ No☐ Yes

Claim Number on court claims registry (if known)

Filed On

MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☐ No☐ Yes

Who made the earlier filing?

Part 2: Give Information About the Claim as of the Date the Case Was Filed

| | |
|--|--|
| 6. Do you have any number you use to identify the debtor? | <input type="checkbox"/> No <input type="checkbox"/> Yes Last 4 digits of the debtor's account or any number you use to identify the debtor: _____ |
| 7. How much is the claim? | \$ _____ Does this amount include interest or other charges? <input type="checkbox"/> No <input type="checkbox"/> Yes Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A). |
| 8. What is the basis of the claim? | Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information _____ |
| 9. Is all or part of the claim secured? | <input type="checkbox"/> No <input type="checkbox"/> Yes The claim is secured by a lien on property Nature of property: <input type="checkbox"/> Real Estate If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded). Value of Property: \$ _____ Amount of the claim that is secured: \$ _____ Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7). Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate: (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable |
| 10. Is this claim based on a lease? | <input type="checkbox"/> No <input type="checkbox"/> Yes Amount necessary to cure any default as of the date of the petition. \$ _____ |
| 11. Is this claim subject to a right of setoff? | <input type="checkbox"/> No <input type="checkbox"/> Yes Identify the property: _____ |
| 12. Is this claim for the value of goods received by the debtor within 20 days before the commencement date of this case (11 U.S.C. §503(b)(9)).? | <input type="checkbox"/> No <input type="checkbox"/> Yes Amount of 503(b)(9) Claim: \$ _____ |

13. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?☐ No☐ Yes *Check all that apply***Amount entitled to priority**

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3:**Sign Below**

The person completing this proof of claim must sign and date it.

FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am the guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____
MM / DD / YYYY

Signature

Print the name of the person who is completing and signing this claim:

Name

First Name

Middle Name

Last Name

Title

Company

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address

Number Street

City

State

ZIP Code

Contact Phone

Email

Official Form 410

Instructions for Proof of Claim

United States Bankruptcy Court

12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form.
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form.
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called “Bankruptcy Rule”) 3001(c) and (d).
- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

- A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual’s tax identification number, or financial account number, and only the year of any person’s date of birth. See Bankruptcy Rule 9037.
- For a minor child, fill in only the child’s initials and the full name and address of the child’s parent or guardian. For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form. You may view a list of filed claims in this case by visiting the Claims Agent’s website at <http://www.omniagentsolutions.com/bsaclaims>.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate.
11 U.S.C. § 503.

Claim: A creditor’s right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Uniform claim identifier: An optional 24-character identifier that some creditors use to facilitate electronic payment.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Do not file these instructions with your form.

Exhibit 7

Sexual Abuse Survivor Proof of Claim Form

**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)

SEXUAL ABUSE SURVIVOR PROOF OF CLAIM

This Sexual Abuse Survivor Proof of Claim must be submitted and received by **5:00 p.m. (Eastern Time)** on **November 16, 2020**. Please carefully read the following instructions included with this SEXUAL ABUSE SURVIVOR PROOF OF CLAIM and complete ALL applicable questions to the extent of your knowledge or recollection. If you do not know the answer to an open-ended question, you can write “I don’t recall” or “I don’t know.” If a question does not apply, please write “N/A.” If you are completing this form in hard copy, please write or type clearly using blue or black ink.

The Sexual Abuse Survivor Proof of Claim must be delivered to Omni Agent Solutions, the Court-approved claims and noticing agent (the “Claims Agent”), by either:

- (i) Hand delivery, first class mail, or courier the *original* proof of claim to: BSA Abuse Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367, so that it is *received* on or before November 16, 2020 at 5:00 p.m. (Eastern Time);² or
- (ii) Electronically using the interface available at: www.OfficialBSAClaims.com on or before **November 16, 2020 at 5:00 p.m. (Eastern Time)**.

Sexual Abuse Survivor Proofs of Claim sent by email or facsimile transmission **will not** be accepted.

“You” and/or “Sexual Abuse Survivor” refers to the person asserting a Sexual Abuse Claim against the Boy Scouts of America (“BSA”) related to the Sexual Abuse Survivor’s sexual abuse. For this claim to be valid, the Sexual Abuse Survivor must sign this form. If the Sexual Abuse Survivor is deceased or incapacitated, the form must be signed by the Sexual Abuse Survivor’s representative or the attorney for the Sexual Abuse Survivor’s estate. If the Sexual Abuse Survivor is a minor, the form must be signed by the survivor’s parent or legal guardian or attorney. Any Sexual Abuse Survivor Proof of Claim signed by a representative or legal guardian must attach documentation establishing such person’s authority to sign the claim for the Sexual Abuse Survivor.

Who Is a Sexual Abuse Survivor?

For purposes of this Sexual Abuse Survivor Proof of Claim, the term **Sexual Abuse Survivor** refers to a person who was sexually abused *before* turning eighteen (18) years of age.

Who Should File a Sexual Abuse Survivor Proof of Claim?

This Sexual Abuse Survivor Proof of Claim is only for people who were sexually abused before turning eighteen (18) years of age and where the sexual abuse (defined below) occurred on or before February 18, 2020. This Sexual Abuse Survivor Proof of Claim is the way you assert an unsecured claim against BSA seeking damages based on Scouting-related sexual abuse. Any person

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 If you are mailing your Sexual Abuse Survivor Proof of Claim, do not attach original documents with your Sexual Abuse Survivor Proof of Claim.

asserting a claim based on anything other than childhood sexual abuse should use the General Proof of Claim form (official bankruptcy form 410).

What Is Sexual Abuse?

For the purposes of this Sexual Abuse Survivor Proof of Claim, **sexual abuse** means, with respect to a child under the age of eighteen (18) at the time of the sexual abuse, sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, sexual touching, sexualized interaction, sexual comments about a person's body, or other verbal or non-verbal behaviors that facilitated, contributed to, or led up to abuse, regardless of whether or not such behavior was itself sexual or against the law, and regardless of whether the child thought the behavior was sexual abuse at the time. Sexual abuse includes behavior between a child and an adult and between a child and another child, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether the child associated the abuse with any physical, psychological, or emotional harm. It involves behaviors including penetration or fondling of the child's body, other body-on-body contact, or non-contact, behaviors such as observing or making images of a child's naked body, showing or making pornography, or having children behave in sexual behavior as a group.

If you have a claim arising from sexual abuse and you were at least eighteen (18) years of age at the time the sexual abuse began or if you have a claim arising from other types of abuse, including non-sexual physical abuse, non-sexual emotional abuse, bullying or hazing, you should consult the *Notice of Deadlines Requiring Filing of Proof of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410).

For the avoidance of doubt, if you have a claim for sexual abuse and you were a child under the age of eighteen (18) when the sexual abuse began you must complete this form.

You May Wish to Consult an Attorney Regarding This Matter.

You may also obtain information from the Claims Agent by: (1) calling toll free at 866-907-2721, (2) emailing at BSAInquiries@omniagnt.com, or (3) visiting the case website at www.OfficialBSAClaims.com (do not contact the Claims Agent for legal advice).

What If I Don't File on Time?

Failure to complete and return this Sexual Abuse Survivor Proof of Claim by November 16, 2020 at 5:00 p.m. (Eastern Time) may result in your inability to vote on a plan of reorganization and/or to receive a distribution from this bankruptcy for sexual abuse related to BSA.

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

PART 1: CONFIDENTIALITY

Unless you indicate below, your identity and your Sexual Abuse Survivor Proof of Claim will be kept **confidential**, under seal, and outside the public record. However, information in this Sexual Abuse Survivor Proof of Claim will be confidentially provided, pursuant to Court-approved guidelines, to the Debtors, the Debtors' counsel and retained advisors, certain insurers of BSA, the Tort Claimants' Committee, counsel to the Ad Hoc Committee of Local Councils (with personally identifiable information redacted), individual Local Councils solely with respect to Sexual Abuse Claims asserted against them, attorneys at the Office of the United States Trustee for the District of Delaware, the Future Claimants' Representative, the Court, and confidentially to such other persons that the Court determines need the information in order to evaluate the claim. Information in this Sexual Abuse Survivor Proof of Claim may be required to be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions.

This Sexual Abuse Survivor Proof of Claim (along with any accompanying exhibits and attachments) will be maintained as confidential unless you expressly request that it be publicly available by checking the "public" box and signing below.

☐

PUBLIC: I want my identity and this Sexual Abuse Survivor Proof of Claim (together with any exhibits and attachments) to be made part of the official claims register in these cases. **My claim will be available for review by any and all members of the public.**

Signature: _____

Print Name: _____

PART 2: IDENTIFYING INFORMATION**A. Identity of Sexual Abuse Survivor**

First Name _____ Middle Initial _____ Last Name _____ Jr/Sr/III _____

Mailing Address (If Sexual Abuse Survivor is incapacitated, is a minor, or is deceased, provide the address of the individual submitting the claim. If you are in jail or prison, provide the address of your place of incarceration):

| | | | | | |
|--------------------|--|-------------------|--|-----------|--|
| Number and Street: | | | | | |
| City: | | State: | | Zip Code: | |
| Country (not USA): | | Email Address: | | | |
| Telephone (Home): | | Telephone (Cell): | | | |

For communications regarding this claim you may use (check the appropriate boxes):

Email ☐ US Mail ☐ Home Voicemail ☐ Cell Voicemail ☐ Counsel listed below ☐Social Security Number of Sexual Abuse Survivor (last four digits only): XXX-XX-____

If the Sexual Abuse Survivor is in jail or prison, provide the Sexual Abuse Survivor's identification number: _____

Birthdate of Sexual Abuse Survivor (only the month and year): (MM/YYYY): ____ / ____

Any other name, or names, by which the Sexual Abuse Survivor has ever been known: _____

Gender of Sexual Abuse Survivor: Male ☐ Female ☐ Other (specify) _____**B. If you have hired an attorney relating to the sexual abuse described in this Sexual Abuse Survivor Proof of Claim, please provide his or her name and contact information:**

| | | | | | |
|--------------------|--|----------------|--|-----------|--|
| Law Firm Name: | | | | | |
| Attorney's Name: | | | | | |
| Number and Street: | | | | | |
| City: | | State: | | Zip Code: | |
| Country (not USA): | | Email Address: | | | |
| Telephone (Work): | | Fax No. | | | |

PART 3: BACKGROUND INFORMATION FOR SEXUAL ABUSE SURVIVOR**A. Marital/Domestic Partner History:**a. Have you ever been married? Yes ☐ No ☐

b. If yes, please provide:

i. Length of time you were/have been married: _____

ii. Current marital status: _____

c. If your marriage has ended, please specify whether your marriage ended by: divorce ☐ or death of your spouse ☐

B. Education History:

a. What is your highest level of education completed or degree obtained?

High School ☐ Associates ☐ Bachelors ☐ Masters ☐ Doctoral ☐ Other _____

b. Educational institution(s): _____

C. Employment:

a. What is your current employment status:

☐ Employed – Occupation: _____

☐ Retired – Former Occupation: _____

☐ Unemployed – Former Occupation: _____

☐ Disabled – Former Occupation: _____

☐ Other: _____

D. Military service:

a. Have you ever served in the military? Yes ☐ No ☐

b. If yes, please provide the following information:

c. Branch(es) of service: _____

d. Years of service in each: _____

e. Rank at discharge for each: _____

f. Nature of discharge for each (e.g., honorable): _____

E. Involvement with Scouting:

a. Have you ever been affiliated with Scouting and/or a Scouting program?

Yes ☐ No ☐

b. When were you involved with Scouting? _____

c. What type of Scouting unit (i.e., troop) were you involved with?

- ☐ Boy Scouts _____
- ☐ Cub Scouts _____
- ☐ Exploring Scouts _____
- ☐ Sea Scouts _____
- ☐ Venturing _____
- ☐ Other (please explain your involvement with Scouting):

PART 4: NATURE OF THE SEXUAL ABUSE

(Attach additional sheets if necessary)

For each of the questions listed below, please complete your answers to the best of your recollection.

Note: If you have previously filed a lawsuit about your Scouting-related sexual abuse in state or federal court, you may attach a copy of the complaint. If you have not filed a lawsuit, or if the complaint does not contain all of the information requested below, you must provide the information below to the extent of your recollection.

Please answer each of the following questions to your best ability. If you do not know or recall, please so indicate.

If you are the survivor of sexual abuse by more than one sexual abuser, please respond to each of the questions in this Part 4 for each sexual abuser.

A. Please answer “Yes” or “No” to each of the following:

- i. Were you sexually abused by more than one person? Yes ☐ No ☐
- ii. Were you sexually abused in more than one state? Yes ☐ No ☐

B. Please name each person who sexually abused you in relation to your involvement in Scouting. (“Scouting” includes Cub Scouts, Boy Scouts, Exploring Scouts, Sea Scouts and Venturing.)

If you do not remember the name of the sexual abuser(s), provide as much identifying information about the sexual abuser(s) that you can recall, such as their approximate age and their relationship to Scouting (e.g., the Scoutmaster of Troop 100, another Troop member of Troop 200, camp staff member, etc.).

- C. Other than the sexual abuser(s), please identify any person(s) you can remember who were leaders or other adults involved in your Scouting unit or the camp(s) you attended.

- D. What was each sexual abuser's position, title, or relationship to you in Scouting (check all that apply)?

- ☐ Adult Scout leader in my Scouting unit
- ☐ Adult Scout leader not in my Scouting unit
- ☐ Youth Scout in my Scouting unit
- ☐ Youth Scout not in my Scouting unit
- ☐ Camp personnel (e.g., camp staff) not in my Scouting unit
- ☐ I don't know
- ☐ Other (please explain why you believe the person(s) who sexually abused you had a relationship with Scouting):

- E. Where were you at the time you were sexually abused (city, state, territory and/or country)?

- F. What was the type of Scouting you were involved with during the sexual abuse (check all that apply)?

- ☐ Boy Scouts
- ☐ Cub Scouts
- ☐ Exploring Scouts
- ☐ Venturing
- ☐ Sea Scouts
- ☐ Other (please explain why you believe you had a connection to Scouting during the sexual abuse):

- G. What was the Scouting unit number and physical location (city, state, territory and/or country) of the Scouting unit(s) or provisional troop you were in during the time of the sexual abuse?

- H. What was the name and location (city, state, territory and/or country) of the organization that chartered or sponsored your Scouting unit, including the organization that hosted meetings of your Scouting unit, during the time of the sexual abuse (e.g., church, school, religious institution, or civic group)?

(Note that such organizations are not currently parties to the bankruptcy so if you believe you may have a claim against any such organization you must take additional action to preserve and pursue any such claim.)

- I. What was the name of the BSA Local Council(s) affiliated with your Scouting unit(s), any Boy Scout camp or other Scouting activity during the time of the sexual abuse?

(Note that such BSA Local Councils are not currently parties to the bankruptcy so if you believe you may have a claim against any such BSA Local Council(s) you must take additional action to preserve and pursue any such claim.)

- J. In which of the following places did the sexual abuse take place? Check all that apply.

- ☐ At or in connection with a Scout meeting.
- ☐ At or in connection with a Scout camp.
- ☐ At or in connection with another Scouting-related event or activity (please explain):

- ☐ Other (please explain – for example, schools, churches, cars, homes or other locations):

- K. When did the first act of sexual abuse take place? If you do not remember the calendar date, what school grade were you in at the time and what season of the year was it (spring, summer, fall, winter), and what age were you when it started? If the sexual abuse took place over a period of time, please state when it started and when it stopped. If you were sexually abused by more than one sexual abuser indicate when the sexual abuse by each of the sexual abusers started and stopped.

- L. Please describe what happened to you. You can provide a description in your own words and/or use the checkboxes below.

- i. About how many times were you sexually abused?

- ☐ I was sexually abused once.
- ☐ I was sexually abused more than once.

If you were sexually abused more than once, please state how many times (if you recall): _____

M. Please describe what happened to you. You can provide a description in your own words and/or use the checkboxes below. (Check all that apply.) **Please note that the boxes are not meant to limit the characterization or description of your sexual abuse.**

i. What did the sexual abuse involve?

- ☐ The sexual abuse involved touching outside of my clothing.
- ☐ The sexual abuse involved touching my bare skin.
- ☐ The sexual abuse involved fondling or groping.
- ☐ The sexual abuse involved masturbation.
- ☐ The sexual abuse involved oral copulation / oral sex.
- ☐ The sexual abuse involved the penetration of some part of my body.

ii. Did any of the following occur in connection with the sexual abuse:

- ☐ The acts of sexual abuse against me also involved other youth.
- ☐ The sexual abuse involved photographs or video.
- ☐ Even though I did not want it, my body responded sexually to the sexual abuse.
- ☐ The sexual abuse involved actual or implied threats of violence or other adverse consequences if I disclosed the sexual abuse.
- ☐ The sexual abuse involved gifts, privileges, experiences, and other rewards or bribes in addition to the activities and awards normally part of Scouting.
- ☐ The sexual abuser(s) made my family think they could be trusted.
- ☐ At the time of the sexual abuse, my family or I had significant financial, social, behavioral or other challenges.

If you wish to provide a narrative, please describe the sexual abuse in as much detail as you can recall in the lines below. You may attach additional pages if needed.

- N. Did you or anyone on your behalf tell anyone involved in Scouting about the sexual abuse at or about the time of the sexual abuse? Yes ☐ No ☐
- O. Did you or anyone on your behalf report the sexual abuse to law enforcement or investigators at or about the time of the sexual abuse? Yes ☐ No ☐
- P. If you can remember anyone you may have ever told about the sexual abuse at the time, including anyone involved with Scouting, friends, relatives, and/or law enforcement, please list their name and when you told them.

- Q. Did you have any relationship with your sexual abuser outside of Scouting? Check all that apply:

- ☐ Religious organization leader, member, volunteer
- ☐ Family member or relative
- ☐ Coach/athletics
- ☐ Teacher
- ☐ Neighbor
- ☐ Other (please explain and add any other information you remember to the categories above):

- R. Are you aware of anyone who knew about the sexual abuse?

PART 5: IMPACT OF SEXUAL ABUSE

(Attach additional pages if necessary)

(If you currently cannot describe any harm you have suffered on account of the sexual abuse, you may omit this section for now. However, you may be asked to provide the information requested at a later date.)

- A. Please describe how you were impacted, harmed, damaged, or injured in ways that you now connect as being related to the sexual abuse you described above. (Check all that apply.) You can provide a description in your own words and/or use the checkboxes below. **Please note that the boxes are not meant to limit the characterization or description of the impact(s) of your sexual abuse.**

- ☐ Psychological / emotional health (including depression, anxiety, feeling numb, difficulty managing or feeling emotions including anger)
- ☐ Post traumatic stress reactions (including intrusive images, feelings from the abuse, numbing or avoidance behaviors)
- ☐ Physical health (including chronic disease, chronic undiagnosed pain or physical problems)
- ☐ Education (including not graduating high school, being unable to finish training or education)
- ☐ Employment (including difficulties with supervisors, difficulty maintaining steady employment, being fired from jobs)
- ☐ Intimate relationships (including difficulty maintaining emotional attachments, difficulty with sexual behavior, infidelity)
- ☐ Social relationships (including distrust of others, isolating yourself, not being able to keep healthy relationships)
- ☐ Alcohol and/or substance abuse (including other addictive behavior such as gambling)
- ☐ Other (please explain and add any other information you remember to the categories above)

If you wish to provide a narrative, please describe how you were impacted, harmed, damaged, or injured in ways that you now connect as being related to the sexual abuse you described above in as much detail as you can recall in the lines below. You may attach additional pages if needed.

- B. Have you ever sought counseling or other mental health treatment for any reason?

Yes ☐ No ☐

If your response to the prior question is "Yes," please identify the name of each person who provided you with counseling or mental health treatment, their location, the type of counseling or treatment and the estimated dates/time period of counseling or treatment. If you were prescribed medication in connection with such counseling or mental health treatment, please list the name of the medication and how long you took that medication.

PART 6: ADDITIONAL INFORMATION

A. Prior Litigation.

- i. Was a lawsuit regarding the sexual abuse you have described in this Sexual Abuse Survivor Proof of Claim filed by you or on your behalf.

Yes ☐ No ☐ (If “Yes,” you are required to attach a copy of the complaint.)

B. Prior Bankruptcy Claims. Have you filed any claims in any other bankruptcy case relating to the sexual abuse you have described in this Sexual Abuse Survivor Proof of Claim? Yes ☐ No ☐ (If “Yes,” you are required to attach a copy of any completed claim form.)

C. Payments. Have you received any payments related to the sexual abuse you have described in this Sexual Abuse Survivor Proof of Claim from any party, including BSA? Yes ☐ No ☐

- i. If yes, how much and from whom? _____

D. Current Bankruptcy Case. Are you currently a debtor in a bankruptcy case? Yes ☐ No ☐

- i. If yes, please provide the following information:

Name of Case: _____ Court: _____

Date filed: _____ Case No. _____

Chapter: 7 ☐ 11 ☐ 12 ☐ 13 ☐ Name of Trustee: _____

[Signature page follows – you must complete and sign the next page]

SIGNATURE

To be valid, this Sexual Abuse Survivor Proof of Claim must be signed by you. If the Sexual Abuse Survivor is deceased or incapacitated, the form must be signed by the Sexual Abuse Survivor's representative or the attorney for the Sexual Abuse Survivor's estate. If the Sexual Abuse Survivor is a minor, the form must be signed by the Sexual Abuse Survivor's parent or legal guardian, or the Sexual Abuse Survivor's attorney. (Any form signed by a representative or legal guardian must attach documentation establishing such person's authority to sign this form for the Sexual Abuse Survivor.)

Penalty for presenting a fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- ☐ I am the Sexual Abuse Survivor.
- ☐ I am the Sexual Abuse Survivor's attorney, guardian, kinship (or other authorized) caretaker, executor, or authorized representative.
- ☐ Other (describe): _____

I have examined the information in this Sexual Abuse Survivor Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing statements are true and correct.

Date: _____

Signature: _____

Print Name: _____

Relationship to Sexual Abuse Survivor (if not signed by Sexual Abuse Survivor): _____

Address: _____

Contact Phone: _____

Email: _____

Exhibit 8

Form of Confidentiality Agreement

**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)

PERMITTED PARTY CONFIDENTIALITY AGREEMENT

This Agreement (the “Agreement”) is entered into as of _____, 2020 by _____ (the “Recipient”), a Permitted Party pursuant to paragraph 6 of the *Order, Pursuant to 11 U.S.C. § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, (I) Establishing Deadlines for Filing Proofs of Claim, (II) Establishing the Form and Manner of Notice Thereof, (III) Approving Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Survivors, and (IV) Approving Confidentiality Procedures for Abuse Survivors* [Docket No. [●]] (the “Bar Date Order”) entered on [●] by the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) in Case No. 20-10343 (LSS), *In re Boy Scouts of America and Delaware BSA, LLC* (the “Chapter 11 Cases”).

WHEREAS, the Recipient will be granted access to certain confidential Sexual Abuse Survivor Proofs of Claim, General Proofs of Claim submitted on behalf of minors, and/or General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began in the Chapter 11 Cases after execution of this Agreement pursuant to and in accordance with the terms of the Order;

WHEREAS, Recipient agrees to keep the information provided in any and all Sexual Abuse Survivor Proofs of Claim, General Proofs of Claim submitted on behalf of minors, and/or General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began confidential pursuant to and in accordance with the terms of the Order and this Agreement.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

- (1) The Recipient agrees to keep the information provided in the Sexual Abuse Survivor Proofs of Claim, General Proofs of Claim submitted on behalf of minors, and/or General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time 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.

sexual abuse began confidential pursuant to and in accordance with the terms of the Order.

- (2) Recipient agrees to not distribute any Sexual Abuse Survivor Proofs of Claim, General Proofs of Claim submitted on behalf of minors, General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began, or information provided in such claims in violation of the Confidentiality Protocol in the Order.
- (3) Recipient will only communicate information from the confidential Sexual Abuse Survivor Proofs of Claim, General Proofs of Claim submitted on behalf of minors, and/or General Proofs of Claim submitted by individuals holding claims arising from sexual abuse who were at least eighteen (18) years of age at the time the sexual abuse began with other Permitted Parties, as defined in the Bar Date Order.
- (4) Recipient consents to the jurisdiction of the Court to adjudicate any violation of this Agreement or the Order.
- (5) Recipient shall promptly report any disclosure of information from a confidential Sexual Abuse Survivor Proof of Claim, General Proof of Claim submitted on behalf of a minor, or General Proof of Claim submitted by an individual holding a claim arising from sexual abuse who was at least eighteen (18) years of age at the time the sexual abuse began to the Debtors, the Tort Claimants' Committee, and the Creditors' Committee, and shall cooperate with efforts to recover the information and/or mitigate the effects of the disclosure.

Dated: This ___ day of _____, 2020

Signature: _____

Print Name: _____

Name of Permitted Party: _____