

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
(Baltimore Division)**

---

In re:

Case No. 23-16969

Roman Catholic Archbishop of Baltimore,

Chapter 11

Debtor.

Judge Michelle M. Harner

---

**THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' RESPONSE TO  
DEBTOR'S MOTION FOR ORDER (I) ESTABLISHING DEADLINES FOR FILING  
PROOFS OF CLAIM; (II) APPROVING SEXUAL ABUSE PROOF OF CLAIM  
FORM; (III) APPROVING FORM AND MANNER OF NOTICE; AND (IV)  
APPROVING CONFIDENTIALITY PROCEDURES**

---

The Official Committee of Unsecured Creditors (the “**Committee**”) respectfully submits this response (the “**Response**”) to the *Debtor’s Motion for Order (I) Establishing Deadlines for Filing Proof of Claim; (II) Approving Sexual Abuse Proof of Claim Form; (III) Approving Form and Manner of Notice; and (IV) Approving Confidentiality Procedures* (the “**Motion**”), ECF No. 139, and related joinders in support of the Motion filed by certain insurers of the Debtor (the “**Insurers**”), ECF Nos. 186, 190, 194.<sup>1</sup> The Committee and the Debtor have agreed that the Committee’s deadline to respond to the Motion extends through, and includes, November 29, 2023.

The Committee does not object to establishing a claims bar date, providing guidance to creditors on the process for filing claims, establishing confidentiality procedures for Survivor claims, or asking Survivors to provide information that may further eventual mediation with the

---

<sup>1</sup> The Debtor’s insurers, both those objecting and supporting the Motion, lack any pecuniary interest in the Motion and therefore lack standing to be heard on this issue. *See In re Alpha Nat. Resources Inc.*, 544 B.R. 848, 855 (Bankr. E.D. Va. 2016) (noting a party must have Article III standing, and statutory standing under Bankruptcy Code Section 1109, to be heard on any given issue in a bankruptcy case); *see id.* (“[T]he Fourth Circuit has defined “party in interest” as “one who has a pecuniary interest in the distribution of assets to creditors.”) (citations omitted).

Debtor. The Committee, however, opposes: (i) the mandatory nature of the proposed Sexual Abuse Claim Form (the “**Survivor Claim Form**”) or requiring Survivors to complete any proof of claim form that deviates substantively from Official Form 410; (ii) the language in the Debtor’s Publication Notice that instructs certain Survivors to not file a proof of claim; (iii) a lack of electronic options for filing Survivor claims; (iv) the Debtor’s proposed claims bar date of February 26, 2024; and (v) any attempt by the Insurers to circumvent Survivors’ requests for confidentiality.

### ARGUMENT

The Debtor’s stated goal in filing the Motion was “to avoid causing unnecessary additional anguish or embarrassment, [and] to encourage such individuals to feel safe and secure in advancing their claims without fear of retribution or reprisal.” [Motion at 2]. The Motion, however, seeks to treat Survivors differently from other classes of creditors by requesting entry of an Order that would impose an undue burden on Survivors and exceed the requirements prescribed by the Bankruptcy Rules. The Debtor’s proposed forms, deadlines, and procedures increase the already-significant burden on Survivors by compelling Survivors to complete and personally sign a claim form that discloses information beyond what any other creditor in bankruptcy must provide.

The Committee shares the Debtor’s goal of creating a safe process that allows the parties to identify all Survivors who are willing to participate in the bankruptcy process and provide those Survivors with a meaningful opportunity to confidentially assert a claim. The Committee and the Debtor have made substantial progress towards addressing the Committee’s concerns. The Committee files this Response to preserve these issues, pending a final resolution with the Debtor on a consensual claims filing process.

**I. SURVIVORS ARE ENTITLED TO SUBMIT A CLAIM BY FILING OFFICIAL FORM 410.**

Official Form 410 serves as the accepted format for a proof of claim.<sup>2</sup> Rule 9009 mandates the use of the Official Form, providing that:

The Official Forms prescribed by the Judicial Conference of the United States shall be used *without alteration*, except as otherwise provided in these rules, in a particular Official Form, or in the national instructions for a particular Official Form. Official Forms may be modified to permit *minor changes* not affecting wording or the order of presenting information, including changes that: (1) expand the prescribed areas for responses in order to permit complete responses; (2) delete spaces not needed for responses; or (3) delete items requiring details in a question or category if the filer indicates – either by checking ‘no’ or ‘none’ or by stating in words – that there is nothing to report on that question or category.<sup>3</sup>

While minor, non-substantive changes are permitted, a proof of claim must “conform substantially to the appropriate Official Form [410].”<sup>4</sup> The Official Form 410 is therefore adequate and serves the interests of the Debtor and other parties, such as the Insurers to “(a) lessen any administrative burden suffered by Sexual Abuse Claimants by narrowing the universe of claim-related information into the exact points needed for the purposes of this Chapter 11 Case; (b) be necessary for the Debtor, the Debtor’s insurance carriers, and the [Committee] to effectively evaluate such claims; and (c) be necessary in negotiations between the Debtor, the Debtor’s insurance carriers, and the Committee.” [Motion at 4].

Any other class of creditors in bankruptcy is required to provide only a one-line response as to the basis for their claim, and are specifically directed to “limit disclosing information that is entitled to privacy....”<sup>5</sup> The Debtor’s proposed Survivor Claim Form significantly deviates from

---

<sup>2</sup> See Fed. R. Bankr. P. 9009(a).

<sup>3</sup> Fed. R. Bank. P. 9009(a) (emphasis added).

<sup>4</sup> Fed. R. Bank. P. 3001(a).

<sup>5</sup> See Official Form at Question 8.

the Bankruptcy Rules and the Official Form, and the changes proposed are not minor. The Debtor’s proposed Survivor Claim Form would require Survivors to disclose, among other things, personal identifying information and details such as marital history, sensitive descriptions about the nature and circumstance of their abuse, the specific harms that have resulted from their abuse, and additional information concerning other sexual abuse. [ECF No. 139, Ex. B.] These expansive and deeply personal questions do not constitute “minor changes” to the Official Form as contemplated by Bankruptcy Rules 3001(a) and 9009(a). The courts in *In re The Roman Catholic Bishop of Santa Rosa*,<sup>6</sup> *The Roman Catholic Diocese of Albany, New York*,<sup>7</sup> and *In re The Roman Catholic Bishop of Oakland, a California corporation sole*,<sup>8</sup> categorically rejected requests made by insurers to mandate a modified Official Form 410.

The Debtor and its Insurers point to other diocesan bankruptcy cases to support a mandatory Survivor Claim Form. [See, e.g., Motion at 13-14]. In each of the Debtor’s cited cases, the claim supplements were stipulated or agreed to by the respective survivor committees. In diocesan bankruptcy cases where Survivor committees have contested a deviation from Official

---

<sup>6</sup> See *Glasnovich Decl.* at **Exhibit A**, 24:7-8 (The Court: “But, to make it mandatory, it’s just inconsistent with the bankruptcy laws. It may very well act as a – there may very well be a chilling element to all these people.); 39:6-9 (The Court: “Let me be perfectly clear.” Mr. Schiavoni: “Okay.” The Court: “The Rules don’t permit it. Have I made myself clear?” Mr. Schiavoni: “Yes, Your Honor.”); 39:25-41:3 (The Court: “You don’t think a twelve-page questionnaire that you have to answer that goes well beyond the basics of a proof of claim is a material change to a proof of claim form?”); see also *Order: (1) Fixing Time for Filing Proofs of Claim; (2) Approving Proof of Claim Forms; (3) Providing Confidential Protocols; and (4) Approving Form and Manner of Notice* (the “Santa Rosa Bar Date Order”) [Bankr. N.D. Ca. Case No. 23-10113 CN at Dkt. No. 327, Ex. B or Dkt. No. 327-2] (“This Confidential Survivor Proof of Claim has two separate components: (1) a mandatory 3-page ‘Official Form 410’ . . . and (2) a **voluntary** Confidential Survivor Supplement”) (emphasis added).

<sup>7</sup> See *Amended Order Establishing a Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof*, Case No. 23-10244, Dkt Nos. 447, 481, (Bankr. N.D.N.Y.).

<sup>8</sup> See *Order Establishing Deadlines for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof* (the “Oakland Bar Date Order”) [Bankr. N.D. Ca. Case No. 23-40523 WL at Dkt. No. 293 at ¶ 8(ii)] (“Sexual Abuse Claimants **may** complete the Supplement and attach it the Official Proof of Claim Form when filing their claim”) (emphasis in original).

Form 410, bankruptcy courts have uniformly agreed with Survivors and declined to mandate a claims supplement.<sup>9</sup> Stated another way, if the Motion were granted over the Committee’s objection, this Court would be the first to require the filing of an expanded Survivor claim questionnaire form over the objection of Survivors.

Moreover, contrary to the Insurer’s assertions, the Bankruptcy Code and Bankruptcy Rules do not require Survivors to satisfy federal or state pleading requirements in connection with filing a proof of claim. Bankruptcy Rule 3001(f) provides that “a proof of claim executed and filed in accordance with these rules shall constitute prima facie evidence of the validity and amount of the claim.” Section 502(a) of the Bankruptcy Code states that “a claim which is filed under section 501 of this title, is deemed allowed, unless a party in interest . . . objects.” The Insurers contend that they are somehow entitled to extensive information from Survivors sufficient to support a prima facie valid claim under federal or state pleading requirements. These pleading standards are entirely irrelevant under the Bankruptcy Code and Bankruptcy Rules, and the Court should reject

---

<sup>9</sup> See *In re The Roman Catholic Diocese of Albany, New York*, Bankr. N.D.N.Y. Case No. 23-10244-1-rel at Dkt. Nos. 406, 445 at ¶ 11 (“Any proof of claim asserting a Survivor claim **should** be accompanied by a completed Survivor Claim Form”) (emphasis added); *In re the Roman Catholic Diocese of Syracuse, New York*, Bankr. N.D.N.Y. Case No. 20-30663 at Dkt. No. 214, ¶ 10 (“All claimants shall submit their proofs of claim in substantial conformance with Official Form 410. Any proof of claim asserting a Sexual Abuse Claim (each, a “Sexual Abuse Proof of Claim”) **should** be accompanied by a completed [Syracuse Claim Form].”) (emphasis added); *In re Diocese of Buffalo, N.Y.*, 620 B.R. 445, 453-54 (Bankr. W.D.N.Y. 2020) (the Court: (i) denied the debtor’s motion to mandate the use of a modified Survivor claim form, which would have required Survivors to complete responses regarding their alleged injuries; (ii) rejected the debtor’s argument that such information was needed to process sexual abuse claims, and (iii) concluded that the debtor’s form “propose[d] alterations not minor and for which no one has cited any authority for deviation from the Official Form.”); *In re The Roman Catholic Bishop of Santa Rosa*, Bankr. N.D. Ca. Case No. 23-10113 CN at Dkt. No. 327, Ex. B (“This Confidential Survivor Proof of Claim has two separate components: (1) a mandatory 3-page ‘Official Form 410’ . . . and (2) a voluntary Confidential Survivor Supplement”) (emphasis added); *In re The Roman Catholic Bishop of Oakland, a California corporation sole*, Bankr. N.D. Ca. Case No. 23-40523 at Dkt. No. 293 at ¶ 8(ii) (“Sexual Abuse Claimants **may** complete the Supplement and attach it the Official Proof of Claim Form when filing their claim”) (emphasis in original).

any argument that pleading standards provide a basis to require Survivors to submit a modified Official Form 410.

The Committee does not categorically oppose using a claim supplement. A claim supplement can serve important purposes, such as identifying sexual assault perpetrators and illustrating the impact that abuse has had on Survivors, but these purposes, do not (and should not) require the proposed supplement to act as a prerequisite for the allowance of Survivor claims.<sup>10</sup>

*In the Diocese of Santa Rosa* case, Judge Novack refused to make a Survivor claim questionnaire mandatory. Rather, the Court urged Survivors to *voluntarily* provide information requested on the proposed claim questionnaire. The Committee respectfully requests a similar approach here, and the Court should only require Survivors to complete the same Official Form 410, as any other creditor in any other bankruptcy.

## II. THE DEBTOR SHOULD SOLICIT ALL SURVIVORS TO FILE CLAIMS.

The Debtor should not be permitted to exclude certain Survivors from the claim process. Bankruptcy Rule 3003(c) provides that “**any creditor may file** a proof of claim” and “any creditor whose claim or interest is not scheduled or scheduled as disputed, contingent, or unliquidated **shall file** a proof of claim ...”.<sup>11</sup>

The Debtor’s proposed form of *Notice of the Deadline for Timely Filing Proofs of Claims Relating to, or Arising from, Sexual Abuse* (the “**Notice**”) includes a section instructing those “Who Should Not File” a claim. [ECF No. 139, Ex. C.] The Notice states:

---

<sup>10</sup> See *In re A.H. Robins Co., Inc.*, 862 F.2d 1092, 1093-94 (4th Cir. 1988) (affirming a two-step claims filing process that provided an extended deadline to file a supplement and provided multiple extensions and avenues to obtain additional time to submit supplemental information).

<sup>11</sup> Fed. R. Bank. P. 3003(c)(1), (2) (emphasis added).

You should *not* file a Sexual Abuse Claim Form if: (a) your sexual abuse claim has already been paid in full or otherwise previously settled; **OR** (b) you do not have a claim against the Debtor or clergy, deacons, seminarians, employees, teachers, volunteers, parishes, schools, or other entities related to the Debtor.

[*Id.*]

The Notice contradicts the express language for the Bankruptcy Rules, which allow any creditor to file a claim.<sup>12</sup> This is true even if the Debtor disputes the validity of the claim.<sup>13</sup> Nothing in the Rules suggests that a prior settlement categorically disposes of the right or need to file a claim. If the Debtor contests the allowance of a claim, it can object and state its grounds for disallowance.<sup>14</sup> The Debtor's proposal for "Who Should Not File a Claim" predetermines the legal effect of settlement agreements which are not before the Court and fundamentally violates Survivors' critical due process rights. The Committee thus respectfully asks the Court to strike any language from the Notice and Survivor Claim Form or bar date order that discourages any Survivor from filing a claim.

### **III. THE COMMITTEE REQUESTS THE COURT SET JUNE 1, 2024 AS THE DEADLINE TO FILE PROOFS OF CLAIM.**

The process of coming forward as a Survivor takes tremendous courage and often imposes pain and distress on the Survivor. The Debtor's proposed deadline of February 26, 2024, just 150 days from the day it filed bankruptcy, is unreasonably short, would unnecessarily require Survivors to revisit and process their traumatic histories during the holidays, and does not permit adequate time for Survivors to submit their claims. The Committee submits that June 1, 2024 (about eight months from the petition date) is a more appropriate claims filing deadline.

---

<sup>12</sup> Fed. R. Bank. P. 3003(c)(1).

<sup>13</sup> Fed. R. Bank. P. 3003(c)(2).

<sup>14</sup> Fed. R. Bank. P. 3007.

In jurisdictions, like Maryland, that do not impose any temporal limitation on the assertion of sexual abuse claims, courts have adopted bar dates in excess of six months.<sup>15</sup> The Committee respectfully asks the Court to follow their approach and establish June 1, 2024, as the deadline to file claims. Doing so would provide Survivors in this case with approximately eight months to undertake the daunting and difficult process of coming forward and filing their claims. This timeline is entirely appropriate given the lack of any temporal deadline under the Maryland Child Victims Act, the unavailability of alleged perpetrator information due to the Debtor's filing for bankruptcy before public lawsuits could be initiated, the occurrence of the holidays between the petition date and the claim deadline, and the unusually-large number of Survivor claim filings anticipated in this case.

In April 2023, the Maryland General Assembly enacted the Child Victims Act of 2023 (the "CVA"), which Governor Moore approved on April 11, 2023 and became effective on October 1, 2023. The CVA effectively removed the deadline for survivors of child sexual assault to file civil law claims related to child sexual assault. According to the Debtor, "the Maryland Office of the Attorney General conducted an investigation and issued a report in April 2023, stating over six hundred [600] children are known to have been abused by the 156 people included in this Report, but the number is likely far higher."<sup>16</sup> Even now, some of the Debtor's Catholic affiliates are opposing the release of at least five alleged abusers' names from the Attorney General's report.<sup>17</sup> This, paired with the fact that the Debtor filed this Chapter 11 case before Survivors could

---

<sup>15</sup> *In re Archbishop of Agaña*, 19-00010, ECF No. 168 (Bankr. D. Guam) (setting a seven-month bar date).

<sup>16</sup> *Informational Brief of the Roman Catholic Archbishop of Baltimore*, ECF No. 5 at ¶ 164.

<sup>17</sup> Brian Witte and Lea Skene, ASSOC. PRESS, *Less-redacted report on Maryland church abuse still redacts names of church leaders*, <https://apnews.com/article/church-abuse-report-baltimore-archdiocese-e8d1e025592c20af090fb5a37b31a374> (Sept. 26, 2023) ("the names of five Catholic church leaders remained redacted amid ongoing appeals ....").



file lawsuits, means the names of all abusers and the locations where they committed the abuse have not yet been fully disclosed to the public, and Survivors may not be aware that others were abused by the same perpetrator.

While the Maryland Attorney General report speculated that six-hundred Survivor claims may be asserted, the Committee believes that far more Survivors will come forward. The Committee believes that the public disclosure of abusers will be crucial to encouraging Survivors to come forward and providing additional time will allow Survivors an opportunity to obtain and process this currently non-public information.

The holidays are also a difficult time for Survivors to process their traumatic histories. Suicide rates for Survivors, which already substantially exceed those of the general population, rise materially during the holiday season.<sup>18</sup> The same is true for relapse rates among Survivors struggling with chemical dependency issues.<sup>19</sup> In addition, given the anticipated volume of Survivor claims in this case, the bandwidth of the law offices representing Survivors is likely to be unusually challenged in the months preceding the claim deadline. The Committee respectfully submits that, for all of these reasons, the Court should permit Survivors to file their claims through June 1, 2024.

---

<sup>18</sup> RAPE, ABUSE & INCEST NATIONAL NETWORK (RAINN), *Strategies for Survivors This Holiday Season* (Nov. 5, 2018), <https://www.rainn.org/news/strategies-survivors-holiday-season#:~:text=Perpetrators%20of%20sexual%20violence%20are,a%20chance%20of%20repeated%20harm>.

<sup>19</sup> *Id.*; see also Wende Hilsenrod, and Eileen Kelley, *Working with Addicted Survivors of Sexual Assault*, TEX. ASSOC. AGAINST SEXUAL ASSAULT, 23-24 (June 2006), [https://taasa.org/wp-content/uploads/2015/05/WorkingwithAddictedSurvivorsofSA\\_manual.pdf](https://taasa.org/wp-content/uploads/2015/05/WorkingwithAddictedSurvivorsofSA_manual.pdf).

#### IV. SURVIVORS SHOULD NOT BE SUBJECT TO INCREASED PROCEDURAL REQUIREMENTS TO FILE THEIR CLAIMS.

The Debtor proposes that Survivor claims must be “wet signed” by Survivors and submitted in hard-copy by first class mail, hand delivery, or overnight mail. [ECF No. 139, Ex. B at 2, 3.] The Committee opposes these requirements and requests that Survivor creditors be allowed the same access to modern electronic filing systems as the Debtor’s other creditors.

Bankruptcy Rule 3001(b) requires that “a proof of claim shall be executed by the creditor or the creditor’s authorized agent except as provided in Rules 3004 and 3005,” and Bankruptcy Rule 5005 permits filing a proof of claim electronically if permitted by court order or by local rule.<sup>20</sup> **This Court permits and prefers the electronic submission and signature of proofs of claim in all cases.**<sup>21</sup>

There is no basis to restrict Survivors from submitting their claims electronically, using their typed e-signature, or having their counsel sign the claim form, just like would happen in any other bankruptcy case. The Debtor has hired Epiq to handle the filing of proofs of claim, and Epiq has made assurances to the Committee and the Court that it has adequate means to keep those claims secure and confidential. To lessen the administrative burden on, and to avoid further harm to Survivors, the Committee respectfully requests that this Court permit proofs of claim to be signed by Survivors or their respective counsel and submitted electronically.

---

<sup>20</sup> See Maryland Local Bankruptcy Rule 5005-1 (“The court will accept for filing documents submitted, signed or verified by electronic means that comply with the Electronic Case Filing Procedures” of the court).

<sup>21</sup> See UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND, *Electronic Filing of Claims (E-POC)*, <https://www.mdb.uscourts.gov/for-attorneys/e-poc> (last accessed Nov. 18, 2023) (“Effective February 11, 2013, claims in all cases, in all chapters can be filed electronically using CM/ECF or through the Court’s website without a login. The Court strongly encourages the e-filing of claims.”); *id.* (“Q: Is a signature required on the Proof of Claim. A: Yes. Type the name and title, if any of the person authorized to file the claim on behalf of the creditor.”); *id.* (“Q: Can I file an electronic proof of claim in any chapter case? A: Yes. The Maryland Bankruptcy Court accepts Electronic claims in all cases”).

**V. INSURERS SHOULD BE HELD ACCOUNTABLE FOR ANY BREACHES OF CONFIDENTIALITY.**

Certain of the Debtor's insurers oppose incorporating the Debtor's agreement with the Committee to keep Survivor information confidential into the bar date order. [See, e.g., ECF No. 193]. The Committee is aware that in other diocesan cases, there have been substantial confidentiality breaches by interested parties, including insurers. Recently, insurers in the *In re the Roman Catholic Diocese of Syracuse*, *The Roman Catholic Diocese of Rockville Centre, New York*, *The Diocese of Rockville Center*, and *The Diocese of Camden, New Jersey* matters, disclosed that confidential and sensitive information of several hundred Survivors were published to third-parties in violation of those courts' respective confidentiality orders.<sup>22</sup>

The Committee is open to discussions with the Debtor's insurers about Survivor confidentiality. But in no circumstance should the Debtor's insurers be excused from keeping Survivor information confidential. To the contrary, given recent events, the Committee intends to hold insurers to the strictest standards of security and confidentiality in the event the insurers are permitted access to sensitive Survivor information. The Committee respectfully requests that the Court adopt procedures that hold the Debtor's insurers accountable for any instance in which Survivor information is published or disclosed to unauthorized parties.

---

<sup>22</sup> *The Roman Catholic Diocese of Syracuse, New York*, Case No. 20-30663, ECF No. 1439 (Bankr. N.D.N.Y.) (letter by Interstate identifying a confidentiality breach); *id.* at ECF No. 1445 (Committee's motion for 2004 examination related to the same); *The Roman Catholic Diocese of Rockville Centre, New York*, Case No. 20-12345, ECF No. 2524 (Bankr. S.D.N.Y.); *The Diocese of Camden, New Jersey*, Case No. 20-21257, ECF No. 3385 (Bankr. D.N.J.); *The Diocese of Rochester*, Case No. 19-20905, ECF No. 2240 (Bankr. W.D.N.Y.).

**CONCLUSION**

Survivors have been disbelieved and shamed for decades. Now that Survivors finally have access to the legal process, it is vital that their voices be heard and that all unnecessary obstacles to their participation in this case be removed. The Survivor claim process should be fair and take account of Survivor histories, Survivor challenges, and Survivor perspectives. The Committee respectfully submits that Survivors should not be required to justify their claims (in a manner that no other creditor must) by submitting a large questionnaire. Further, Survivors should be allowed to sign and file their claims electronically, and Survivors should be provided a reasonable window of time to process their histories, come forward, and submit their claims. The Committee is hopeful that its ongoing discussions with the Debtor will result in a process that accomplishes those goals. Until that time, for the reasons set forth in this Response, the Committee opposes the relief requested in the Motion.

Dated: November 29, 2023.

Respectfully Submitted,

/s/ Alan M. Grochal

Alan M. Grochal (Bar no. 01447)  
Richard L. Costella (Bar no. 14095)  
**Tydings & Rosenberg LLP**  
1 East Pratt Street, Suite 901  
Baltimore, MD 21202  
Main: 410-752-9700  
Email: agrochal@tydings.com  
Email: rcostella@tydings.com

*Counsel to the Official Committee of Unsecured  
Creditors*

And

Robert T. Kugler (MN # 194116)  
Edwin H. Caldie (MN # 388930)  
Andrew J. Glasnovich (MN # 398366)  
Nicole Khalouian (NY # 5755681)  
Stinson LLP  
50 South Sixth Street, Suite 2600  
Minneapolis, MN 55402  
Main: 612-335-1500  
Facsimile: 612-335-1657  
Email: robert.kugler@stinson.com  
ed.caldie@stinson.com  
drew.glasnovich@stinson.com  
nicole.khalouian@stinson.com

*Counsel to the Official Committee of  
Unsecured Creditors*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 29<sup>th</sup> day of November, 2023, a true and correct copy of the foregoing **RESPONSE** was filed and served via the Court's CM/ECF e-filing system on all parties of record:

Blake D. Roth, Esquire: [blake.roth@hklaw.com](mailto:blake.roth@hklaw.com)  
Catherine Keller Hopkin, Esquire: [chopkin@yvslaw.com](mailto:chopkin@yvslaw.com)  
Hugh M. (UST) Bernstein, Esquire: [hugh.m.bernstein@usdoj.gov](mailto:hugh.m.bernstein@usdoj.gov)  
Gary R. Greenblatt, Esquire: [grg@cooncolelaw.com](mailto:grg@cooncolelaw.com)  
Andrew D. Freeman, Esquire: [adf@browngold.com](mailto:adf@browngold.com)  
Geoffrey Grivner, Esquire: [geoffrey.grivner@bipc.com](mailto:geoffrey.grivner@bipc.com)  
Nathan D. Adler, Esquire: [nda@nqgrg.com](mailto:nda@nqgrg.com)  
Diane C. Bristow, Esquire: [dcb@nqgrg.com](mailto:dcb@nqgrg.com)  
James P. Ruggeri, Esquire: [jruggeri@ruggerilaw.com](mailto:jruggeri@ruggerilaw.com)  
Tyler N. Layne, Esquire: [Tyler.Layne@hklaw.com](mailto:Tyler.Layne@hklaw.com)  
Christopher Scott Kunde, Jr., Esquire: [scott.kunde@hklaw.com](mailto:scott.kunde@hklaw.com)  
Steven J Kelly, Esquire: [skelly@gelaw.com](mailto:skelly@gelaw.com)  
Joshua D Weinberg, Esquire: [jweinberg@ruggerilaw.com](mailto:jweinberg@ruggerilaw.com)  
Annette Rolain, Esquire: [arolain@ruggerilaw.com](mailto:arolain@ruggerilaw.com)  
Nicholas R. Miller, Esquire: [nick.miller@hklaw.com](mailto:nick.miller@hklaw.com)  
Timothy P. Palmer, Esquire: [timothy.palmer@bipc.com](mailto:timothy.palmer@bipc.com)  
Gordon Z. Novod, Esquire: [gnovod@gelaw.com](mailto:gnovod@gelaw.com)  
Philip Tucker Evans, Esquire: [philip.evans@hklaw.com](mailto:philip.evans@hklaw.com),  
Megan Harmon, Esquire: [megan.harmon@bge.com](mailto:megan.harmon@bge.com)  
Annette Rolain, Esquire; [arolain@ruggerilaw.com](mailto:arolain@ruggerilaw.com)  
Joshua D Weinberg, Esquire: [jweinberg@ruggerilaw.com](mailto:jweinberg@ruggerilaw.com)  
Anthony May, Esquire; [amay@browngold.com](mailto:amay@browngold.com)  
Gordon S. Young, Esquire; [gyoung@silvermanthompson.com](mailto:gyoung@silvermanthompson.com),  
Robert Keith Jenner, Esquire: [rjenner@jennerlawfirm.com](mailto:rjenner@jennerlawfirm.com)  
Irving E. Walker, Esquire, [iwalker@coleschotz.com](mailto:iwalker@coleschotz.com)  
Monique Almey, Esquire, [malmy@crowell.com](mailto:malmy@crowell.com)  
Mark Plevin, Esquire: [mplevin@crowell.com](mailto:mplevin@crowell.com)  
Philip D. Anker, Esquire: [Philip.anker@wilmerhale.com](mailto:Philip.anker@wilmerhale.com)

/s/ Alan M. Grochal  
\_\_\_\_\_  
Alan M. Grochal