

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Rochester,

Debtor.

Case No. 19-20905

Chapter 11

**ORDER AUTHORIZING THE DEBTOR TO FILE
PORTIONS OF SCHEDULE F AND THE MASTER CREDITOR MAILING
MATRIX, UNDER SEAL**

Upon the motion (the “Motion”)¹ of the Diocese of Rochester (the “Debtor”), for entry of an order authorizing the Debtor to file under seal portions of Schedule F, an unredacted version of the Master Creditor Mailing Matrix, and to seek approval to file under seal any additional pleadings in this chapter 11 case that may contain Confidential Information (as defined below) on an expedited basis and request to be heard; and it appearing that this Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue of this chapter 11 case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, creditors and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given under the circumstances and that, except as otherwise ordered herein, no other or further notice is necessary; and after due deliberation thereon; and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

2. The Debtor is authorized to file under seal those portions of Schedule F and an unredacted version of the Master Creditor Mailing Matrix (the "Confidential Mailing List") that disclose or contain any ^{PRW} identifying information relating to individuals who have, either informally, formally, or through filing a lawsuit, notified the Debtor of allegations of abuse by clergy members or other persons employed by Catholic entities or otherwise subject to Diocesan supervision, (collectively, the "Confidential Information"). The Debtor may also seek approval to file under seal any additional pleadings in this chapter 11 case that may contain Confidential Information on an expedited basis and request to be heard.

3. The Debtor is authorized to publicly file redacted copies of the Master Creditor Mailing Matrix and Schedule F so as to eliminate Confidential Information from those documents.

4. The Debtor is authorized to identify, schedule and notify CVA Plaintiffs and other Abuse Claimants, who have also identified counsel representing them, by and through their counsel on Schedule F and the Master Creditor Mailing Matrix.

5. The Debtor is authorized to provide copies of the sealed portions of any such pleadings, reports or documents to the Office of the United States Trustee, as necessary, and the United States Trustee is authorized to use such documents and the information contained therein in the discharge of its duties and obligations, including but not limited to solicitation and appointment of any committee under 11 U.S.C. § 1102 but as protected by 11 U.S.C. § 107(c)(3).

6. The Debtor is authorized to provide copies of any sealed reports, documents and pleadings to counsel for any committee appointed under 11 U.S.C. § 1102 who

has been retained pursuant to Court approval, but only after confidentiality procedures are agreed upon between the Debtor and counsel for any such committee.

7. The Debtor is authorized to file a full and complete unredacted copy of the Confidential Mailing List with the Court to be held under seal pending further order of the Court.

8. Any pleadings which are required to be sent to the parties on the Confidential Mailing List will be sent by the party filing the pleading, *provided however*, that if such party does not have access to the sealed portion of the Confidential Mailing List, the party may contact counsel for the Debtor to coordinate service..

9. The clerk of court shall not provide any notices to those creditors on Schedule F filed under seal. The Debtor's counsel shall provide such notices, under Bankruptcy Rule 2002(f) and otherwise, and file a certificate of service certifying that those individuals whose identifying information has been provided under seal have been served.

10. The Debtor's authorization to file the documents referenced in paragraph 2 of this Order under seal shall be carried out in accordance with the directions of the clerk of court.

11. This Order is without prejudice to any future determined confidentiality protocol regarding filing of proofs of claim and objections to proofs of claim.


12. Nothing contained herein or in the Motion is intended or should be construed as an admission or determination as to the validity of any claim against the Debtor, a waiver of the Debtor's rights to dispute any claim, or an approval or assumption of any agreement, contract or lease under section 365 of the Bankruptcy Code, nor does the Debtor waive its rights under the Code of Canon law, or any applicable State or Federal law.

13. The requirements set forth in Local Rule 9013-1(A) and (B) are satisfied.

14. This Order is immediately effective and enforceable, notwithstanding the possible applicability of Bankruptcy Rule 6004(h) or otherwise. Any subsequent modification or vacatur of this Order shall not invalidate any action taken pursuant to this Order prior to the modification or vacatur of the Order.

15. This Court retains jurisdiction with respect to all matters arising from or related to the enforcement of this Order.

Dated: September 13, 2019
Rochester, New York


Hon. Paul R. Warren
United States Bankruptcy Judge

Notice Recipients

District/Off: 0209-2
Case: 2-19-20905-PRW

User: admin
Form ID: pdforder

Date Created: 9/13/2019
Total: 5

Recipients of Notice of Electronic Filing:

aty	Ingrid S. Palermo	ipalermo@bsk.com
aty	Stephen A. Donato	sdonato@bsk.com

TOTAL: 2

Recipients submitted to the BNC (Bankruptcy Noticing Center):

db	The Diocese of Rochester	1150 Buffalo Road	Rochester, NY 14624
pr	Lisa M. Passero	The Diocese of Rochester	1150 Buffalo Road Rochester, NY 14624
smg	Office of the U.S. Trustee	100 State Street, Room 6090	Rochester, NY 14614

TOTAL: 3