

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

In re:

ROMAN CATHOLIC DIOCESE OF
HARRISBURG,

Debtor.¹

Chapter 11

Case No. 1:20-bk-00599 (HWV)

**NOTICE OF THE DEADLINE FOR TIMELY FILING PROOFS OF CLAIMS
RELATING TO, OR ARISING FROM, SEXUAL ABUSE**

**THIS IS AN IMPORTANT NOTICE.
YOUR RIGHTS MIGHT BE AFFECTED.**

**TO ALL PERSONS WITH CLAIMS ARISING FROM SEXUAL ABUSE FOR WHICH
THE ROMAN CATHOLIC DIOCESE OF HARRISBURG MAY BE LIABLE:**

**NOVEMBER 13, 2020
IS THE LAST DATE TO TIMELY FILE
PROOFS OF CLAIMS FOR SEXUAL ABUSE**

On February 19, 2020, the Roman Catholic Diocese of Harrisburg (the “*Debtor*”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “*Bankruptcy Code*”) in the United States Bankruptcy Court for the Middle District of Pennsylvania (the “*Court*”). The Debtor’s address, the case number, proof of claim form, and other relevant information related to this chapter 11 case may be obtained at the website maintained by the Debtor’s claims and noticing agent (<https://dm.epiq11.com/RCDH>). Individuals have asserted sexual abuse claims against the Debtor, on account of alleged actions by people associated with the Debtor. Any person who believes that he or she has, or may have, a claim (as defined in section 101(5) of the Bankruptcy Code) resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual offense as laid out in Chapter 31 of Title 18 of the Pennsylvania Statutes, or as the phrase “sexual abuse” is defined in 42 Pa.C.S. § 5533(b)(2)(ii), as well as any sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephebophilia, or sexually-related physical, sexually-related psychological, or sexually-related emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or a nonconsenting adult and another adult, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other conduct constituting a sexual offense, incest, or use of a child in a sexual performance, and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory,

¹ The last four digits of the Debtor’s federal tax identification number are: 4791. The Debtor’s principal place of business is located at 4800 Union Deposit Road, Harrisburg, Pennsylvania 17111.

contribution, indemnity, or any other theory based on any acts or failures to act by the Debtor or any other person or entity for whose acts or failure to act the Debtor is or was allegedly responsible, including but not limited to, claims against clergy, deacons, seminarians, employees, teachers, or volunteers, should carefully read this notice.

YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.

LAST DATE FOR TIMELY FILING

The Court entered an order establishing **November 13, 2020** as the last date for each individual with sexual abuse claim to timely file a proof of claim. The Claims Filing Deadline and the procedures set forth below for the Sexual Abuse Claim Forms apply to all sexual abuse claims against the Debtor, based upon alleged acts of sexual abuse occurring prior February 19, 2020.

WHO SHOULD FILE

If you believe that you have a sexual abuse claim, you should file a Sexual Abuse Proof of Claim to maintain and preserve any claims that you have against the Debtor. Even if you have already filed a lawsuit against the Debtor alleging sexual abuse prior to February 19, 2020, you should still file a Sexual Abuse Claim Form to maintain and preserve your rights in the Debtor's chapter 11 case.

WHO SHOULD NOT FILE

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.

WHAT TO FILE

FILE A SEXUAL ABUSE CLAIM FORM, A COPY OF WHICH IS ENCLOSED. YOU MAY ALSO OBTAIN A COPY OF THE SEXUAL ABUSE CLAIM FORM BY FOLLOWING THE INSTRUCTIONS BELOW:

PROCEDURES FOR FILING A SEXUAL ABUSE CLAIM FORM

To file a Sexual Abuse Claim Form, take the following steps:

Fill out the Sexual Abuse Claim Form in its entirety.

For additional copies of the Sexual Abuse Claim Form: (a) photocopy the Sexual Abuse Claim Form; (b) contact the Debtor's claims and noticing agent at (866) 977-0992; (c) visit the Debtor's website at: <https://www.hbgdiocese.org>; or (d) visit the website of the Debtor's claims and noticing agent at <https://dm.epiq11.com/RCDH>.

Please note that neither the Debtor's staff nor the Debtor's claims and noticing agent is permitted to give legal advice. You should consult your own attorney for assistance regarding any such inquiries.

Return the completed original Sexual Abuse Claim Form to the Debtor's claims and noticing agent at the address set forth below by the Claims Filing Deadline. Sexual Abuse Claim Forms will be deemed timely filed only if they are **actually received** by the Debtor's claims and noticing agent by **November 13, 2020**.

If you are returning a Sexual Abuse Proof of Claim by mail, allow sufficient mailing time so that the Sexual Abuse Claim Form is **received** on or before **November 13, 2020**. Sexual Abuse Claim Forms that are postmarked before that date, *i.e.*, the Claims Filing Deadline, but which are received by the Debtor's claims and noticing agent after the Claims Filing Deadline, will be considered tardy.

Sexual Abuse Claim Forms should be delivered to the following address:

<i>If by First Class Mail:</i> Roman Catholic Diocese of Harrisburg, Claims Processing Center c/o Epiq Corporate Restructuring, LLC P.O. Box 4421 Beaverton, OR 97076-4421	<i>If by Hand Delivery or Overnight Mail:</i> Roman Catholic Diocese of Harrisburg, Claims Processing Center c/o Epiq Corporate Restructuring, LLC 10300 SW Allen Blvd. Beaverton, OR 97005
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CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM

There may be consequences for failing to file a claim. Please consult your attorney.

CONFIDENTIALITY

Filed Sexual Abuse Claim Forms will remain confidential in this chapter 11 case, unless you elect otherwise in Part 1 of the Sexual Abuse Claim Form. Therefore, the Sexual Abuse Claim Form that you file will not be available to the general public, but will be kept confidential, except that information will be provided to the Debtor, the United States Trustee for the Middle District of Pennsylvania, the Debtor's insurers, attorneys for the Committee, any unknown claims representative appointed by the Court, any settlement trustee appointed to administer payments to Sexual Abuse Claimants, prison authorities for any incarcerated Sexual Abuse Claimants, and such other persons as the Court determines should have the information in order to evaluate the sexual abuse claim, all of whom will agree to keep the information provided by you confidential.

Dated: May 6, 2020

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

In re:

ROMAN CATHOLIC DIOCESE OF
HARRISBURG,

Debtor:¹

Chapter 11

Case No. 1:20-bk-00599 (HWV)

SEXUAL ABUSE CLAIM FORM

IMPORTANT:

THIS FORM MUST BE RECEIVED BY NO LATER THAN NOVEMBER 13, 2020

Carefully read the instructions included with this Sexual Abuse Claim Form and complete ALL applicable questions. Please print clearly and use blue or black ink. Please send the **original** to the Debtor's claims and noticing agent at the following address:

<i>If by First Class Mail:</i> Roman Catholic Diocese of Harrisburg, Claims Processing Center c/o Epiq Corporate Restructuring, LLC P.O. Box 4421 Beaverton, OR 97076-4421	<i>If by Hand Delivery or Overnight Mail:</i> Roman Catholic Diocese of Harrisburg, Claims Processing Center c/o Epiq Corporate Restructuring, LLC 10300 SW Allen Blvd. Beaverton, OR 97005
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**THIS PROOF OF CLAIM IS FOR CLAIMANTS OF SEXUAL ABUSE ONLY.
YOU MAY WISH TO CONSULT AN ATTORNEY REGARDING THIS MATTER.**

A sexual abuse claim includes, but is not limited to, any claim (as defined in section 101(5) of the Bankruptcy Code) resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual offense as laid out in Chapter 31 of Title 18 of the Pennsylvania Statutes, or as the phrase "sexual abuse" is defined in 42 Pa.C.S. § 5533(b)(2)(ii), as well as any sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephebophilia, or sexually-related physical, sexually-related psychological, or sexually-related emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or a nonconsenting adult and another adult, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other conduct constituting a sexual offense, incest, or use of a child in a sexual performance, and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory,

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contribution, indemnity, or any other theory based on any acts or failures to act by the Roman Catholic Diocese of Harrisburg (the "*Debtor*") or any other person or entity for whose acts or failure to act the Debtor is or was allegedly responsible, including but not limited to, claims against clergy, deacons, seminarians, employees, teachers, or volunteers.

TO BE VALID, THIS PROOF OF CLAIM MUST: (A) BE WRITTEN IN ENGLISH OR INCLUDE A TRANSLATION IF RESPONSES ARE IN A LANGUAGE OTHER THAN ENGLISH; (B) PROVIDE RESPONSES THAT ARE COMPLETE AND ACCURATE TO THE BEST OF YOUR KNOWLEDGE; AND (C) BE SIGNED BY THE SEXUAL ABUSE CLAIMANT, EXCEPT IF THAT IF THE SEXUAL ABUSE CLAIMANT IS A MINOR, INCAPACITATED, OR DECEASED, THIS SEXUAL ABUSE PROOF OF CLAIM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S PARENT, LEGAL GUARDIAN, OR EXECUTOR, AS APPLICABLE. IF THE SEXUAL ABUSE CLAIMANT DIES AFTER THE SUBMISSION OF THIS FORM, BUT BEFORE THE CLAIM IS RESOLVED, NOTIFICATION OF THE DEATH MUST BE PROVIDED AT THE ADDRESS LISTED ABOVE.

UNLESS YOU INDICATE OTHERWISE IN PART I BELOW, YOUR IDENTITY WILL BE KEPT STRICTLY CONFIDENTIAL, UNDER SEAL, AND OUTSIDE THE PUBLIC RECORD. HOWEVER, INFORMATION IN THIS CLAIM WILL BE PROVIDED, PURSUANT TO COURT-APPROVED CONFIDENTIALITY GUIDELINES, TO COUNSEL FOR THE COMMITTEE AND OTHER COURT-APPROVED THIRD PARTIES IN ORDER TO EVALUATE THE CLAIM.

YOUR PROOF OF CLAIM MAY BE DISPUTED OR HONORED IN WHOLE OR IN PART. THE DEBTOR RESERVES THE RIGHT TO OBJECT OR TO ASSERT OFFSETS OR DEFENSES AGAINST ANY FILED PROOF OF CLAIM.

PART I: CONFIDENTIALITY

THIS SEXUAL ABUSE CLAIM FORM (ALONG WITH ANY ACCOMPANYING EXHIBITS AND ATTACHMENTS) WILL BE MAINTAINED AS CONFIDENTIAL UNLESS YOU EXPRESSLY REQUEST THAT IT BE PUBLICLY AVAILABLE BY CHECKING THE BOX AND SIGNING BELOW. NOTWITHSTANDING THE FOREGOING, AS REQUIRED BY THE CHILD PROTECTIVE SERVICES LAW, 23 PA.C.S. § 6301 *ET SEQ.*, AND THE DEBTOR'S YOUTH PROTECTION PROGRAM (EFFECTIVE AUGUST 15, 2018), ANY SEXUAL ABUSE CLAIM FORM RECEIVED BY THE DEBTOR INVOLVING A CLAIM OF CHILDHOOD SEXUAL ABUSE THAT HAS NOT BEEN PREVIOUSLY REPORTED TO LAW ENFORCEMENT BY THE DEBTOR WILL BE REPORTED BY THE DEBTOR TO CHILDLINE AND THE APPROPRIATE DISTRICT ATTORNEY AS SEXUAL ABUSE CLAIMS ARE RECEIVED BY THE DEBTOR.

B. Attorney Information (if applicable)

Law Firm Name

Attorney's First Name

Middle Initial

Last Name

Street Address

City

State/Prov.

Zip Code (Postal Code)

County

Telephone No.

Fax No.

Email Address

PART 3: BACKGROUND INFORMATION

1. Are you currently married?

Yes No (if "Yes", please identify the name of your spouse and marriage date)

2. Have you been previously married?

Yes No (if "Yes", please identify the name of your former spouse and, as applicable, the date(s) of any dissolution, divorce, separation, or widowhood)

3. Do you have children?

Yes No (if "Yes", please identify their names and birthdates. If any children have died, please provide their date of death)

4. What schools have you attended? For each school, please identify the months and years of your attendance. If you cannot recall the exact months when you began or ended each school year, please identify the season (fall, winter, spring, summer).

5. Have you received a diploma or degree from any of the schools listed above?

Yes No (if "Yes", please identify each diploma or degree that you received and the year you received it)

6. Have you served in the armed forces?

Yes No (if "Yes", please identify the branch of service, the dates you served, and, if you have been discharged, the type of discharge you received)

7. Are you currently employed?

Yes No (if "Yes", please identify the name of the organization where you are employed, the date of your employment began, and your job title)

8. What is your employment history? Please provide the following information about each place you have previously been employed: (i) the name of the organization where you were employed; (ii) the dates of employment; (iii) your job title(s); and (iv) your reason for leaving the place of employment.

9. Have you been self-employed?

Yes No (if "Yes", please provide your job responsibilities, any business name you used, and the dates of this business)

10. Are you retired?

Yes No (if "Yes", please identify when you retired)

11. Part 4 below will ask you about the nature of your complaint against the Debtor. Other than the incident(s) of sexual abuse described in Part 4, have you ever been sexually abused by anyone else? If "Yes", please describe this abuse, including the date(s) of the abuse, and identify the abuser (if not by name then by relationship to abuser).

PART 4: NATURE OF ABUSE
(Attach additional separate sheets if necessary)

NOTE: IF YOU HAVE PREVIOUSLY FILED A LAWSUIT AGAINST THE DEBTOR IN STATE OR FEDERAL COURT, YOU MAY ATTACH THE COMPLAINT. IF YOU DID NOT FILE A LAWSUIT OR IF THE COMPLAINT DOES NOT CONTAIN ALL OF THE INFORMATION REQUESTED BELOW, YOU MUST PROVIDE THE INFORMATION BELOW.

1. Who committed each act of sexual abuse?

2. What is the position, title, or relationship to you of the individual who committed these acts?

3. Where did the sexual abuse take place? Please be specific and detail all relevant information that you know, including the City and State, name of the parish or school (if applicable), and/or the names of any other location.

4. When did the sexual abuse take place?

a. Please be as specific as possible. If you can, please indicate the day, month, and year. If you cannot recall the month, please try to recall the season (winter, spring, summer, or fall).

b. If you were sexually abused on more than one occasion, please state when the abuse started, when it stopped, and how many times it occurred.

c. Please also state your age(s) and your grade(s) in school (if applicable) at the time the abuse took place.

5. Please describe in as much detail as possible the nature of the sexual abuse. What happened?

6. Did you tell anyone about the sexual abuse (this would include parents, relatives, friends, anybody affiliated with the Roman Catholic Diocese of Harrisburg, attorneys, counselors, law enforcement authorities)?

a. If "Yes", who did you tell? Please list the name(s) and any contact information you have.

b. What did you say?

c. When did you tell this person or persons about the abuse?

d. If you know, what did the person or persons do in response?

7. Were there any witnesses to the sexual abuse described in question (6)? If so, please list their name(s) and any contact information you have, including addresses.

8. Do you personally know or have reason to believe that the Roman Catholic Diocese of Harrisburg knew that your abuser was abusing you or others before or during the period when such abuse occurred? If "Yes", please provide all information that supports your conclusion, including the information requested in items 8(a) through 8(e) below.

a. Who at the Roman Catholic Diocese of Harrisburg knew that your abuser was abusing you or others?

b. How did such person or persons at the Roman Catholic Diocese of Harrisburg learn this information?

c. When did such person or persons at the Roman Catholic Diocese of Harrisburg learn this information?

d. What exactly was the person or persons from the Roman Catholic Diocese of Harrisburg told or what exactly did they observe?

e. How did you come to have the information you provided in response to the questions above?

PART 5: IMPACT OF ABUSE

(Attach additional separate sheets if necessary)

1. What damages have occurred to you because of the act(s) of sexual abuse that resulted in the claim (e.g., any effect, on your education, employment, personal relationships, or mental and/or physical health)?

2. Have you sought counseling or other treatment for any of the above damages? If "Yes", with whom and when?

PART 6: ADDITIONAL INFORMATION

1. **Prior Non-Bankruptcy Claims:** Have you previously filed any lawsuit seeking damages for the sexual abuse described in this claim?

Yes No (if "Yes", please answer the questions below)

a. Where and when did you file the lawsuit?

b. Who were the parties to the lawsuit and what was the case number?

c. What was the result of that lawsuit?

2. **Prior Bankruptcy Claim:** Have you filed any claims in any other bankruptcy case relating to the sexual abuse described in this claim?

Yes No (if "Yes", you are required to attach a copy of any completed claim form)

3. **Any Settlements:** Regardless of whether a complaint was ever filed against any party because of the sexual abuse, have you settled any claim or demand relating to the sexual abuse described in this claim?

Yes No (if "Yes," please describe, including parties to, the settlement and you are required to attach a copy of any settlement agreement)

4. **Bankruptcy:** Have you ever filed bankruptcy?

Yes No (if "Yes," please provide the following information)

Name of Case: _____ Court: _____

Date Filed: _____ Case No: _____

Chapter: 7 11 12 13 Name of Trustee: _____

Date: _____

Sign and print your name. If you are signing the claim on behalf of another person or an estate, print your title.

Under penalty of perjury, I declare the forgoing statements to be true and correct:

Signature: _____

Print Name: _____

Title: _____