

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

The Roman Catholic Diocese of Syracuse, New
York,

Debtor.

Case No. 20-30663 (WAK)

Chapter 11

**NOTICE OF PROPOSED MODIFICATIONS TO THE FIFTH AMENDED JOINT
CHAPTER 11 PLAN OF REORGANIZATION FOR THE ROMAN CATHOLIC
DIOCESE OF SYRACUSE, NEW YORK DATED NOVEMBER 27, 2024**

PLEASE TAKE NOTICE, that on November 27, 2024, The Roman Catholic Diocese of Syracuse, New York (the “Diocese”) and the Official Committee of Unsecured Creditors (the “Committee”) filed the *Fifth Amended Joint Chapter 11 Plan of Reorganization for The Roman Catholic Diocese of Syracuse, New York* [Docket. No. 2337] (the “Plan”) with the United States Bankruptcy Court for the Northern District of New York (the “Court”).¹

PLEASE TAKE FURTHER NOTICE, that the Plan, as currently on file, proposes certain releases, injunctions, and exculpations in furtherance of the Plan. The Plan proposes a Channeling Injunction that permanently channels, among other things, all Abuse Claims against the Diocese and the Parishes, Schools and Other Catholic Organizations that comprise the Participating Parties, to a Trust established pursuant to section 105(a) of the Bankruptcy Code. The Plan further proposes a Supplemental Settling Insurer Injunction that permanently enjoins the assertion of any Claims against the Settling Insurers or the Settling Insurer Policies (including, among other things, Insurance Claims, Abuse Claims, and Extra-Contractual Claims). In addition, the Plan proposes a full release of the Released Parties and their respective property, from among other things, any and all Claims relating to the Diocese, the Participating Parties, the Estate, and the conduct of the Diocese’s and the Participating Parties’ businesses.

PLEASE TAKE FURTHER NOTICE, that after the Plan was filed, but prior to the Court rendering a decision on confirmation of the Plan, the Diocese and the Committee reached agreement on the terms of Insurance Settlement Agreements with several Insurers. As part of their agreement to become Settling Insurers, several of the Insurers have requested certain modifications to the Plan to clarify the releases and injunctions already contemplated in the Plan.

PLEASE TAKE FURTHER NOTICE, that to implement the modifications and clarifications to the Plan requested by the Settling Insurers, on June 10, 2025, the Diocese filed a *Motion for Entry of an Order Approving Modifications to the Fifth Amended Joint Chapter 11 Plan of Reorganization for The Roman Catholic Diocese of Syracuse, New York Dated*

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan, except to the extent that such capitalized terms are used in connection with the below description of the Modified Plan, in which case they shall have the meanings ascribed to them in the Modified Plan.

November 27, 2024 [Docket No. 2924] (the “Plan Modification Motion”). The proposed modifications to the Plan are attached as Exhibit 1 to the Plan Modification Motion.²

PLEASE TAKE FURTHER NOTICE, that among other things the Plan, as proposed to be modified (the “Modified Plan”) provides:³

- i. That the Supplemental Settling Insurer Injunction originally contemplated in the Plan, and now defined as the “Settling Insurer Injunction,” will be implemented via separate orders approving each Settling Insurer’s Insurance Settlement Agreement, and ratified by the Modified Plan.
- ii. That the Channeling Injunction and Settling Insurer Injunction respectively prohibit any Person (including all Litigation Claimants and Non-Participating Abuse Claimants) from asserting, enforcing or attempting to enforce any Channeled Claim or Barred Claim⁴ against any Settling Insurer Releasees, any Settling Insurer’s Related Persons, or the property or assets of either of the foregoing (including the Purchased Property).
- iii. For a “Gatekeeper Injunction” as follows:

To the extent permitted by law, and subject in all respects to this Section 12, no Enjoined Party may commence or pursue against any Protected Party (a) an Abuse Claim or (b) any other Claim or cause of action that arose, arises from, or is related to an Abuse Claim, the Chapter 11 Case, the negotiation of the Plan, the administration of the Plan or property to be distributed under the Plan, the wind-down or reorganization of the business of the Diocese, the administration of the Trust, or the transactions in

² On July 1, 2025, the Diocese filed a letter [Docket No. 2944] setting forth certain additional proposed technical corrections to the Plan.

³ The following is a summary of certain modifications to the Plan as set forth in the Modified Plan. All parties are encouraged to review the Modified Plan attached as an exhibit to the Plan Modification Motion in its entirety which may be obtained: (i) from the Clerk’s Office, United States Bankruptcy Court for the Northern District of New York, Syracuse Division, (ii) via the Court’s electronic case management system at <https://ecf.nynb.uscourts.gov>; (iii) by visiting <https://case.stretto.com/dioceseforsyracuse/docket>; (iv) by calling 855.329.4244; or (v) by written request to the Diocese’s undersigned counsel.

⁴ “Barred Claim” is defined in the Modified Plan to mean all Channeled Claims (specifically including, but not limited to, Abuse Claims, Medicare Claims, and Extra-Contractual Claims), Non-Participating Abuse Claims, Non-Participating Insurance Claims, Released Insurance Claims, Unknown Abuse Claims, Related Insurance Claims, Insurer Contribution Claims, Direct Action Claims, GMVA Claims, and every other Claim that (a) is under, arises out of, relates (directly or indirectly) to, or connects in any way with an Abuse Claim or any of the Settling Insurer Policies or (b) is released pursuant to any Insurance Settlement Agreement. For the avoidance of doubt, “Barred Claim” includes all Claims exempted from the injunctions set forth in Sections 12.2.1 and 12.3 of the Plan pursuant to Sections 12.2.2.a and 12.2.2.b of the Plan. For the further avoidance of doubt, any ISO Exception claims are not Barred Claims.

furtherance of the foregoing without the Bankruptcy Court (i) first determining, after notice and a hearing, that such Claim or cause of action represents a colorable Claim against a Protected Party and (ii) subject in all respects to the Channeling Injunction and Settling Insurer Injunction, specifically authorizing such Enjoined Party to bring such Claim or cause of action against any such Protected Party. The Bankruptcy Court will have jurisdiction to determine whether a Claim or cause of action is colorable and, to the extent legally permissible and as provided for in Section 14, have jurisdiction to adjudicate the underlying colorable Claim or cause of action.

PLEASE TAKE FURTHER NOTICE, that a continued hearing to consider (i) the Plan Modification Motion and (ii) confirmation of the Plan (as it may be modified) will be held on **August 27, 2025 at 10:00 a.m.** (prevailing Eastern time), or as soon thereafter as counsel may appear and be heard, before the Honorable Wendy A. Kinsella, Chief United States Bankruptcy Judge for the Northern District of New York, or such other judge as may be sitting in her stead in the James M. Hanley U.S. Courthouse and Federal Building, 100 South Clinton Street, Syracuse, NY 13261. Parties may appear at the hearing in person at the United States Bankruptcy Court for the Northern District of New York, James M. Hanley U.S. Courthouse and Federal Building, 100 South Clinton Street, Syracuse, New York 13216, OR by video via Teams, for which pre-registration is required by 3:00 PM one business day before the Hearing at: <https://www.nynb.uscourts.gov/Remote-Hearing-Appearances>.

PLEASE TAKE FURTHER NOTICE, that any objections or responses to the Plan Modification Motion must conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Northern District of New York and be filed with the Court and served upon the following parties no later than **August 15, 2025**: (i) counsel for the Diocese, Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York 13202 (Attn: Stephen A. Donato, Charles J. Sullivan, and Grayson T. Walter); (ii) the Office of the United States Trustee for the Northern District of New York, 10 Broad Street, Room 105, Utica, NY 13501, Attn: Erin Champion; and (iii) counsel to the Official Committee of Unsecured Creditors, Stinson LLP, Attn. Robert T. Kugler & Edwin H. Caldie, 50 South Sixth Street, Suite 2600, Minneapolis, MN 55402, and (iv) those persons who have formally appeared and requested service in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE, that pursuant to 11 U.S.C. § 1127(d), if you previously voted to accept or reject the Plan, or were deemed to accept or reject the Plan in accordance with the Court's *Order (i) Approving Disclosure Statement; (ii) Approving Solicitation Packages and Distribution Procedures; (iii) Approving the Form and Manner of Ballots and Establishing Procedures for Voting on Fifth Amended Joint Plan and for Consenting to Third-Party Releases; (iv) Approving the Form, Manner, and Scope of Confirmation Notices; (v) Establishing Certain Deadlines in Connection with Approval of the Disclosure Statement and Confirmation of Fifth Amended Joint Plan; and (vi) Granting Related Relief* [Docket No. 2398], your prior acceptance or rejection of the Plan may be deemed to be to be an acceptance or rejection of the Modified Plan.

Dated: July 25, 2025

BOND, SCHOENECK & KING, PLLC

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