

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

The Archdiocese of Saint Paul and  
Minneapolis,  
Debtor.

BKY 15-30125

Chapter 11

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**ORDER**

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This case is before the court on the motion of the debtor to establish procedures for the solicitation of votes to accept or reject the plans of reorganization.

Based on the motion and file.

IT IS ORDERED:

1. The form of joint ballot for creditors in Class 6 (Pending Tort Claims) is approved in the form attached to this order.
2. Within 30 days from the date of this order, the debtor, under the supervision of its attorneys and after consultation with the committee of unsecured creditors, shall prepare and mail, pursuant to Local Rule 3017-1: the disclosure statements, the plans, ballots, if applicable, a joint letter of transmittal and separate transmittal letters from the debtor and the committee, and a properly addressed envelope for the return of the ballots, if applicable. The debtor's counsel shall file proof of service in accordance with Local Rule 3017-1.
3. The debtor is authorized to mail the disclosure statements and plans in an electronic format on flash drives. The debtor's counsel shall provide a paper copy of the disclosure statements and plans, upon request, to any party that received them in electronic format.

4. The letter or letters of transmittal shall specify the last day fixed to timely file ballots to accept or reject the plans. The date so fixed shall be designated by agreement of the debtor and committee and shall be not less than 40 days and not more than 45 days following mailing of the solicitation package. Ballots shall be deemed timely filed if actually received by 4:30 p.m. (central time) on or before the last day fixed to timely file ballots. The attorneys for the debtor and the committees shall jointly count the ballots and file a report of the tabulation within 10 days following expiration of the date fixed to timely file ballots.

5. Notwithstanding paragraph 2 above, the debtor may deliver one solicitation package to the counsel of record for all of such counsel's clients, provided that a separate ballot is received for each client entitled to vote. On request, the debtor will provide counsel with additional solicitation packages.

6. Each attorney receiving a single solicitation package under paragraph 5 shall provide each claimant represented by the attorney with a complete solicitation package, including the ballot, by personal delivery, mail, or electronic mail and shall file under seal a sworn affidavit of service with the bankruptcy court to evidence compliance with this paragraph. The debtor, the debtor's counsel, and the counsel for the committee of unsecured creditors shall be permitted to review any such certificate of service. Service under this paragraph shall be accomplished within 10 calendar days following service of the solicitation package on such counsel.

7. With respect to ballots of holders of claims in Class 6, the ballot shall be executed by the claimant, or if a claimant cannot timely sign the ballot, by an individual competent to act with a specific, written power of attorney directing such individual to vote to accept or reject the

plan or plans as directed by such individual claimant. A copy of the power of attorney shall be attached to each ballot completed by such individual on behalf of the individual claimant.

8. Completed Class 6 ballots shall be delivered or mailed to:

Clerk of Bankruptcy Court  
Attention: B. Montez  
200 Warren E. Burger Federal Building and United States Courthouse  
316 North Robert Street  
St. Paul, MN 55101

9. The clerk will release Class 6 ballots to the debtor upon request. Class 6 ballots will be treated as confidential and subject to the same confidentiality protocols ordered by the Court in the Order Establishing Deadlines for Filing Proofs of Claim; Approving Proofs of Claim Forms; Approving Form and Manner of Notice; and Approving Confidentiality Procedures entered by the Court on April 17, 2015 as Docket No. 188. Upon request and upon execution of an appropriate confidentiality agreement covering Class 6 ballots, the debtor shall provide access to Class 6 ballots to the counsel for the committees, the United States Trustee and the settling insurers under the debtor's plan.

10. The solicitation package served on creditors whose claims are impaired under either or both plans, other than holders of Class 6 claims, shall include ballots substantially conforming to the approved official form. Creditors whose claims are unimpaired under both plans need not receive a ballot.

Dated: February 24, 2017

/e/ Robert J. Kressel

Robert J. Kressel  
United States Bankruptcy Judge

**ATTACHMENT TO ORDER DATED FEBRUARY \_\_\_\_, 2017**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

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Case No. 15-30125

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**CONFIDENTIAL CLASS 6 BALLOT FOR ACCEPTING OR REJECTING  
PLANS OF REORGANIZATION**

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The debtor and the Committee of Unsecured Creditors have both proposed plans of reorganization. The bankruptcy court has approved disclosure statements with respect to both plans. The disclosure statements provide information to assist you in deciding how to vote. If you do not have copies of the disclosure statements, you may obtain copies from Briggs and Morgan, 2200 IDS Center, 80 South 8th Street, Minneapolis, MN 55402, (612) 977-8400, Attention: Richard D. Anderson or Benjamin E. Gurstelle.

Court approval of the disclosure statements does not indicate approval of the plans by the bankruptcy court. Terms that are not defined herein have the meanings ascribed to them in the plans.

**You should review the disclosure statements and the plans before you vote. You may wish to seek legal advice concerning the plans and your classification and treatment under the plans. Your claim has been placed in Class 6 in both the plans.**

**If your ballot is not received by the Office of the Clerk of Bankruptcy Court (Attention: B. Montez), Warren E. Burger Federal Building and United States Courthouse, 316 N. Robert Street, St. Paul, MN 55101 by \_\_\_\_\_, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plans.**

**If either plan is confirmed by the bankruptcy court, it will be binding on you whether or not you vote.**

**NOTICE: The debtor's plan includes contributions to a trust from certain persons other than the debtor, including certain insurance companies. In exchange for these contributions, the debtor's plan provides that litigation of your tort claim against these persons WILL BE BARRED, in whole or in part, and channeled to the trust, to the extent described in the debtor's plan.**

**ACCEPTANCE OR REJECTION OF THE PLANS**

The undersigned, holder of a Class 6 claim under both plans (you may accept or reject one or both of the plans):

<b><u>Debtor's Plan</u></b> (check one box)
<input type="checkbox"/> <b>ACCEPTS the debtor's plan</b>
<input type="checkbox"/> <b>REJECTS the debtor's plan</b>

<b><u>UCC's Plan</u></b> (check one box)
<input type="checkbox"/> <b>ACCEPTS the UCC's plan</b>
<input type="checkbox"/> <b>REJECTS the UCC's plan</b>

Indicate below whether you prefer one plan over the other:

- I have no preference; or**
- I prefer (check only one box):**  **the debtor's Plan,** or  **the UCC's Plan**

**Return this ballot to:**

Clerk of Banjruptcy Court  
Attention: B. Montez  
200 Warren E. Burger Federal Building and United States Courthouse  
316 North Robert Street  
St. Paul, MN 55101