



UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF VERMONT

In re:

Roman Catholic Diocese of Burlington,
Vermont,

Case No.: 24-10205-HZC
Chapter 11 Case



Debtor.

**INTERIM ORDER (I) GRANTING EMERGENCY RELIEF AND (II) AUTHORIZING
THE DIOCESE TO FILE PORTIONS OF SCHEDULE F, THE STATEMENT OF
FINANCIAL AFFAIRS, THE MASTER MAILING LIST, AND OTHER PLEADINGS
AND DOCUMENTS UNDER SEAL**

This matter comes before the Court on Debtor's Emergency Motion for Order Authorizing the Diocese to File Portions of Schedule F, the Statement of Financial Affairs, the Master Mailing List, and Other Pleadings and Documents under Seal (doc. # 10) (the "Motion"), the Affidavit of Bishop John J. McDermott (doc. # 13), and the statements of counsel and evidence adduced with respect to the Motion at a hearing before the Court (the "Hearing"). The Court finds that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (iv) due and proper notice of the Motion was provided to the Notice Parties pursuant to Local Bankruptcy Rule 9013-3; (v) notice of the Motion and the Hearing was sufficient under the circumstances; and (vi) there is good cause to waive the 14-day stay imposed by Bankruptcy Rule 6004(h) to the extent it is applicable. After due consideration, the Court that the relief, on an interim basis, as requested in the Motion is in the best interests of the Debtor, its estate, and its creditors and is necessary to prevent immediate and irreparable harm to the Debtor and its estate. Therefore, for good cause shown, **IT IS HEREBY ORDERED THAT:**



1. The Motion is **GRANTED** on an interim basis as set forth in this Order.
2. The final hearing (the “Final Hearing”) to consider entry of the Final Order on the Motion is scheduled for November 26, 2024 at 10:30 a.m. (prevailing Eastern time) before this Court at the following location: Federal Building, 11 Elmwood Avenue, Burlington, Vermont 05401.
3. The Diocese’s request for emergency relief is granted.
4. The Diocese is authorized, on an interim basis until the final hearing on the Motion (the “Interim Period”), to file under seal those portion of schedule F, the statement of financial affairs (the “SOFA”), the Master Mailing Matrix, certificates of service, and other pleadings and documents that disclose identifying information of individuals (“Survivors”) who have, either informally, formally, or through a lawsuit, notified the Diocese that they were sexually abused by clergy members or other persons employed by the Diocese and have, could, or might assert claims against the Diocese arising out of such abuse.
5. During the Interim Period, the Diocese shall file to the Court’s public docket redacted copies of any pleadings filed under seal pursuant to paragraph 3 of this Order, provided that any identifying information is properly redacted.
6. During the Interim Period, the Diocese shall identify, schedule, and notify Survivors who have advised the Diocese that they are represented by counsel by and through such counsel on all pleadings in this case, including, without limitation, Schedule F, the SOFA, the Mailing Matrix, and certificates of service.



7. The Clerk of Court shall not serve the Notice of Case Commencement. Instead, the Diocese's counsel shall serve the Notice of Case Commencement on all creditors and parties-in-interest, under Fed. R. Bankr. P. 2002(f) and otherwise, and file a certificate of service certifying that those creditors and parties-in-interest were served with the Notice of Case Commencement.

8. During the Interim Period, to the extent any party-in-interest needs to serve a pleading on the Master Mailing Matrix, the Diocese's counsel shall complete that service on behalf of the moving party, provided that the moving party provides the Diocese's counsel with sufficient time to complete such service and further provided that the moving party shall be responsible for any fees and costs associated with such service.

9. During the Interim Period, the Diocese shall provide copies of the sealed portions of any such pleadings, reports, or documents to the Office of the United States Trustee in accordance with 11 U.S.C. § 107(c)(3), as necessary and as requested by the Office of the United States Trustee.

10. The Diocese shall provide copies of the sealed portions of any such pleadings, reports, or documents to court-approved counsel for any committee appointed under 11 U.S.C. § 1102, but only after confidentiality procedures are agreed upon between the Diocese and such counsel, with the assistance, to the extent necessary, of the Office of the United States Trustee.

11. During the Interim Period, the Diocese's authorization to file the documents referenced in paragraph 3 of this Order under seal shall be carried out in accordance with all further directions from the Clerk of Court.

12. The Diocese is authorized to take all actions necessary to implement the provisions of this Order.



13. To the extent Fed. R. Bankr. P. 6004(h) applies, this Order is deemed effective and immediately enforceable upon its entry.

14. On or before October 11, 2024, the Debtor shall serve, by United States mail, first-class postage prepaid, notice of the entry of this Interim Order and of the Final Hearing (the “Final Hearing Notice”), together with copies of this Interim Order and the Motion, on: (a) the parties having been given notice of the Interim Hearing, (b) any party which has filed prior to such date a request for notices with this Court, and (c) the 20 largest unsecured creditors in this chapter 11 case or counsel for the official committee of unsecured creditors (the “Committee”), if one has been appointed. The Final Hearing Notice shall state that any party in interest objecting to the entry of the proposed Final Order shall file written objections with the Clerk of Court no later than November 19, 2024, which objections shall be served to be received on or before such date by: (a) proposed counsel to the Debtor, Fredrikson & Byron, P.A., Attn: James L. Ballie, Steven R. Kinsella, Samuel M. Andre, Katherine A. Nixon, 60 South Sixth Street, Suite 1500, Minneapolis, MN 55402-4400; proposed co-counsel to the Debtor, Obuchowski Law Office, Attn: Raymond J. Obuchowski, 1542 Route 107, PO Box 60, Bethel, VT 05032; (c) the Office of the United States Trustee, Attn: Lisa M. Penpraze, lisa.penpraze@usdoj.gov; and (d) counsel for the Committee, if one has been appointed.

15. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

October 7, 2024
Burlington, Vermont



Heather Z. Cooper
United States Bankruptcy Judge