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18 **IN THE DISTRICT COURT OF GUAM**
19 **TERRITORY OF GUAM**
20 **BANKRUPTCY DIVISION**

21 In re:

Chapter 11 Bankruptcy

Case No. 19-00010

22 ARCHBISHOP OF AGAÑA,
23 a Corporation Sole,

24 Debtor.

25 **NOTICE OF DEADLINE FOR FILING CLAIMS**
26 **RELATING TO OR ARISING FROM SEXUAL ABUSE**

27 **TO ALL PERSONS WITH CLAIMS ARISING FROM SEXUAL ABUSE FOR WHICH**
28 **THE ARCHBISHOP OF AGAÑA MAY BE LIABLE.**

AUGUST 15, 2019 AT 5:00 P.M. (PREVAILING CHST-CHAMORRO STANDARD
TIME) IS THE LAST DATE TO FILE PROOFS OF CLAIM FOR SEXUAL ABUSE

On January 16, 2019 (the "Petition Date") The Archbishop of Agaña ("Debtor") Debtor and Debtor-in-possession in the above-captioned case filed voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the District Court of Guam, Bankruptcy

1 Division (the "Court"). The Debtor, its address, case number, proof of claim forms and other
2 relevant information related to this Chapter 11 case may be obtained at: <https://aganaarch.org>
3 Individuals may assert a Sexual Abuse Claim (as defined in the next paragraph) against the
4 Debtor. Any person who believes that he or she has, or may have, a Sexual Abuse Claim should
carefully read this notice.

5 For the purposes of filing a Sexual Abuse Proof of Claim, a **Sexual Abuse Claim** is defined as
6 any Claim (as defined in section 101(5) of the Bankruptcy Code) against the Archbishop
7 resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual
8 conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape,
9 pedophilia, ephebophilia, or sexually-related physical, psychological, or emotional harm, or
10 contacts, or interactions of a sexual nature between a child and an adult, or a nonconsenting adult
11 and another adult, sexual assault, sexual battery, sexual psychological or emotional abuse,
humiliation, or intimidation, or any other sexual misconduct, and seeking monetary damages or
any other relief, under any theory of liability, including vicarious liability, any negligence-based
theory, contribution, indemnity, or any other theory based on any acts or failures to act by the
Archbishop or any other person or entity for whose acts or failures to act the Archbishop is or
was allegedly responsible.

12 Any individual asserting a Sexual Abuse Claim is referred to in this form as a **Sexual Abuse**
13 **Claimant**.

14 **A SEXUAL ABUSE CLAIMANT REPRESENTED BY COUNSEL SHOULD**
15 **CONSULT HIS OR HER OWN ATTORNEY IF THE SEXUAL ABUSE**
16 **CLAIMANT HAS ANY QUESTIONS, INCLUDING WHETHER SUCH SEXUAL**
17 **ABUSE CLAIMANT MUST FILE A PROOF OF CLAIM. A SEXUAL ABUSE**
18 **CLAIMANT MAY ALSO OBTAIN INFORMATION (BUT NOT LEGAL**
ADVICE) FROM THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS BY CALLING 1-800-484-3513.

19 **YOU MAY WANT TO CONSULT WITH AN ATTORNEY BEFORE FILING A**
20 **SEXUAL ABUSE PROOF OF CLAIM AGAINST THE DEBTOR.**

21 **FILING DEADLINE**

22 The District Court of Guam, Bankruptcy Division entered an order (the "Bar Date
23 Order") establishing **August 15, 2019 at 5:00 p.m. (prevailing ChST-Chamorro Standard**
24 **Time)**, as the last date and time (the "Sexual Abuse Bar Date") for each Sexual Abuse Claimant
25 to file a proof of claim form (the "Sexual Abuse Proof of Claim Form"). The Sexual Abuse Bar
26 Date and the procedures set forth below for filing proofs of claim apply to all Sexual Abuse
27 Claims against the Debtor, based upon acts of sexual abuse occurring prior to January 16, 2019.
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WHO MUST FILE

If you believe that you have a Sexual Abuse Claim, you must file a Sexual Abuse Proof of Claim Form to maintain and/or 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 January 16, 2019 you must still file a Sexual Abuse Proof of Claim Form to maintain and/or preserve your rights in the Debtor's Chapter 11 case.

WHO SHOULD NOT FILE

You should not file a Sexual Abuse Proof of Claim Form if:

- Your Sexual Abuse Claim has already been paid in full;
- You hold a claim that has been allowed by an order of the District Court, Bankruptcy Division, on or before the Sexual Abuse Bar Date;
- You do not have a claim against the Debtor.

WHAT TO FILE

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

PROCEDURES FOR FILING A SEXUAL ABUSE PROOF OF CLAIM FORM

To file a Sexual Abuse Proof of Claim Form, you must take the following steps:

- Fill out the Sexual Abuse Proof of Claim Form.
- For additional copies of the Sexual Abuse Proof of Claim Form: (a) photocopy the Sexual Abuse Proof of Claim Form; (b) contact the Debtor between the hours of 9:00 a.m. and 5:00 p.m. (prevailing ChST-Chamorro Standard Time), Monday through Friday, at 1-800-571-0657, or (c) visit the Debtor's website at: <https://aganaarch.org>.
- **Please note that the Debtor's staff is not permitted to give you legal advice. You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the completion or filing of a proof of claim.**
- Return the completed Sexual Abuse Proof of Claim Form, together with one (1) copy, to the Clerk's Office-ATTN SEALED DOCUMENTS, District Court of Guam, U.S. Courthouse, 520 W Soledad Avenue, 4th Floor, Hagåtña, 96910, Guam, no later than **August 15, 2019 at 5:00 p.m. (prevailing ChST-Chamorro Standard Time)**. Sexual Abuse Proof of Claim Forms will be deemed timely filed only when they are **actually received** by the Clerk of the Court by **August 15, 2019 at 5:00 p.m. (prevailing ChST-Chamorro Standard Time)**.

- Please note that a Sexual Abuse Proof of Claim Form submitted by facsimile, telecopy or electronic mail transmission will not be accepted and may not be deemed filed. If you are returning a Sexual Abuse Proof of Claim Form by mail, allow sufficient mailing time so that the Sexual Abuse Proof of Claim Form is received on or before **August 15, 2019 at 5:00 p.m. (prevailing ChST-Chamorro Standard Time)**. Sexual Abuse Proof of Claim Forms that are postmarked before the Sexual Abuse Bar Date, but which are received by the Clerk of the Court after the Sexual Abuse Bar Date, will be considered late.
- If a Sexual Abuse Claimant returns a Sexual Abuse Proof of Claim Form in person, by overnight mail or by courier service, or by mail the Sexual Abuse Proof of Claim Form should be delivered to the following address, between the hours of 9:00 a.m. and 5:00 p.m. (prevailing ChST-Chamorro Standard Time), Monday through Friday:

Clerk's Office - ATTN SEALED DOCUMENTS
District Court of Guam
U.S. Courthouse
520 W Soledad Avenue, 4th Floor
Hagåtña, 96910, Guam

CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM

The deadline for filing a Sexual Abuse Proof of Claim Form is **August 15, 2019 at 5:00 p.m. (prevailing ChST-Chamorro Standard Time)**. Any person who has a Sexual Abuse Claim and does not file a Sexual Abuse Claim by that date may **not** be treated as a creditor for voting or distribution purposes under any plan of reorganization and such claim may be subject to discharge. Failure to file a Sexual Abuse Claim may prevent such person from voting on any plan of reorganization in this case. Further, if such Sexual Abuse Claim is discharged, the Sexual Abuse Claimant may be forever barred and prevented from asserting his or her Sexual Abuse Claim against the Debtor or its property, and may not receive any payment or distribution in connection with such Sexual Abuse Claim.

CONFIDENTIALITY

Pursuant to the Bar Date Order, filed Sexual Abuse Proofs of Claim Forms will remain confidential in this bankruptcy case, unless you elect otherwise in Part 1 of the Sexual Abuse Proof of Claim Form. Therefore, the Sexual Abuse Proof of 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 Debtor's attorneys, the United States Trustee's Office, the Debtor's insurers, attorneys for the official committee of unsecured creditors and its members, any unknown claims representative appointed under a plan of reorganization, any settlement trustee appointed to administer payments to Sexual Abuse Claimants, prison authorities for 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.

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Dated: May 1, 2019

BY ORDER OF THE HONORABLE FRANCES M. TYDINGCO-GATEWOOD
UNITED STATES BANKRUPTCY JUDGE

