

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Chapter 11

THE DIOCESE OF ST. CLOUD, a Minnesota religious corporation,

Case No. 20-60337

Debtor.

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**NOTICE OF (I) APPROVAL OF THE FIRST AMENDED DISCLOSURE STATEMENT;  
(II) ESTABLISHMENT OF PROCEDURES FOR SOLICITATION AND TABULATION  
OF VOTES TO ACCEPT OR REJECT FIRST AMENDED JOINT PLAN OF  
REORGANIZATION; (III) APPROVAL OF FORM OF BALLOTS; (IV) OBJECTION  
DEADLINE FOR FIRST AMENDED JOINT PLAN OF REORGANIZATION; AND (V)  
CONFIRMATION HEARING**

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**PLEASE TAKE NOTICE THAT:**

1. On October 23, 2020, The Diocese of St. Cloud (“**Debtor**”), the Debtor and debtor in possession in the above-captioned Chapter 11 case (the “**Reorganization Case**”), filed the *First Amended Joint Plan of Reorganization* [Dkt. No. 108] (the “**Plan**”) and a *First Amended Disclosure Statement to Accompany First Amended Joint Plan of Reorganization* [Dkt. No. 109] (as such disclosure statement may be amended, the “**Disclosure Statement**”), pursuant to Section 1125 of Title 11 of the United States Code (the “**Bankruptcy Code**”).

2. After a hearing (the “**Disclosure Statement Hearing**”) held on October 22, 2020, the Court entered an order approving the Disclosure Statement and the Debtor’s solicitation procedures (the “**Disclosure Statement Order**”), in accordance with which you are receiving a copy of the Disclosure Statement and the Plan and certain other materials relating to the solicitation of votes to accept or reject the Plan.

3. A telephonic hearing (the “**Confirmation Hearing**”) to consider confirmation of the Plan and related matters will be held at **11:00 a.m. on December 3, 2020** before the Honorable Robert J. Kressel, United States Bankruptcy Judge, parties interested in attending should contact Judge Kressel’s calendar clerk at (612) 664-5250 for the call-in information. The Confirmation Hearing may be adjourned from time to time without further notice other than announcement made at the Confirmation Hearing or any adjourned hearing, and the Plan may be modified, if necessary, pursuant to Bankruptcy Code § 1127 prior to, during or as a result of the Confirmation Hearing, without further notice to interested parties.

4. If you hold a Claim<sup>1</sup> against the Debtor and are entitled to vote to accept or reject the Plan, you have received with this Notice a Ballot and voting instructions appropriate for your Claim. For your vote to accept or reject the Plan to be counted, you must complete all required information on the Ballot, execute the Ballot as noted in the Ballot, and return the completed Ballot to the Clerk of Court so that it is received no later than 5:00 p.m. (Prevailing Central Time) on **November 25, 2020**. Any failure to follow the voting instructions included with the Ballot may disqualify your Ballot and your vote. The Debtor must file a Ballot Report with the Court no later than **December 2, 2020**.

5. Holders of (i) unimpaired Claims and (ii) Claims and Interests who will receive no distribution from the Debtor under the Plan are not entitled to vote on the Plan. In addition, unless otherwise set forth in an objection to a Claim, Claims that are the subject of an objection are not entitled to vote on the Plan and, therefore, did not receive a Ballot. If you disagree with the classification of, or objection to, your Claim and believe that you should be entitled to vote on the Plan, then you must (i) have timely filed a proof of claim by the applicable deadline and (ii) serve on the Debtor and file with the Court a motion for an order pursuant to Bankruptcy Rule 3018(a) (a “**Rule 3018(a) Motion**”) temporarily allowing such Claim in a different amount or in a different Class for purposes of voting to accept or reject the Plan. In accordance with Bankruptcy Rule 3018, as to any creditor filing a Rule 3018(a) Motion, such creditor’s Ballot will not be counted unless temporarily allowed by the Court for voting purposes, after notice and a hearing. Creditors may contact the Debtor to receive a Ballot for any Claim for which a Proof of Claim and a Rule 3018(a) Motion have been timely filed. Rule 3018(a) Motions that are not timely filed and served will not be considered.

6. The funds contributed by the Debtor will be paid to the Trust under the Plan. The Plan also provides that all Tort Claims against the Debtor and the Protected Parties will be channeled to the Trust, meaning that the Trust will be the sole and exclusive source of payment for any such Claims against the Debtor and Protected Parties. As part of the Plan, the Debtor will seek a finding that **the Debtor and Protected Parties are entitled to the benefit of entry of an Order permanently enjoining and barring all Claims by any Person or Entity against them, and releasing the Debtor and Protected Parties from any further liability relating to Tort Claims (as specifically defined in the Plan, which includes Claims related to sexual abuse) as part of the Plan. The Class 10 Ballots contain a consent to such releases and injunctions. The Class 10 Ballots also contain a consent to have Claims determined pursuant to the Tort Claims Allocation Protocol by the Abuse Claims Reviewer.**

7. Objections, if any, to confirmation of the Plan must (i) be in writing, (ii) state the name and address of the objecting party and the nature of the Claim or Interest of such party, (iii) state with particularity the basis and nature of each objection to confirmation of the Plan, and (iv) be filed, together with proof of service, with the Court and served so that they are received no later than **5:00 p.m. (Prevailing Central Time) on November 25, 2020**, by (a) attorneys for the Debtor, Quarles & Brady LLP, Renaissance One, Two North Central Avenue, Phoenix, Arizona 85004, Attn: Michael Galen, telephone: (602) 229-5255, e-mail:

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Plan.

[Michael.Galen@quarles.com](mailto:Michael.Galen@quarles.com); (b) attorneys for the Committee, Stinson LLP, 50 South Sixth Street, Suite 2600, Minneapolis, Minnesota 55402, Attn: Robert T. Kugler; and (c) the U.S. Trustee's Office, 1015 U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55415. Objections not timely filed and served in the manner set forth above will not be considered and will be overruled.

8. Any holder of a Claim that (i) is scheduled in the Debtor's Schedules at zero dollars (\$0.00) or in an unknown amount or as disputed, contingent, or unliquidated, and is not the subject of a timely filed Proof of Claim or a Proof of Claim deemed timely filed with the Court pursuant to either the Bankruptcy Code or any order of the Court or otherwise deemed timely filed under applicable law or (ii) is not scheduled and is not the subject of a timely filed Proof of Claim or a Proof of Claim deemed timely filed with the Court pursuant to either the Bankruptcy Code or any order of the Court or otherwise deemed timely filed under applicable law, will not be treated as a creditor with respect to such Claim for purposes of (a) receiving notices regarding, or distributions under, the Plan or (b) voting on the Plan.

9. Any party in interest wishing to obtain (i) information about the solicitation procedures or (ii) copies of the Disclosure Statement or the Plan should contact counsel for the debtor or the Committee, or access the Debtor's website at <http://stcdio.org/documents/>.

DATED: October 26, 2020

/s/ Lori Vosejka  
Clerk, United States Bankruptcy Court