

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

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In re: :  
: : Chapter 11  
CATHOLIC DIOCESE OF WILMINGTON, INC., :  
a Delaware Corporation,<sup>1</sup> : Case No. 09-13560 (CSS)  
: :  
Debtor. :  
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**NOTICE OF BAR DATES FOR FILING OF NON-TORT PROOFS OF CLAIM**

TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE CATHOLIC DIOCESE OF WILMINGTON, INC.:

PLEASE TAKE NOTICE that on October 18, 2009 (the "Petition Date") the debtor and debtor in possession in the above-captioned case (the "Debtor") filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"). The Debtor, its address, case number, proof of claim forms and other relevant information related to this chapter 11 case may be obtained at: [www.cdowreorganization.com](http://www.cdowreorganization.com).

PLEASE TAKE FURTHER NOTICE that on February 1, 2010, the United States Bankruptcy Court for the District of Delaware (the "Court") entered an order (the "Bar Date Order") establishing certain claims bar dates in the Debtor's chapter 11 case. By the Bar Date Order, the Court established **April 15, 2010 at 4:00 p.m.** (prevailing Eastern Time), as the date by which non-tort claims must be filed (the "Non-Tort Bar Date"). Except as described below, the Bar Date Order requires all Entities, other than Governmental Units, that have or assert any prepetition Claims against the Debtor to file proofs of claim with The Garden City Group, Inc., the Court-appointed claims, noticing and balloting agent in this case (the "Claims Agent"), so that their proofs of claim are received by with the Claims Agent on or before 4:00 p.m. (prevailing Eastern Time) on the applicable bar date set forth herein. Please note that the terms "Entity," "Governmental Unit" and "Claim" are defined below.

PLEASE TAKE FURTHER NOTICE that for your convenience, enclosed with this notice (the "Non-Tort Bar Date Notice") is a proof of claim form (the "Non-Tort Proof of Claim Form"), which identifies on its face the amount, nature and classification of your Claim(s), if any, listed in the Debtor's schedules of assets and liabilities and statements of financial affairs filed in this case (collectively, the "Schedules"). If this notice does not include a proof of claim form, a proof of claim form may be obtained from the Claims Agent at [www.cdowreorganization.com](http://www.cdowreorganization.com).

**KEY DEFINITIONS**

- As used in this Notice, the term "Entity" has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons (individuals, partnerships and corporations), estates, trusts, Governmental Units and the United States Trustee.
- As used in this Notice, the term "Governmental Unit" has the meaning given to it in section 101(27) of the Bankruptcy Code and includes the United States; states; commonwealths;

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<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 5439. The Debtor's mailing address is 1925 Delaware Avenue, P.O. Box 2030, Wilmington, Delaware 19899-2030.

districts; territories; municipalities; foreign states; or departments, agencies or instrumentalities of the foregoing.

- As used in this Notice, the term “Claim” shall mean, as to or against the Debtor and in accordance with section 101(5) of the Bankruptcy Code: (i) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (ii) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

**A CLAIMANT SHOULD CONSULT AN ATTORNEY IF THE CLAIMANT HAS ANY QUESTIONS, INCLUDING WHETHER SUCH CLAIMANT MUST FILE A PROOF OF CLAIM. A CLAIMANT MAY ALSO OBTAIN INFORMATION FROM THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS BY CALLING (888) 570-6269.**

## **I. WHO MUST FILE A PROOF OF CLAIM AND THE APPLICABLE BAR DATES**

- A. ***The Bar Dates:*** The Bar Date Order establishes the following applicable bar dates for filing proofs of claim in this case:
1. **The General Bar Date.** Except as set forth below, pursuant to the Bar Date Order, all Entities holding Claims, including Claims filed under section 503(b)(9) of the Bankruptcy Code, against the Debtor (whether secured, unsecured priority, or unsecured nonpriority) that arose prior to or on October 18, 2009, are required to file proofs of claim by the General Bar Date – **April 15, 2010 at 4:00 p.m. (prevailing Eastern Time).**
  2. **The Government Bar Date.** In accordance with section 502(b)(9) of the Bankruptcy Code, all Governmental Units holding Claims against the Debtor (whether secured, unsecured priority or unsecured nonpriority) that arose prior to or on October 18, 2009, are required to file proofs of claim **on or before 4:00 p.m., prevailing Eastern Time, on April 15, 2010<sup>2</sup>** (the “Government Bar Date”).
  3. **The Rejection Bar Date.** Any Entity whose Claim arises out of the Court-approved rejection of an executory contract or unexpired lease, in accordance with section 365 of the Bankruptcy Code and pursuant to an order entered prior to the confirmation of a chapter 11 plan in the Debtor’s chapter 11 case, must file a proof of claim on or before the later of: (i) the General Bar Date; (ii) 4:00 p.m. (prevailing Eastern Time) on the date that is thirty (30) days after entry of an order approving the rejection of an executory contract or unexpired lease pursuant to which the entity asserting the Rejection Damages Claim is a party. The later of these dates is referred to in this Notice as the “Rejection Bar Date.”

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<sup>2</sup> Section 502(b)(9) of the Bankruptcy Code provides, in relevant part, that “a claim of a governmental unit shall be timely filed if it is filed before 180 days after the date of the order for relief or such later time as the [Bankruptcy Rules] may provide. . . .”

**B. Entities That MUST File Proofs of Claims by the General Bar Date or the Government Bar Date:** Subject to the terms described above for holders of Claims subject to the Rejection Bar Date and except as set forth in paragraph C below, the following Entities must file proofs of claim on or before the General Bar Date or, with respect to Claims of Governmental Units, on or before the Government Bar Date:

1. any entity or person whose Claim against the Debtor is not listed in the Debtor's Schedules or whose Claim is listed in the Schedules as disputed, contingent or unliquidated and that desires to participate in this chapter 11 case or share in any distribution in this chapter 11 case; and
2. any entity or person that believes that its Claim is improperly classified in the Schedules or is listed in an incorrect amount and that desires to have its Claim allowed in a classification or amount other than that identified in the Schedules.

**PLEASE NOTE THAT INDIVIDUALS ASSERTING CLAIMS ARISING FROM ABUSE FOR WHICH SUCH INDIVIDUALS BELIEVE THE CATHOLIC DIOCESE OF WILMINGTON, INC. MAY BE LIABLE ARE INSTRUCTED TO FILE A TORT PROOF OF CLAIM FORM, CONSISTENT WITH THE BAR DATE ORDER AND THE TORT CLAIM BAR DATE NOTICE. CLAIMANTS MAY OBTAIN COPIES OF THESE FORMS FROM THE CLAIMS AGENT, AT THE ADDRESSES SET FORTH HEREIN.**

**C. Entities NOT Required to File Proofs of Claim by the General Bar Date:** The Bar Date Order further provides that the following Entities need not file proofs of claim by the General Bar Date, the Government Bar Date or the Rejection Bar Date, as applicable:

1. any entity or person that has already properly filed a proof of claim against the Debtor with either the Claims Agent or the Clerk of the Court for the United States Bankruptcy Court for the District of Delaware;
2. any entity or person: (i) whose Claim is listed in the Schedules or any amendments thereto, and (ii) whose Claim is not described therein as "disputed," "contingent," or "unliquidated," and (iii) who does not dispute the amount or classification of its Claim as set forth in the Schedules;
3. professionals retained by the Debtor or the Committee pursuant to orders of this Court, including GCG, who assert administrative claims for payment of fees and expenses subject to the Court's approval pursuant to sections 330, 331(a) and 503(b) of the Bankruptcy Code;
4. any entity or person that asserts an administrative expense claim against the Debtor pursuant to sections 503(b)(1) through (8) of the Bankruptcy Code;
5. any entity or person or entity whose Claim against the Debtor has been allowed by an order of the Court entered on or before the applicable Bar Date; and
6. any entity or person or entity whose Claim has been paid in full.

## **II. CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM**

Any Entity that is required to file a proof of claim, but fails to do so by the applicable Bar Date described in this Non-Tort Bar Date Notice: (i) may NOT be treated as a creditor with respect to such Claim for the purposes of voting on and distribution under any chapter 11 plan proposed and/or confirmed in this case; and (ii) may be forever barred, estopped, and enjoined from asserting such Claim against the Debtor (or filing a proof of claim with respect thereto), and the Debtor and its property may be forever discharged from any and all indebtedness or liability with respect to such Claim.

If it is unclear from the Schedules whether your Claim is disputed, contingent or unliquidated as to amount or is otherwise properly listed and classified, you must file a proof of claim on or before the applicable Bar Date. Any Entity that relies on the information in the Schedules bears responsibility for determining that its Claim is accurately listed therein. Moreover, Entities who receive individualized proof of claim forms with this Non-Tort Bar Date Notice as part of the Non-Tort Bar Date Notice Package should verify the accuracy of the amount listed, if any, on such proof of claim form with the amount listed on the Schedules. Any Entity that relies on the amount listed on its individualized proof of claim form bears responsibility for determining that its Claim is accurately listed therein.

### **RESERVATION OF RIGHTS**

The Debtor reserves the right to: (i) dispute, or to assert offsets or defenses against, any filed Claim or any Claim listed or reflected in the Schedules as to nature, amount, liability, classification or otherwise; and (ii) subsequently designate any Claim as disputed, contingent or unliquidated. Nothing contained in this Notice shall preclude the Debtor from objecting to any Claim, whether scheduled or filed, on any grounds.

### **PROCEDURE FOR FILING PROOFS OF CLAIM**

1. One original proof of claim and one copy must be sent by mail to The Garden City Group, Inc., Attn: CDOW Bankruptcy Administration, P.O. Box 9561, Dublin, Ohio 43017-4861, or by overnight delivery, courier or hand delivery, to CDOW Bankruptcy Administration, c/o The Garden City Group, Inc., 5151 Blazer Parkway, Suite A, Dublin, Ohio 43017, so as to be received no later than 4:00 p.m. (prevailing Eastern Time) on the applicable Bar Date. ***Any proof of claim submitted by facsimile or e-mail will not be accepted and will not be deemed filed until the proof of claim is submitted by the method described in the foregoing sentence.*** Proofs of claim will be deemed filed only when actually received by the Claims Agent. If you wish to receive acknowledgement of the Claims Agent's receipt of your proof of claim, you must also submit by the applicable Bar Date and concurrently with submitting your original proof of claim: (i) one additional copy of your original proof of claim; and (ii) a self-addressed, stamped return envelope.
2. Proofs of claim must include all documentation required by Bankruptcy Rules 3001(c) and 3001(d), including an original or a copy of any written document that forms the basis of the Claim or, for secured Claims, evidence that the alleged security interest has been perfected. However, upon the advance express written consent of the Debtor, a claimant's proof of claim may be filed without the documents required by Bankruptcy Rules 3001(c) and 3001(d); provided, however, that any claimant that receives such a written consent will be required to transmit these documents in support of its Claim to the Claims Agent the Debtor or other parties in interest within ten (10) days after the date of a written request for such documents.

### ADDITIONAL INFORMATION

3. You may be listed as the holder of a Claim against the Debtor in the Schedules. If you hold or assert a Claim that is not listed in the Schedules or if you disagree with the amount or priority of your Claim as listed in the Schedules, or your Claim is listed in the Schedules as contingent, unliquidated, or disputed, you **must** file a proof of claim. Copies of the Schedules and the Bar Date Order are available for inspection during regular business hours at the office of the Clerk of the Court, United States Bankruptcy Court for the District of Delaware, 5<sup>th</sup> Floor, 824 Market Street, Wilmington, Delaware 19801. In addition, copies of the Debtor's Schedules and Bar Date Order may be obtained for a charge through Delaware Document Retrieval, 2 East 7<sup>th</sup> Street, 2<sup>nd</sup> Floor, Wilmington, Delaware 19801, or viewed on the Internet at: (i) the Court's website (<http://www.deb.uscourts.gov>) by following the directions for accessing the ECF system on such website; or (ii) the Claims Agent's Debtor-designated website at (<http://www.cdowreorganization.com>).
4. Questions concerning the contents of this Notice and requests for proofs of claim should be directed the Debtor's Claims Agent at (800) 761-6220 between the hours of 9:00 a.m. and 5:00 p.m. (prevailing Eastern Time), Monday through Friday. **Please note that the Claims Agent's staff is not permitted to give 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.**

Dated: February 1, 2010  
Wilmington, Delaware

BY ORDER OF THE HONORABLE CHRISTOPHER S. SONTCHI  
UNITED STATES BANKRUPTCY JUDGE

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