

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
 )  
CATHOLIC DIOCESE OF WILMINGTON, INC., ) Case No. 09-13560  
a Delaware Corporation, )  
 ) **Re Docket No. 534**  
Debtor. )  
 )

**OFFICIAL COMMITTEE OF UNSECURED CREDITORS' MOTION TO SHORTEN  
TIME FOR HEARING ON THE EMERGENCY MOTION OF THE OFFICIAL  
COMMITTEE OF UNSECURED CREDITORS TO HOLD CATHOLIC DIOCESE  
OF WILMINGTON, INC. AND OTHER PARTIES IN CIVIL CONTEMPT  
FOR VIOLATION OF THE AUTOMATIC STAY AND MEDIATION ORDER**

The Official Committee of Unsecured Creditors (the “Committee”) in the above-captioned case, by and through its counsel, hereby submits this motion to shorten time (the “Motion to Shorten”) for the entry of an Order pursuant to Del. Bankr. LR 9006-1(e), substantially in the form of the proposed order attached hereto, shortening the notice period and objection deadline for the *Motion of the Official Committee of Unsecured Creditors to Hold Catholic Diocese of Wilmington, Inc. and Other Parties in Civil Contempt for Violation of the Automatic Stay and Medication Order* [Docket No. 534] (the “Motion for Contempt”), filed on June 15, 2010, such that (i) an expedited hearing with respect to the Motion for Contempt may be held at the Court’s earliest convenience, and (ii) fixing the deadline for filing objections or responses to the Motion for Contempt, if any, at 12:00 noon prevailing Eastern time the day before the date set for hearing on the Motion for Contempt.<sup>1</sup>

In support of this Motion to Shorten, the Committee respectfully states as follows:

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<sup>1</sup> Unless otherwise defined herein, capitalized terms have the meanings ascribed to them in the Motion for Contempt.

1. Del. Bankr. LR 9006-1(c) provides that unless the Federal Rules of Bankruptcy Procedure or the Local Rules state otherwise, “all motion papers shall be filed and served in accordance with Local Rule 2002-1(b) at least fourteen (14) days (and an additional three (3) days if service is by mail) prior to the hearing date.” Del. Bankr. LR 9006-1(c). Del. Bankr. LR 9006-1(e) provides in pertinent part that “[n]o motion will be scheduled on less notice than required by these Local Rules or the Fed. R. Bankr. P. except by Order of the Court, on written motion . . . specifying the exigencies justifying shortened notice.” Del. Bankr. LR 9006-1(e).

2. Sufficient exigencies justify shortened notice on the Motion for Contempt. As set forth in detail in the Motion for Contempt, in violation of the automatic stay and the Mediation Order, the Debtor is trying to be heard before the Delaware Supreme Court on an issue that, by the Debtor’s own admission, will affect the 148 sex abuse claims that are currently pending in this case.

3. It is imperative that the Motion for Contempt be heard by the Court as soon as possible in order to prevent the Debtor from effecting this end run around this Court’s authority.

4. Judge Gross wrote that a stay of litigation in this case was necessary in order to avoid the “‘competitiveness’ of litigation” and prevent litigation from “harden[ing] parties” positions. *See* Mediation Order at 2, Exhibit 1 to the Motion for Contempt. The Contempt Parties are engaged right now in the very “competitiveness of litigation” that Judge Gross and this Court intended to avoid. Further, if the Delaware Supreme Court allows the Contempt Parties to be heard, their position with respect to the timeliness of the 148 sex abuse

claims will undoubtedly “harden” and the chances of a successful mediation will undoubtedly be undermined. This is exactly the kind of irreparable harm that justifies immediate redress by the Court. Accordingly, the Committee requests expedited consideration of the Motion for Contempt.

WHEREFORE, the Committee respectfully requests the entry of an Order scheduling an expedited hearing on the Motion for Contempt, setting the deadline to oppose the Motion for Contempt to be noon, Eastern prevailing time, one day before the date set for hearing, and granting such other and further relief as the Court deems appropriate and just.

Dated: June 17, 2010

PACHULSKI STANG ZIEHL & JONES LLP

A handwritten signature in black ink, appearing to read "Curtis A. Hehn", is written over a horizontal line.

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
CATHOLIC DIOCESE OF WILMINGTON, INC., ) Case No. 09-13560  
a Delaware Corporation, )  
Debtor. ) **Re: Docket No. 534**  
)

**ORDER GRANTING OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS' MOTION TO SHORTEN TIME FOR EXPEDITED  
CONSIDERATION OF THE EMERGENCY MOTION OF THE OFFICIAL  
COMMITTEE OF UNSECURED CREDITORS TO HOLD CATHOLIC DIOCESE  
OF WILMINGTON, INC. AND OTHER PARTIES IN CIVIL CONTEMPT  
FOR VIOLATION OF THE AUTOMATIC STAY AND MEDIATION ORDER**

Upon consideration of the *Official Committee of Unsecured Creditors' Motion to Shorten Time for Expedited Consideration of the Emergency Motion of the Official Committee of Unsecured Creditors to Hold Catholic Diocese of Wilmington, Inc. and Other Parties in Civil Contempt for Violation of the Automatic Stay and Mediation Order* (the "Motion to Shorten")<sup>1</sup> it is hereby

ORDERED that the Motion to Shorten is GRANTED; and it is further

ORDERED that the Motion for Contempt shall be heard on June \_\_\_\_, 2010 at \_\_: \_\_.m. Eastern Time in Courtroom No. 6, 824 Market Street, 5<sup>th</sup> Floor, Wilmington, Delaware; and it is further

ORDERED that any and all objections or responses to the Motion for Contempt

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<sup>1</sup> Unless otherwise defined herein, capitalized terms have the meanings ascribed to them in the Motion to Shorten and/or the Motion for Contempt.

shall be filed with the Court and served so as to be received by counsel to the Debtor and the Committee by no later than \_\_\_:\_\_\_ .m. on June \_\_\_, 2010; and it is further

ORDERED that counsel for the Committee shall provide notice of this Order and its deadlines by email, hand delivery, and/or overnight delivery on all interested parties, including the Contempt Parties (as defined in the Motion for Contempt) and the U.S. Trustee.

June \_\_\_, 2010

\_\_\_\_\_  
Christopher S. Sontchi  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT

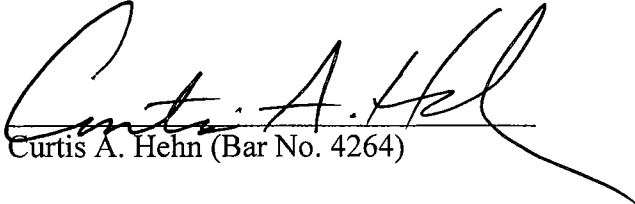
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
CATHOLIC DIOCESE OF WILMINGTON, )  
INC., a Delaware corporation ) Case No. 09-13560 (CSS)  
)  
Debtor, )  
)  
)

**CERTIFICATE OF SERVICE**

I, Curtis A. Hehn, hereby certify that on the 17<sup>th</sup> of June, 2010, I caused a copy of the following document(s) to be served on the individuals on the attached service list(s) in the manner indicated:

1. **OFFICIAL COMMITTEE OF UNSECURED CREDITORS' MOTION TO SHORTEN TIME FOR HEARING ON THE EMERGENCY MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO HOLD CATHOLIC DIOCESE OF WILMINGTON, INC. AND OTHER PARTIES IN CIVIL CONTEMPT FOR VIOLATION OF THE AUTOMATIC STAY AND MEDIATION ORDER**
2. **PROPOSED FORM OF ORDER GRANTING OFFICIAL COMMITTEE OF UNSECURED CREDITORS' MOTION TO SHORTEN TIME FOR HEARING ON THE EMERGENCY MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO HOLD CATHOLIC DIOCESE OF WILMINGTON, INC. AND OTHER PARTIES IN CIVIL CONTEMPT FOR VIOLATION OF THE AUTOMATIC STAY AND MEDIATION ORDER**

  
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