

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

In re:)	
)	Chapter 11
CATHOLIC DIOCESE OF WILMINGTON, INC., a Delaware Corporation, ¹)	Case No. 09-13560 (CSS)
Debtor.)	Re: Docket Nos.: 308 & <u>558</u>
)	
)	

**ORDER GRANTING CERTAIN NON-DEBTOR/NON-COMMITTEE
PARTIES TO MEDIATION ACCESS TO CERTAIN CONFIDENTIAL
TORT PROOFS OF CLAIM AND TORT CLAIMANT QUESTIONNAIRES**

Upon consideration of the certification of counsel (the "Certification of Counsel"),² dated June 25, 2010 and submitted by the above-captioned debtor and debtor in possession (the "Debtor"), requesting entry of an order permitting certain non-debtor, non-committee participants in the Mediation access to the Tort Proofs of Claim and Tort Claimant Questionnaires that relate to, arise from, or were filed on account of, the relevant state court proceedings in which they or their insureds are defendants (the "Defendant-Specific Tort Claims" and the "Defendant-Specific Questionnaires," respectively); and it appearing that allowing the Non-Debtor/Non-Committee Mediation Parties, their counsel and insurers access to the Defendant-Specific Tort Claims and Defendant-Specific Questionnaires will help facilitate the successful mediation of the key issues in this case; and it appearing that the relief requested in the Certification of Counsel is in the best interests of the Debtor and its estate and creditors; and after due deliberation and sufficient cause appearing therefor, it is hereby:

¹ 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.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Certification of Counsel.

ORDERED, ADJUDGED, AND DECREED that:

1. Pursuant to and in accordance with paragraph 15 of the Bar Date Order, the Non-Debtor/Non-Committee Mediation Parties, their counsel and insurers are permitted to review the Tort Proofs of Claim that relate specifically to the relevant state court proceedings in which the Non-Debtor/Non-Committee Mediation Parties or their insureds are defendants; provided, however, that prior to the receipt of any Defendant-Specific Tort Claim, such Non-Debtor/Non-Committee Mediation Party or their counsel shall have executed confidentiality stipulation substantially in the form attached hereto as Exhibit A (the “Confidentiality Stipulation”), and delivered same to counsel for the Debtor and the Committee.

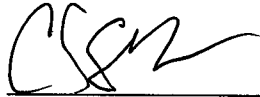
2. The Non-Debtor/Non-Committee Mediation Parties, their counsel and insurers are permitted to review the Tort Claimant Questionnaires that relate specifically to the relevant state court proceedings in which the Non-Debtor/Non-Committee Mediation Parties or their insureds are defendants; provided, however, that prior to the receipt of any Defendant-Specific Questionnaire, such Non-Debtor/Non-Committee Mediation Party or their counsel shall have executed a Confidentiality Stipulation and delivered same to counsel for the Debtor and the Committee.

3. Consistent with paragraph 15 of the Bar Date Order, any further or additional access to the Tort Proofs of Claim shall be subject to a separate order of this Court.

4. Nothing contained herein shall be construed to derogate or otherwise render ineffective the confidentiality provisions of the Bar Date Order with respect to any Tort Proofs of Claim.

5. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: 6/28, 2010
Wilmington, Delaware



THE HONORABLE CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

Confidentiality Stipulation

**IN THE UNITED STATES BANKRUPTCY COURT
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In re:)	
)	Chapter 11
CATHOLIC DIOCESE OF WILMINGTON, INC., a Delaware Corporation, ¹)	Case No. 09-13560 (CSS)
)	
Debtor.)	
)	

CONFIDENTIALITY STIPULATION

On October 19, 2009, (the “Petition Date”), Catholic Diocese of Wilmington, Inc. (the “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1330 (the “Bankruptcy Code”), Case No. 09-11638 (CSS) (the “Chapter 11 Case”). The Chapter 11 Case is pending before the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). Subject to the terms and conditions of this stipulation (this “Confidentiality Stipulation”), the Debtor desires to furnish the undersigned non-debtor/non-committee mediation participant, its counsel and insurers with the Tort Proofs of Claim and Tort Claimant Questionnaires that relate to, arise from, or were filed on account of, the relevant state court proceedings in which such Non-Debtor/Non-Committee Mediation Party or its insured is a defendant, subject to the terms and conditions set forth herein and in the *Order Granting Certain Non-Debtor/Non-Committee Parties to Mediation Access to Certain Confidential Tort Proofs of Claim and Tort Claimant Questionnaires*, dated June [], 2010 [Docket No. __] (the “Access Order”).

¹ 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.

For purposes of this Confidentiality Stipulation, in addition to the defined terms set forth above, the following terms shall have the following indicating meanings:

- A. “Bar Date” shall mean April 15, 2010.
- B. “Bar Date Order” shall mean the Bankruptcy Court’s *Order Pursuant to Bankruptcy Rule 3003(c)(3) and Local Rule 2002-1(e) Establishing Deadlines for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof*, dated February 1, 2010 [Docket No. 308].
- C. “Chapter 11 Case” shall mean the above-caption chapter 11 case.
- D. “Committee” shall mean the official committee of unsecured creditors appointed in this Chapter 11 Case.
- E. “Defendant-Specific Questionnaires” shall mean those Tort Claimant Questionnaires that relate to, arise from, or were filed on account of, the relevant state court action in which the undersigned Non-Debtor/Non-Committee Mediation Party or its insureds is a defendant.
- F. “Defendant-Specific Tort Claims” shall mean those Tort Proofs of Claim that relate to, arise from, or were filed on account of, the relevant state court action in which the undersigned Non-Debtor/Non-Committee Mediation Party or its insureds are a defendant.
- G. “Mediation” shall mean the mediation ordered by the Bankruptcy Court with respect to this Chapter 11 Case.
- H. “Mediation Parties” shall mean the Debtor, the Committee and the Non-Defendant/Non-Committee Mediation Parties.
- I. “Non-Debtor/Non-Committee Mediation Party” shall mean the undersigned party.

J. “Tort Proofs of Claim” shall mean those proofs of claim filed by individuals in connection with claims arising from sexual abuse.

For purposes of this Confidentiality Stipulation, the undersigned agrees to the following terms and conditions:

1. The undersigned shall maintain any and all Tort Proofs of Claim that it, its counsel or insurers receive as confidential consistent with the applicable provisions of the Bar Date Order and the Access Order pending further Order of the Bankruptcy Court.

2. The undersigned shall maintain any and all Tort Claimant Questionnaires that it, its counsel or insurers receive as confidential consistent with the applicable provisions of the Bar Date Order and the Access Order pending further Order of the Bankruptcy Court.

3. The undersigned acknowledges that it is aware that the failure of the undersigned or its counsel to comply with the terms of this Confidentiality Stipulation and the Access Order may constitute contempt of Bankruptcy Court and subject the undersigned and/or its counsel to sanctions imposed by the Bankruptcy Court.

4. The undersigned submits to the jurisdiction of the Bankruptcy Court for the purpose of securing compliance with the terms of this Confidentiality Stipulation and the Access Order.

Please indicate your acceptance of this Confidentiality Stipulation by signing below and returning this Confidentiality Stipulation to counsel for the Debtor and counsel for the Committee.

AGREED AND ACKNOWLEDGED:

By: _____

Title: _____

Party: _____

Applicable State Court Actions: _____
