

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole, Debtor.	Chapter 11 Case No. 13-13676-t11 Jointly Administered with:
Jointly Administered with: BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole. This pleading applies to: <input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.	Case No. 13-13677-t11

**MOTION FOR AN ORDER (A) APPROVING THE DISCLOSURE STATEMENT;
(B) ESTABLISHING PROCEDURES FOR SOLICITATION AND TABULATION OF
VOTES TO ACCEPT OR REJECT PLAN; (C) APPROVING THE FORM OF BALLOTS
AND THE INCLUSION OF THE RELEASES AND CERTIFICATIONS THEREIN; AND
(D) APPROVING THE FORM AND MANNER OF NOTICE REGARDING THE
INSURANCE SETTLEMENT AGREEMENTS AND THE PARTICIPATING PARTY
AGREEMENTS**

The Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole (“**RCCDG**”) and the Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole (the “**Arizona Entity**,” together with RCCDG, the “**Debtors**”) by and through their respective undersigned counsel, respectfully represent:

Relief Requested

1. By this motion (the “**Motion**”) and pursuant to Sections 105, 502, 503, 1125, 1126 and 1128 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rules 3003, 3017, 3018 and 3020 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), the Debtors seek entry of an order (i) approving the disclosure statement [Dkt. No. 541] (the

“**Disclosure Statement**”) filed on March 21, 2016 in support of the “Debtors’ Plan Reorganization Dated March 21, 2016” [Dkt. No. 540] (the “**Plan**”) filed on March 21, 2016, as it may be hereafter modified or amended; (ii) establishing the procedures for solicitation and tabulation of votes to accept or reject the Plan; (iii) approving the form of Ballots (as defined below) and the inclusion of the releases and certifications therein; and (iv) approving the form and manner of notice regarding the Insurance Settlement Agreements and the Participating Party Agreements.¹

2. For the convenience of the Court and parties in interest, a summary timeline for the deadlines and hearing proposed by the procedures applicable to or requested in this Motion is as follows:

- (a) Disclosure Statement Hearing (as defined below);
- (b) Commencement of Plan solicitation period/completion of service of Solicitation Packages (as defined below);
- (c) Deadline for noticing of the terms of the Insurance Settlement Agreements and Participating Party Agreements;
- (d) Deadline for Bankruptcy Rule 3018(a) motions and objections to Insurance Settlement Agreements and Participating Party Agreements; and
- (e) Voting Deadline (as defined below).

Jurisdiction and Venue

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Plan.

The Plan and Disclosure Statement

4. On November 12, 2013, the Debtors commenced their cases under Chapter 11 of the Bankruptcy Code.

5. The Debtors, the Official Committee of Unsecured Creditors (the “**Committee**”), certain state court counsel for Tort Claimants, Settling Insurers and others who participated in the mediation have negotiated a consensual plan of reorganization. The Debtors filed the Plan, which provides for funding from various funding sources, including the Debtors.

6. In accordance with Bankruptcy Rule 3017(a), the Debtors have obtained from the Court a date and time for a hearing to consider approval of the Disclosure Statement (the “**Disclosure Statement Hearing**”), which will be held at ____:____ __.m. on _____, 2016, or as soon thereafter as counsel may be heard.

I. THE DISCLOSURE STATEMENT CONTAINS ADEQUATE INFORMATION

Creditors and Interest holders whose rights would be impaired are entitled to vote on a proposed plan of reorganization. Pursuant to Bankruptcy Code § 1125(a), a disclosure statement must contain “adequate information,” which is defined in the Bankruptcy Code as “information of a kind, and in sufficient detail, as far as is reasonably practicable . . . that would enable . . . a hypothetical reasonable investor . . . to make an informed judgment about the plan”² The Bankruptcy Code requires such “adequate information” so that holders of voting claims or interests will have sufficient financial and operating information to enable them to make an “informed judgment” whether to accept or reject a proposed plan of reorganization.³ In order to

² 11 U.S.C. § 1125(a)(1).

³ See *In re Valrico Sq. Ltd. P’ship*, 113 B.R. 794, 795 (Bankr. S.D. Fla. 1990); *In re Stanley Hotel, Inc.*, 13 B.R. 926, 929 (Bankr. D. Col. 1981) (“[T]he information to be provided [in a disclosure statement] should be comprised of all those factors presently known to the plan proponent that bear upon the success or failure of the proposals contained in the plan”). See also *In re Phoenix Petroleum Co.*, 278 B.R. 385, 392 (Bankr. E.D. Pa. 2001); *In re River Village Assocs.*, 181 B.R. 795, 804 (Bankr. E.D. Pa. 1995); *Century Glove, Inc. v. First American Bank of New York*, 860 F.2d 94, 100 (3d Cir. 1988); *In re Monroe Well Service, Inc.*, 80 B.R. 324, 330 (Bankr. E.D. Pa. 1987).

comply with the requirements of Bankruptcy Code § 1125, a disclosure statement must specifically disclose all of the material facts that would enable creditors to make an informed judgment with respect to the plan of reorganization.⁴

In examining the adequacy of the information contained in a disclosure statement, the Bankruptcy Court has broad discretion.⁵ Accordingly, the determination of whether a disclosure statement contains adequate information is to be made on a case-by-case basis, focusing on the unique facts and circumstances of each case.⁶

In the instant case, the Disclosure Statement contains information concerning (i) the Plan, (ii) the circumstances that gave rise to the filing of the voluntary petitions, (iii) a description of the Debtors' available Assets, (iv) the source of information provided in the Disclosure Statement, (v) the financial condition and performance of the Debtors while in Chapter 11, (vi) information regarding Claims against the Debtors' Estates, (vii) a liquidation analysis identifying the estimated return to creditors under a Chapter 7 liquidation of the Debtors' Assets, (viii) a summary of the Plan, (ix) information relevant to the risks attendant to the Plan, (x) the existence, likelihood and possible success of non-bankruptcy litigation, (xi) the federal tax consequences of the Plan, (xii) the relationship of the Debtors with the Parishes, and (xiii) the distributions to be made under the Plan on the Effective Date. The Debtors will continue to review the Disclosure Statement filed, and, based upon their on-going review and further material developments in the cases, may make additional changes and disclosures prior to the

⁴ See *In re SM 104 Ltd.*, 160 B.R. 202, 227 (Bankr. S.D. Fla. 1993) (“In order for the court to approve a disclosure statement, the court must be satisfied that it contains information sufficient for a ‘hypothetical reasonable investor typical of holders of claims or interests of the relevant class to make an informed judgment about the plan . . .’”) (quoting Bankruptcy Code § 1125).

⁵ See *Abel v. Shugrue (In re Ionosphere Clubs, Inc.)*, 179 B.R. 24, 29 (S.D.N.Y. 1995); *Texas Extrusion Corp. v. Lockheed Corp. (In re Texas Extrusion Corp.)*, 844 F.2d 1142, 1157 (5th Cir. 1988), *cert. denied*, 488 U.S. 926 (1988). See also *Dakota Rail*, 104 B.R. 138, 143 (Bankr. D. Minn. 1989) (court has “wide discretion to determine . . . whether a disclosure statement contains adequate information without burdensome, unnecessary and cumbersome detail”).

⁶ *In re Copy Crafters Quickprint, Inc.*, 92 B.R., 973, 979 (Bankr. N.D.N.Y. 1988).

Disclosure Statement Hearing. Any such additional disclosures would only increase the amount of information being provided to parties in interest, and consequently, will only further substantiate why the Disclosure Statement contains adequate information. Accordingly, the Debtors submit that, given the facts and circumstances of these Reorganization Cases, the Disclosure Statement contains adequate information within the meaning of Bankruptcy Code § 1125 and, thus, should be approved.

II. APPROVING SOLICITATION PACKAGES AND PROCEDURES FOR DISTRIBUTION

Bankruptcy Rule 3017(d) sets forth the materials that must be provided to holders of claims and equity interests for the purpose of soliciting their votes and providing adequate notice of the hearing on confirmation of a plan of reorganization:

Upon approval of a disclosure statement,—except to the extent that the court orders otherwise with respect to one or more unimpaired classes of creditors or equity security holders—the debtor in possession, trustee, proponent of the plan, or clerk as the court orders, shall mail to all creditors and equity security holders, and in a chapter 11 reorganization case shall transmit to the United States trustee,

- (1) the plan or a court-approved summary of the plan;
- (2) the disclosure statement approved by the court;
- (3) notice of the time within which acceptances and rejections of such plan may be filed; and
- (4) any other information as the court may direct, including any court opinion approving the disclosure statement or a court-approved summary of the opinion.

In addition, notice of the time fixed for filing objections and the hearing on confirmation shall be mailed to all creditors and equity security holders in accordance with Rule 2002(b), and a form of ballot conforming to the appropriate Official Form shall be mailed to creditors and equity security holders entitled to vote on the plan.

Fed. R. Bankr. P. 3017(d).

After the Court has approved the Disclosure Statement as containing adequate information as required by Bankruptcy Code § 1125, except as may be provided herein, the

Debtors propose to mail solicitation packages (the “**Solicitation Packages**”) containing copies of (i) the order approving the Disclosure Statement substantially in the form attached hereto as **Exhibit A** (the “**Disclosure Statement Order**”), (ii) the notice of approval of the Disclosure Statement and setting the Confirmation Hearing substantially in the form attached hereto as **Exhibit B** (the “**Notice of Disclosure Statement Approval and Confirmation Hearing**”), (iii) the approved form of the Disclosure Statement (together with the Plan annexed thereto as Exhibit 1) which will be filed separately with the Court following Disclosure Statement approval and upon the mailing), (iv) the Ballot (as defined below) with a postage prepaid return envelope or the Notice of Non-Voting Status (as defined below), (v) Notice of Settlement Agreements (as defined below); (vi) a letter from the Debtors in support of the Plan substantially in the form attached hereto as **Exhibit C**; and (vii) a letter from the Committee in support of the Plan. The Solicitation Packages will be mailed no later than fourteen (14) days after the entry of the Disclosure Statement Order (the “**Solicitation Date**”) to (i) the attorneys for the Committee, and the Office of the U.S. Trustee (collectively, the “**Notice Parties**”); (ii) all Persons or Entities that filed Proofs of Claim on or before the date of the Notice of Disclosure Statement Approval and Confirmation Hearing, except to the extent that a Claim was paid pursuant to, or expunged by, prior order of the Bankruptcy Court; (iii) all Persons or Entities listed in the Debtors’ schedules of assets and liabilities or any amendment(s) thereof (the “**Schedules**”), as holding liquidated, non-contingent, and undisputed Claims in an amount greater than zero⁷; (iv) all parties to Executory Contracts listed in the Schedules; (v) the Internal Revenue Service; (vi) any Entity that has filed with the Court a notice of transfer of a claim under Bankruptcy Rule 3001(e) prior to the date of the Notice of Disclosure Statement Approval and Confirmation Hearing; (vii) any other known holders of Claims against the Debtors; (viii) anyone who has requested notice in the

⁷ Bankruptcy Rule 3003(c)(2) provides in relevant part that “any creditor . . . whose claim or interest is not scheduled or scheduled as disputed, contingent, or unliquidated . . . who fails to [timely file a proof of claim] shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.” Fed. R. Bankr. P. 3003(c)(2).

Reorganization Cases; (ix) anyone against whom the Debtors might hold a Claim; (x) all parties on the master mailing list; (xi) state and local taxing authorities; and (xii) Medicare, Medicaid, the Centers for Medicare & Medicaid Services, and the U.S. Department of Health & Human Services.

Debtors propose that they be excused from mailing to Entities from which the Solicitation Packages are returned as undeliverable by the United States Postal Service, unless the Debtors are provided with accurate addresses for such Entities on or before a date which is fifteen (15) days from the date of service. In addition, the Debtors request relief from Bankruptcy Rule 3017(a) (which requires notice of the Disclosure Statement Hearing to the Securities Exchange Commission), since the Debtors do not and have not issued publicly traded securities.

In the case of Class 9 Claims, the Debtors propose that one (1) Solicitation Package be sent to counsel of record for all of such counsel's clients, provided that each counsel will receive a separate Ballot (as defined below) for each client. On request, Debtors would provide counsel with additional Solicitation Packages. Notwithstanding the foregoing, each holder of a Class 9 Claim must sign his or her own Ballot (as defined below), or the Ballot (as defined below) may be signed by a legal guardian or executor if proof of legal standing to do so is provided.

Consistent with Bankruptcy Code §§ 1126(f) and (g) and Bankruptcy Rule 3017(d), Solicitation Packages for holders of Claims against the Debtors' Estates placed within a Class under the Plan that is deemed to accept or reject the Plan under Bankruptcy Code § 1126(f) or (g) shall not receive a Solicitation Package as set forth above. Instead, such holders of Claims and Interests shall receive (i) the Disclosure Statement Order, (ii) the Notice of Disclosure Statement Approval and Confirmation Hearing and (iii) a Notice of Non-Voting Status (as defined below).

III. APPROVING FORM OF BALLOTS AND ESTABLISHING PROCEDURES FOR VOTING ON THE PLAN

A. Approval of Form of Ballots and Master Ballots

Bankruptcy Rule 3017(d) requires a plan proponent to mail a form of ballot, which substantially conforms to Official Form No. B 314, only to “creditors and equity security holders entitled to vote on the plan.” Fed. R. Bankr. P. 3017(d). The Debtors propose to distribute to certain creditors, as described below, one or more ballots (the “**Ballots**,” and individually, a “**Ballot**”) substantially in the forms attached hereto as **Exhibit D** and incorporated herein by reference. The appropriate Ballot forms, as applicable, will be distributed to holders of Claims in Classes 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 under the Plan, which Classes are entitled to vote to accept or reject the Plan. The forms for the Ballots are based on Official Form No. B 314, except that they contain release provisions, and the Ballots for Classes 7, 9, and 10 will include specific provisions relating to those Classes only. The Ballot for Class 7 Claims is modified to include an opportunity for claimants to waive their Claim or convert it to a General Unsecured Convenience Class Claim. The Ballot for Class 9 Claims is modified to include releases for Settling Insurers and each Participating Party, and a certification regarding Medicare payments. The Ballot for Class 10 Claims, which will be mailed to the Unknown Claims Representative, is modified to include releases for Settling Insurers and each Participating Party.

B. Notice of Non-Voting Status to Holders of Claims Deemed to Accept or Reject the Plan

Holders of Claims in Class 1 (Priority Employee Unsecured Claims) are not impaired under the Plan and, therefore, are deemed to accept the Plan. Consequently, such creditors are not entitled to vote to accept or reject the Plan. Holders of Claims in Class 13 (Penalty Claims)

will receive no distribution under the Plan and, therefore, are deemed to reject the Plan. Consequently, such creditors are not entitled to vote to accept or reject the Plan.⁸

Bankruptcy Rule 3017(d) provides, in relevant part, as follows:

If the court orders that the disclosure statement and the plan or a summary of the plan shall not be mailed to any unimpaired class, notice that the class is designated in the plan as unimpaired and notice of the name and address of the person from whom the plan or summary of the plan and disclosure statement may be obtained upon request and at the plan proponent's expense, shall be mailed to members of the unimpaired class together with the notice of the time fixed for filing objections to and the hearing on confirmation.

Fed. R. Bank. P. 3017(d).

The Debtors propose to send to holders of Interests in Classes 1 and 13, which are not entitled to vote under the Plan, (a) a notice of non-voting status, substantially in the forms attached hereto as **Exhibit E** (the “**Notice of Non-Voting Status**”), which identifies the treatment of the Classes designated and sets forth the manner in which a copy of the Plan and Disclosure Statement may be obtained, (b) the Disclosure Statement Order and (c) the Notice of Disclosure Statement Approval and Confirmation Hearing.

The Debtors submit that such notice satisfies the requirements of Bankruptcy Rule 3017(d).

C. Establishing Voting Deadline for Receipt of Ballots

Bankruptcy Rule 3017(c) provides that, on or before approval of a disclosure statement, the court shall fix a time within which the holders of claims or interests may accept or reject a plan. The Debtors propose that in order to be counted as a vote to accept or reject the Plan, each Ballot must be properly executed, completed, and delivered to counsel for the Debtors, (i) by

⁸ See 11 U.S.C. § 1126(g); see also *In re The Leslie Fay Companies*, 207 B.R. 764 (Bankr. S.D.N.Y. 1997) (classes that would receive nothing under the debtor's proposed plan did not have the right to vote as they were conclusively presumed to have rejected the plan pursuant to 11 U.S.C. § 1126(g)); *In re Walnut Equip. Leasing*, 1999 WL 1068448, at *2 (Bankr. E.D. Pa. Nov. 23, 1999) (“A class that is to receive nothing under a plan is deemed to reject the plan and is not entitled to vote.”) (citing 11 U.S.C. § 1126(g)).

first-class mail, in the return envelope provided with each Ballot, (ii) by overnight courier, (iii) by electronic mail with prior written authorization from the Debtors, or (iv) by personal delivery so that it is received by Debtors' counsel no later than twenty-eight (28) days after the Solicitation Date (the "**Voting Deadline**"). This solicitation period should be a sufficient period within which creditors can make an informed decision to accept or reject the Plan.

D. Approval of Procedures for Vote Tabulation

Bankruptcy Code § 1126(c) provides:

A class of claims has accepted a plan if such plan has been accepted by creditors, other than any entity designated under subsection (e) of this section, that hold at least two-thirds in amount and more than one-half in number of the allowed claims of such class held by creditors, other than any entity designated under subsection (e) of this section, that have accepted or rejected such plan.

11 U.S.C. § 1126(c). Further, Bankruptcy Rule 3018(a) provides that the "court after notice and hearing may temporarily allow the claim or interest in an amount which the court deems proper for the purpose of accepting or rejecting a plan." Fed. R. Bankr. P. 3018(a).

The foregoing general procedure will apply to creditors voting on the Plan:

- (a) If a Claim is deemed Allowed in accordance with the Plan, such Claim is allowed for voting purposes in the deemed allowed amount set forth in the Plan;
- (b) If a Claim has been estimated or otherwise Allowed for voting purposes by order of the Court, such Claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes only, and not for purposes of allowance or distribution;
- (c) If a Claim is listed in the Schedules at zero or as Contingent, unliquidated, or disputed and/or a Proof of Claim was not (i) filed by the Bar Date or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, unless the Debtors have consented in writing, the Debtors propose that such claim be disallowed for voting purposes and for purposes of allowance and distribution pursuant to Bankruptcy Rule 3003(c);
- (d) The Debtors will serve Ballots pre-printed with the Class and amount of each Claim. If the Debtors have served an

objection to a Claim at least ten (10) days before the Voting Deadline, the creditor whose Claim is the subject of the objection shall receive a Ballot pre-printed with the amount sought by the Debtors in such objection; and

- (e) As to Class 9 Claims, each Claim will be temporarily Allowed for voting purposes only in the amount of one dollar (\$1.00). Class 9 Ballots will be pre-printed with the temporary allowance amount and the claimant's name.

This temporary allowance of the Class 9 Claims is solely for purposes of voting to accept or reject the Plan and not for the purpose of the allowance of, or distribution on account of, a Claim, and without prejudice to the rights of the Debtors or Non-Settling Insurers in any other context. This temporary allowance is not intended to affect, impair or diminish the Tort Claimants' rights against the Debtors, Reorganized Debtor, Co-Defendants, or Non-Settling Insurers.

The Debtors believe that the foregoing proposed procedures provide for a fair and equitable voting process. If any creditor seeks to challenge the allowance of its Claim for voting purposes in accordance with the above procedures, the Debtors request that the Court direct such creditor to serve on the Debtors and file with the Court a motion for an order pursuant to Bankruptcy Rule 3018(a) temporarily allowing such Claim in a different amount for purposes of voting to accept or reject the Plan so as to be received on or before a date to be set by the Court. The Debtors further propose, in accordance with Bankruptcy Rule 3018, that, as to any creditor filing such a motion, such creditor's Ballot should not be counted unless temporarily Allowed by the Court for voting purposes, after notice and a hearing.⁹

In tabulating the Ballots, the following additional procedures shall be utilized: (a) any Ballot that is properly completed, executed and timely returned to counsel to the Debtors but does not indicate an acceptance or rejection of the Plan, or that indicates both an acceptance and

⁹ This proposed procedure is consistent with Bankruptcy Code § 1126, which provides that a plan may be accepted or rejected by the holder of a claim allowed under Bankruptcy Code § 502. Bankruptcy Code § 502 provides that a filed proof of claim is deemed allowed, "unless a party in interest . . . objects." 11 U.S.C. § 502.

rejection of the Plan, shall not be counted; (b) if no votes to accept or reject the Plan are received with respect to a particular Class that is entitled to vote, such Class shall be deemed to have voted to accept the Plan; (c) if a creditor, or any Person acting on behalf of a creditor under applicable law, casts more than one Ballot voting the same Claim or Interest before the Voting Deadline, the latest dated Ballot received before the Voting Deadline shall be deemed to reflect the voter's intent and thus supersede any prior Ballots; (d) if a creditor manually changes the amount of their Claim or number of their Class pre-printed on the Ballot it receives, the Ballot shall be counted, for voting purposes only, in the pre-printed amount or Class; (e) creditors must vote all of their Claims within a particular Class, either to accept or reject the Plan and may not split their votes within a particular Class; (f) the Person signing the creditor's Proof of Claim may complete and sign the creditor's Ballot, except that creditors holding Class 9 Claims are required to sign his or her own Ballot except that a legal guardian or executor may sign on behalf of the Tort Claimant if proof of legal standing to do so is provided; and (g) any Class 9 Ballot that indicates either acceptance or rejection of the Plan shall be counted as a vote to accept or reject the Plan regardless of whether the releases and certifications portions of the Ballot are completed.

Further, a Ballot received after the Voting Deadline shall be effective as to the releases, certifications and elections contained in the Ballot. For purposes of determining whether the numerosity and Claim amount requirements of Bankruptcy Code §§ 1126(c) and 1126(d) have been satisfied, the Debtors will tabulate only those Ballots received by the Voting Deadline.

The Debtors propose that the following Ballots not be counted or considered for any purpose in determining whether the Plan has been accepted or rejected: (i) any Ballot received after the Voting Deadline unless the Debtors have granted in writing an extension of the Voting Deadline with respect to such Ballot; (ii) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor; (iii) any Ballot cast by a Person or Entity that does not hold a Claim in a Class that is entitled to vote to accept or reject the Plan; (iv) any

Ballot cast for a Claim scheduled in the amount of \$0.00, or as unliquidated, Contingent, or disputed for which no Proof of Claim was timely filed; (v) any unsigned Ballot; (vi) any Ballot that does not indicate an acceptance or rejection or indicates both; and (vii) any Ballot transmitted to counsel to the Debtors by facsimile, email or other electronic means unless the Debtors have previously authorized such means in writing. The Debtors and the Committee shall be permitted to contact creditors in an attempt to cure the deficiencies specified herein.

IV. APPROVING THE FORM AND MANNER OF NOTICE OF THE INSURANCE SETTLEMENT AGREEMENTS AND PARTICIPATING PARTY AGREEMENTS

The Debtors request that the Court approve the form and manner of notice of the Insurance Settlement Agreements and Participating Party Agreements between, on the one hand, the Debtors, and on the other hand, each of: CM; NMPCIGA; Home Insurance; the Franciscans; St. Michael's Mission; the Parishes; United States Fidelity and Guaranty Company; St. Bonaventure; the Phoenix Diocese; SWIF; and CPF (copies of the form of mail notices are attached as **Exhibit F** (the "Notice of Settlement Agreements").

The Debtors will seek approval of the Insurance Settlement Agreements and Participating Party Agreements in conjunction with confirmation of the Plan. The Insurance Settlement Agreements and Participating Party Agreements are therefore an integral part of the Plan.

A. Written Notice to Tort Claimants, All Other Claimants, and Insurance Companies

The Notice of Settlement Agreements shall be provided to all known Tort Claimants to the extent they are known by the Debtors; the Committee; the Unknown Claims Representative appointed pursuant to the Order entered February 12, 2016 [Dkt. No. 526]; all Persons who have filed notices of appearance in the Reorganization Cases; and all Persons or Entities known to have provided general or professional liability insurance to the Debtors by first-class U.S. mail. All claimants, including Tort Claimants, shall be served at the address shown on their Proofs of Claim or to their counsel of record (with a single notice to any counsel of record who represents

multiple Tort Claimants constituting notice to all that counsel's clients who are Tort Claimants) or, if no Proof of Claim was filed, then by first-class U.S. mail at the address on Debtors' Schedules. Counsel for each Tort Claimant shall also be served by first-class U.S. mail, or email if such counsel has agreed to accept service by email. The Debtors shall also serve any and all Co-Defendants and their counsel (to the extent of record) in any prepetition litigation brought by Tort Claimants at the last address shown on any filed appearance or, if such Co-Defendant is proceeding pro se, then to the last address of record for such pro se Co-Defendant. Each mailing shall include the written notice of the terms of the Insurance Settlement Agreements and the Participating Party Agreements.

B. Publication Notice

In order to ensure that interested parties are given every opportunity for notice of the Insurance Settlement Agreements and the Participating Party Agreements, the Debtors propose to publish notice of the Insurance Settlement Agreements and the Participating Party Agreements (substantially in the same form as the Notice of Settlement Agreements) once in *USA Today*, and twice in the following newspapers: *El Paso Times*, *Albuquerque Journal*, *Journal North*, *Navajo Times*, *Cibola Beacon*, *Gallup Independent*, *Santa Fe New Mexican*, *Kingman Daily Miner*, *Las Cruces Sun News*, *Alamogordo Daily News*, *Deming Headlight*, *Silver City Sun News*, *Farmington Daily Times*, *Voice of the Southwest*, *People of God*, *The Catholic Sun*, *White Mountain Independent*, *Lake Powell Chronicle*, *The Tribune-News*, *Arizona Daily Sun*, *Arizona Republic*, *Navajo-Hopi Observer*, *Prescott Daily Courier*, *Arizona Daily Star*, *Red Rock News*, *St. George Spectrum*, and *Cortez Journal*. The Debtors will request to each of the foregoing publications that the publication notice be published in the above newspapers no later than thirty (30) days before the hearing on confirmation of the Plan.

C. Form of Notice

The forms of publication and written notice discuss the terms of, and state that a finding is sought as to the entitlement to, a release and injunctive protection as part of the Plan, the

confirmation of which is a condition of the Insurance Settlement Agreements and the Participating Party Agreements. Additionally, the Notice of Settlement Agreements provides that the policy buyback under the CM Settlement Agreement and the Home Settlement Agreement will be free and clear of all liens, claims, and interests. Moreover, the Notice of Settlement Agreements gives express directions as to how and when to object. Website and contact information are given, so that any recipient of the notices can obtain a copy of the Insurance Settlement Agreements and the Participating Party Agreements.

The proposed service on all known Tort Claimants and liability insurance carriers is designed to provide reasonable and adequate notice of the Insurance Settlement Agreements and the Participating Party Agreements. The proposed form and manner of notice via publication notice to persons whose addresses or counsel of record are not known is reasonable and adequate because the information contained therein provides adequate information regarding the Insurance Settlement Agreements and Participating Party Agreements.

V. CONCLUSION

WHEREFORE, the Debtors respectfully request the entry of an order substantially in the form annexed hereto as Exhibit A granting the relief sought herein and such other and further relief as the Court may deem just and proper.

RESPECTFULLY SUBMITTED this 21st day of March, 2016.

/s/ Lori L. Winkelman

Susan G. Boswell (AZ Bar No. 004791)
Lori L. Winkelman (AZ Bar No. 021400)
Elizabeth S. Fella (AZ Bar No. 025236)
Admitted Pro Hac Vice
QUARLES & BRADY LLP
One S. Church Ave., Suite 1700
Tucson, Arizona 85701
(520) 770-8700
Fax: (520) 623-2418
susan.boswell@quarles.com
lori.winkelman@quarles.com
elizabeth.fella@quarles.com

-and-

Thomas D. Walker
WALKER & ASSOCIATES, P.C.
500 Marquette N.W., Suite 650
Albuquerque, New Mexico 87102
(505) 766-9272
Fax: (505) 722-9287
twalker@walkerlawpc.com

Counsel for the Debtors

EXHIBIT "A"

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

<p>In re:</p> <p>ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole,</p> <p style="text-align: right;">Debtor.</p>	<p>Chapter 11</p> <p>Case No. 13-13676-t11</p> <p>Jointly Administered with:</p>
<p>Jointly Administered with:</p> <p>BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole.</p> <p>This pleading applies to:</p> <p><input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.</p>	<p>Case No. 13-13677-t11</p>

**ORDER (A) APPROVING THE DISCLOSURE STATEMENT IN SUPPORT OF
PLAN OF REORGANIZATION; (B) ESTABLISHING PROCEDURES FOR
SOLICITATION AND TABULATION OF VOTES TO ACCEPT OR REJECT PLAN;
(C) APPROVING THE FORM OF BALLOTS AND THE INCLUSION OF THE
RELEASES AND CERTIFICATIONS THEREIN; AND (D) APPROVING THE FORM
AND MANNER OF NOTICE OF THE INSURANCE SETTLEMENT AGREEMENTS
AND THE PARTICIPATING PARTY AGREEMENTS**

A hearing having been held on _____, 2016 (the “**Disclosure Statement Hearing**”), to consider the “Motion for an Order (A) Approving the Disclosure Statement; (B) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan; (C) Approving the Form of Ballots and the Inclusion of the Releases and Certifications Therein; and (D) Approving the Form and Manner of Notice Regarding the Insurance Settlement Agreements and Participating Party Agreements” (the “**Motion**”)¹ by the Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole, and the Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole, (collectively, the “**Debtors**”) for an order (i) approving the “Disclosure Statement to Accompany Debtors’ Plan of Reorganization Dated March 21, 2016” (the “**Disclosure Statement**”), pursuant to Bankruptcy Code § 1125, relating to “Debtors’ Plan of Reorganization Dated March 21, 2016” (as such plan may be modified from time to time, the “**Plan**”); (ii) establishing the procedures for solicitation and tabulation of votes to accept or reject the Plan pursuant to Bankruptcy Code §§ 1125 and 1126 and Bankruptcy Rules 3017, 3018 and 3020; (iii) approving the form of Ballots and the inclusion of the releases and certifications therein; and (iv) approving the form and manner of notice regarding the Insurance Settlement Agreements and Participating Party Agreements; and it appearing from the affidavit of service on file with this Court that proper and timely notice of the Disclosure Statement Hearing has been given; and it appearing that such notice was adequate and appropriate with respect to all affected parties; and the appearances of all interested parties having been noted on the record at the Disclosure Statement Hearing; and the Debtors having made the conforming additions, changes, corrections and deletions to the Disclosure Statement

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Motion or the Plan.

as necessary to comport with the record of the Disclosure Statement Hearing and the agreements, if any, reached with the parties, if any, that had filed objections; and upon the Motion, any and all objections and/or responses to the Motion, and all of the proceedings heretofore had before the Court; and the Court having considered the adequacy of the Disclosure Statement and the materials to be transmitted therewith; and after due deliberation and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED:

1. The Disclosure Statement, as the same may be amended and modified to incorporate immaterial modifications, fill in blanks, and reflect any modifications that the Debtors determine to be appropriate, which do not materially change the Disclosure Statement or materially affect any rights of a party in interest, is hereby approved as containing adequate information within the meaning of Bankruptcy Code § 1125.

2. A summary timeline for the deadlines and hearing approved in this Order are as follows:

- (a) Disclosure Statement Hearing;
- (b) Commencement of Plan solicitation period/completion of service of Solicitation Packages;
- (c) Deadline for noticing of the terms of the Insurance Settlement Agreements and Participating Party Agreements;
- (d) Deadline for Bankruptcy Rule 3018(a) motions and objections to Insurance Settlement Agreements and Participating Party Agreements; and
- (e) Voting Deadline.

3. The Debtors shall mail solicitation packages (the “**Solicitation Packages**”) containing copies of (i) the Disclosure Statement Order; (ii) the Notice of Disclosure Statement Approval and Confirmation Hearing; (iii) the approved form of the Disclosure Statement

(together with the Plan annexed thereto as Exhibit 1, which will be filed with the Court following approval and upon the mailing); (iv) the Ballot with a postage prepaid return envelope or the Notice of Non-Voting Status; (v) Notice of Settlement Agreements; (vi) a letter from the Debtors in support of the Plan; and (vii) a letter from the Committee in support of the Plan. The Solicitation Packages will be mailed no later than fourteen (14) days after the entry of this Order (the “**Solicitation Date**”) to (i) the Notice Parties, (ii) all Persons or Entities that filed Proofs of Claim on or before the date of the Notice of Disclosure Statement Approval and Confirmation Hearing, except to the extent that a Claim was paid pursuant to, or expunged by, prior order of the Bankruptcy Court, (iii) all Persons or Entities listed in the Debtors’ Schedules as holding liquidated, non-contingent, and undisputed Claims, in an amount greater than zero, (iv) all parties to Executory Contracts listed in the Schedules, (v) the Internal Revenue Service, (vi) any Entity that has filed with the Court a notice of transfer of a claim under Bankruptcy Rule 3001(e) prior to the date of the Notice of Disclosure Statement Approval and Confirmation Hearing, (vii) any other known holders of Claims against the Debtors, (viii) anyone who has requested notice in the Reorganization Cases, (ix) anyone against whom the Debtors might hold a Claim, (x) all parties on the master mailing list, (xi) state and local taxing authorities, and (xii) Medicare, Medicaid, Centers for Medicare and Medicaid Services, and the U.S. Department of Health and Human Services; with the exception that the Debtors are excused from mailing to Entities from which Notices of the Disclosure Statement Hearing were returned as undeliverable by the United States Postal Service, unless the Debtors are provided with accurate addresses for such Entities on or before a date which is fifteen (15) days from the date of service.

4. In the case of Class 9 Claims, the Debtors may serve one (1) Solicitation Package to counsel of record for all of such counsel’s clients, provided that each counsel will receive a

separate Ballot for each client. On request, the Debtors will provide counsel with additional Solicitation Packages. Notwithstanding the foregoing, each holder of a Class 9 Claim must sign his or her own Ballot or the Ballot may be signed by a legal guardian or executor if proof of legal standing to do so is provided.

5. In addition, pursuant to Bankruptcy Rule 3017(c), the Ballots (substantially in the forms attached to the Motion as Exhibit D) are approved and shall be distributed, along with a postage prepaid return envelope addressed to the Debtors, to the known holders of Claims in those Classes which are entitled to accept or reject the Plan.

6. In order to be counted as a vote to accept or reject the Plan, a Ballot must be properly executed, completed and delivered to counsel to the Debtors (i) by mail in a return envelope provided with each Ballot, (ii) by overnight courier, (iii) by electronic mail with prior written authorization from the Debtors, or (iv) by personal delivery so that they are actually received by Debtors' counsel no later than 5:00 p.m. (prevailing Mountain Time) on _____, 2016 (the "**Voting Deadline**").

7. Solely for the purpose of voting to accept or reject the Plan and not for the purpose of allowance of or distribution on account of a Claim, and without prejudice to the rights of the Committee in any other context, each Claim within a Class of Claims entitled to vote to accept or reject the Plan is temporarily allowed in an amount equal to the amount of such Claim as set forth in a timely filed Proof of Claim or, if no Proof of Claim was filed, the amount of such Claim as set forth in the Schedules; provided, however, that:

- (a) If a Claim is deemed Allowed in accordance with the Plan, such Claim is allowed for voting purposes in the deemed allowed amount set forth in the Plan;

- (b) If a Claim has been estimated or otherwise allowed for voting purposes by order of the Court, such Claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes only, and not for purposes of allowance or distribution;
- (c) If a Claim is listed in the Schedules at zero or as Contingent, unliquidated, or disputed and/or a Proof of Claim was not (i) filed by the Bar Date or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, unless the Debtors have consented in writing, such Claim shall be disallowed for voting purposes and for purposes of allowance and distribution pursuant to Bankruptcy Rule 3003(c);
- (d) If the Debtors have served an objection to a Claim at least ten (10) days before the Voting Deadline, the creditor whose Claim is the subject of the objection shall receive a Ballot pre-printed with the amount sought by the Debtors in such objection; and
- (e) As to Class 9 Claims, each Claim will be temporarily Allowed for voting purposes only in the amount of one dollar (\$1.00). Class 9 Ballots will be pre-printed with the temporary allowance amount and the claimant's name.

8. This temporary allowance of Class 9 Claims is solely for purposes of voting to accept or reject the Plan and not for the purpose of the allowance of, or distribution on account of, a Claim, and without prejudice to the rights of the Debtors or Non-Settling Insurers in any other context. This temporary allowance is not intended to affect, impair or diminish the Tort Claimants' rights against the Debtors, Reorganized Debtor, Co-Defendants, or Non-Settling Insurers.

9. Any creditor that challenges the allowance of their Claim for voting purposes in accordance with the above procedures of this Order is directed to serve on the Debtors and file with the Court a motion for an order pursuant to Bankruptcy Rule 3018(a) temporarily allowing such Claim in a different amount for purposes of voting to accept or reject the Plan on or before a date to be set by the Court. In respect of any such motion timely filed with the Court, the

Ballot in question shall not be counted unless temporarily Allowed by the Court for voting purposes, after notice and a hearing.

10. The Debtors are not required to provide Ballots to the holders of Claims in Classes 1 and 13. The members of the foregoing Classes shall receive a Notice of Non-Voting Status (substantially in the forms attached to the Motion as Exhibit E), along with copies of this Order and the Notice of Disclosure Statement Approval and Confirmation Hearing.

11. In tabulating the Ballots, the following additional procedures shall be utilized: (a) any Ballot that is properly completed, executed and timely returned to the Debtors but does not indicate an acceptance or rejection of the Plan, or that indicates both an acceptance and rejection of the Plan, shall not be counted; (b) if no votes to accept or reject the Plan are received with respect to a particular Class, such Class shall be deemed to have voted to accept the Plan; (c) if a creditor, or any Person acting on behalf of a creditor under applicable law, casts more than one Ballot voting the same Claim or Interest before the Voting Deadline, the latest dated Ballot received before the Voting Deadline shall be deemed to reflect the voter's intent and thus supersede any prior Ballots; (d) if a creditor manually changes the amount of their Claim or number of their Class pre-printed on the Ballot it receives, the Ballot shall be counted, for voting purposes only, in the pre-printed amount or Class; (e) creditors must vote all of their Claims within a particular Class, either to accept or reject the Plan and may not split their votes within a particular Class; and (f) the Person signing the creditor's Proof of Claim may complete and sign the creditor's Ballot, except that creditors holding Class 9 Claims are required to sign his or her own Ballot except that a legal guardian or executor may sign on behalf of the Tort Claimant if proof of legal standing to do so is provided; and (g) any Class 9 Ballot that indicates either

acceptance or rejection of the Plan shall be counted as a vote to accept or reject the Plan regardless of whether the releases and certifications portions of the Ballot are completed.

12. The following Ballots shall not be counted or considered for any purpose in determining whether the Plan has been accepted or rejected:

- (a) Any Ballot received after the Voting Deadline unless the Debtors shall have granted in writing an extension of the Voting Deadline with respect to such Ballot;
- (b) Any Ballot that is illegible or contains insufficient information to permit the identification of the creditor;
- (c) Any Ballot cast by a Person or Entity that does not hold a Claim in a Class that is entitled to vote to accept or reject the Plan;
- (d) Any Ballot cast for a Claim scheduled in the amount of \$0.00, or as unliquidated, Contingent, or disputed for which no Proof of Claim was timely filed;
- (e) Any unsigned Ballot;
- (f) Any ballot that does not indicate an acceptance or rejection or indicates both; and
- (g) Any Ballot transmitted to the Debtors by facsimile, email, or other electronic means unless the Debtors have previously authorized such means in writing.

13. In addition to the Debtors' right to solicit acceptance of the Plan, the Debtors and the Committee shall be permitted to contact creditors in an attempt to cure the deficiencies specified herein.

14. A Ballot received after the Voting Deadline shall be effective as to the releases, certifications and elections contained in the Ballot.

15. For purposes of determining whether the numerosity and Claim or Interest amount requirements of Bankruptcy Code §§ 1126(c) and 1126(d) have been satisfied, the Debtors shall tabulate only those Ballots cast by the Voting Deadline.

16. Mailing the Solicitation Packages in accordance with this Order constitutes adequate notice of the Confirmation Hearing and the Voting Deadline under Bankruptcy Rule 3017(d).

17. The form and manner of notice of the Insurance Settlement Agreements and Participating Party Agreements, (substantially in the forms attached to the Motion as Exhibit F), are hereby approved as constituting reasonable and adequate notice.

18. The Debtors are authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate this Order.

XXX END OF ORDER XXX

Submitted by:

/s/

Susan G. Boswell (AZ Bar No. 004791)
Lori L. Winkelman (AZ Bar No. 021400)
Elizabeth S. Fella (AZ Bar No. 025236)
Admitted Pro Hac Vice
QUARLES & BRADY LLP
One S. Church Ave., Suite 1700
Tucson, Arizona 85701
(520) 770-8700

-and-

Thomas D. Walker
WALKER & ASSOCIATES, P.C.
500 Marquette N.W., Suite 650
Albuquerque, New Mexico 87102
(505) 766-9272
Counsel for the Debtors

EXHIBIT "B"

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole, Debtor.	Chapter 11 Case No. 13-13676-t11 Jointly Administered with:
Jointly Administered with: BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole. This pleading applies to: <input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.	Case No. 13-13677-t11

**NOTICE OF (A) APPROVAL OF THE DISCLOSURE STATEMENT;
(B) ESTABLISHMENT OF PROCEDURES FOR SOLICITATION AND TABULATION
OF VOTES TO ACCEPT OR REJECT PLAN; (C) APPROVAL OF FORM OF
BALLOTS AND THE INCLUSION OF THE RELEASES AND CERTIFICATIONS
THEREIN; (D) APPROVAL OF FORM AND MANNER OF NOTICE REGARDING
THE INSURANCE SETTLEMENT AGREEMENTS AND THE PARTICIPATING
PARTY AGREEMENTS**

PLEASE TAKE NOTICE THAT:

1. On March 21, 2016, the Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole, and the Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole (collectively, the “**Debtors**”), the Debtors and Debtors-in-possession in the above-captioned jointly administered Chapter 11 reorganization cases (the “**Reorganization Cases**”), filed “Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 540] (the “**Plan**”) and a “Disclosure Statement to Accompany Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 541] (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 _____, 2016, the Court entered an order approving the Disclosure Statement and the Debtors’ 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 hearing (the “**Confirmation Hearing**”) to consider confirmation of the Plan and related matters will be held at __:__ .m. on _____, 2016 before the Honorable David T. Thuma, United States Bankruptcy Judge, Dennis Chavez Federal Building and United States Courthouse, 13th Floor, 500 Gold Ave., S.W., Albuquerque, New Mexico, 87102. 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 Claim¹ against the Debtors 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 Debtors so that it is received no later than 5:00 p.m. on _____, 2016. Any failure to follow the voting instructions included with the Ballot may disqualify your Ballot and your vote.

5. Holders of (i) unimpaired Claims and (ii) Claims and Interests who will receive no distribution from the Debtors under the Plan are not entitled to vote on the Plan and, therefore, received a Notice of Non-Voting Status rather than a Ballot. 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 Bar Date and (ii) serve on the Debtors 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. All Rule 3018(a) Motions must be filed on or before _____, 2016 at 4:00 p.m. (prevailing Mountain Time). 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 Debtors 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 in the manner set forth above shall not be considered.

6. The funds contributed through the Insurance Settlement Agreements and Participating Party Agreements, along with additional funds to be contributed by the Debtors, will be paid to the Trust under the Plan. The Plan also provides that all Tort Claims against the Debtors, Settling Insurers, and Participating Parties will be channeled to the Trust, meaning that

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Motion or the Plan.

the Trust will be the sole and exclusive source of payment for any such Claims against the Debtors, Settling Insurers, and Participating Parties. As part of the Plan, the Debtors will seek a finding that the **Settling Insurers and Participating Parties are entitled to the benefit of a the entry of an Order permanently enjoining and barring all Claims by any Person or Entity against the Settling Insurers and Participating Parties, and releasing the Settling Insurers and Participating Parties from any further liability relating to (a) policies issued or allegedly issued to the Debtors or Participating Parties (b) Tort Claims (as specifically defined in the Plan, which includes Claims related to sexual abuse) as part of the Plan, the confirmation of which is a condition of the Insurance Settlement Agreements and Participating Party Agreements. The Class 9 Ballots contain a consent to such releases and injunctions. The Class 9 Ballots also contain a consent to have Claims determined pursuant to the Allocation Protocol by the Abuse Claims Reviewer.**

7. Objections, if any, to the confirmation of the Plan, the Insurance Settlement Agreements, or the Participating Party Agreements 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 Mountain Time) on _____, 2016, by (a) attorneys for the Debtors, Quarles & Brady LLP, One S. Church Ave., Suite 1700, Tucson, Arizona 85701, Attn: Elizabeth S. Fella, and Walker & Associates, P.C., 500 Marquette N.W., Suite 650, Albuquerque, New Mexico 87102, Attn: Thomas Walker; (b) attorneys for the Committee, Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067, Attn: James I. Stang, and Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 36th Floor, New York, New York 10017, Attn: Ilan D. Scharf; and (c) the Office of the U.S. Trustee, P.O. Box 608, Albuquerque, New Mexico 87103. Objections not timely filed and served in the manner set forth above shall not be considered and shall be overruled.

8. Any holder of a Claim that (i) is scheduled in the Debtors' Schedules at \$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, shall 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 the counsel to the Debtors or visit the official website of the Committee at www.pszjlaw.com (Creditor Sites Tab).

DATED this _____ day of _____, 2016.

/s/

Susan G. Boswell (AZ Bar No. 004791)
Lori L. Winkelman (AZ Bar No. 021400)
Elizabeth S. Fella (AZ Bar No. 025236)

Admitted Pro Hac Vice

QUARLES & BRADY LLP
One S. Church Ave., Suite 1700
Tucson, Arizona 85701
(520) 770-8700

Fax: (520) 623-2418

susan.boswell@quarles.com

lori.winkelman@quarles.com

elizabeth.fella@quarles.com

-and-

Thomas D. Walker

WALKER & ASSOCIATES, P.C.

500 Marquette N.W., Suite 650
Albuquerque, New Mexico 87102
(505) 766-9272

Fax: (505) 722-9287

twalker@walkerlawpc.com

Counsel for the Debtors

EXHIBIT "C"

**Roman Catholic Church of the Diocese of Gallup and
Bishop of the Roman Catholic Church of the Diocese of Gallup
711 South Puerco Drive
Gallup, New Mexico 87301
(505) 863-4406**

_____, 2016

Dear Survivors and Other Creditors,

We are approaching an important milestone in the reorganization process. I know it has been a long and arduous road and I thank you for your patience in this process.

As you are aware, with the assistance of the Official Committee of Unsecured Creditors (the "Committee"), we have filed the "Debtors Plan of Reorganization Dated March 20, 2016" (the "Plan"). The Plan, proposed and supported by the Committee and by the Diocese, will allow us to conclude many legal aspects of the reorganization case so that we can focus on moving with you toward closure, reconciliation and healing. This will also include our financial reorganization. I am grateful that we have found common ground with the Committee, and I look forward to the process of rebuilding relationships and moving forward with our ministry. This can be made possible if you are in favor of the Plan, and I ask you to affirm the plan by using the enclosed ballot with the packet you are receiving with this letter.

The fact that we are working together with the Committee and with the attorneys who represent a significant number of the claimants suggests there is real hope for the future. The Plan includes monetary compensation for the survivors. The Plan also includes "nonmonetaries" which are procedures for moving forward that were agreed upon by the Committee and the Diocese. We know these are an important aspect of any healing process and both parties worked hard to arrive at a consensual agreement in this matter.

This process was the result of numerous mediations and the participation of many parties. We are now in the position to move forward. I again extend my sincerest apologies to each of you who have suffered. Just because the reorganization process is coming to a close, my commitment to continue to offer healing will not go away. I recommit myself to the mission of healing in the name of Christ.

I kindly ask you to support the Plan.

Sincerely yours in Christ,

Bishop James S. Wall

EXHIBIT "D"

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole, Debtor.	Chapter 11 Case No. 13-13676-t11 Jointly Administered with:
Jointly Administered with: BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole. This pleading applies to: <input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.	Case No. 13-13677-t11

**BALLOT FOR ACCEPTING OR REJECTING DEBTORS' PLAN OF
REORGANIZATION DATED MARCH 21, 2016**

NOTE:

This Ballot is for creditors holding Claims in Classes 2, 3, 4, 5, 6, 7, 8, 11 and 12 ONLY.

The Bankruptcy Court has approved a separate form of Ballot for creditors whose claims against the Debtors are based on sexual abuse (Class 9 Tort Claims). **This is not a Ballot for a Class 9 Tort Claim.** The Ballot for Class 9 requires Claimants to make an election that is not applicable to other classes of Claimants. If your Claim is classified as a Class 9 Tort Claim, you have received this Ballot in error. Please call the Debtors' counsel at the number provided below to obtain a Class 9 Tort Claim Ballot.

Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole ("RCCDG") and Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole (the "**Arizona Entity**," and together with RCCDG, the "**Debtors**") filed "**Debtors' Plan of Reorganization Dated March 21, 2016**" [Dkt. No. 540] (the "**Plan**") for the Debtors in the case. The Court approved the "**Disclosure Statement to Accompany Debtors' Plan of Reorganization Dated March 21, 2016**" [Dkt. No. 541] (the "**Disclosure Statement**"). The Disclosure Statement provides information to assist you in deciding how to vote your ballot. If you do not have a Disclosure Statement, you may obtain a copy from Quarles & Brady LLP, Attn: Kelly Webster, One South Church Avenue, Suite 1700, Tucson, Arizona 85701, (520) 770-8712, kelly.webster@quarles.com.

Court approval of the Disclosure Statement does not indicate approval of the Plan by the Court.

YOU SHOULD REVIEW THE DISCLOSURE STATEMENT AND THE PLAN BEFORE YOU VOTE. YOU MAY WISH TO SEEK LEGAL ADVICE CONCERNING THE PLAN AND YOUR CLASSIFICATION AND TREATMENT UNDER THE PLAN. YOUR CLAIM HAS BEEN PLACED IN CLASS 2, 3, 4, 5, 6, 7, 8, 11 or 12 UNDER THE PLAN. IF YOU HOLD CLAIMS IN MORE THAN ONE CLASS, YOU WILL RECEIVE A BALLOT FOR EACH CLASS IN WHICH YOU ARE ENTITLED TO VOTE.

IF YOUR BALLOT IS NOT RECEIVED BY QUARLES & BRADY LLP, ONE SOUTH CHURCH AVENUE, SUITE 1700, TUCSON, ARIZONA 85701 ON OR BEFORE 5:00 P.M. PREVAILING MOUNTAIN TIME ON _____, 2016 AND SUCH DEADLINE IS NOT EXTENDED, YOUR VOTE WILL NOT COUNT AS EITHER AN ACCEPTANCE OR REJECTION OF THE PLAN.

IF THE PLAN IS CONFIRMED BY THE BANKRUPTCY COURT, IT WILL BE BINDING ON YOU WHETHER OR NOT YOU VOTE.

Pursuant to the Disclosure Statement and the Plan, only those parties holding Claims in the following Classes (the “Impaired, Non-Tort Classes”) may cast this Ballot to accept or reject the Plan:

<u>Class</u>	<u>Description</u>
2	Prepetition Date Secured Tax Claims
3	Secured Claims of Ally Bank
4	Secured Claims of Pinnacle Bank
5	General Unsecured Convenience Claims
6	Phoenix Diocese Unsecured Claims
7	General Unsecured Claims
8	Other Tort and Employee Claims
11	St. Bonaventure Claims
12	Insurance and Benefit Claims

This Ballot is not a proof of claim, nor is it an admission of the validity or amount of your Claim. Your Claim may later become disallowed through the procedures and processes set forth in the Plan.

By signing this Ballot, I make the following certifications under penalty of perjury pursuant to 28 U.S.C. § 1746:

- I have been provided access to a copy of the Disclosure Statement and the exhibits thereto.
- I have the full power and authority to vote to accept or reject the Plan on behalf of the creditor listed on the reverse side.
- I have reviewed and accept the following exculpation provisions in the Plan:

I ACCEPT THAT, EXCEPT AS EXPRESSLY PROVIDED IN THE PLAN, NONE OF THE RELEASED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY CLAIMANT, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE REPRESENTATIVES, FINANCIAL ADVISORS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN OR RELATING TO THIS CASE, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, IF ANY, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED, HOWEVER, THE DEBTORS AND REORGANIZED DEBTOR WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE EFFECTIVE DATE) AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE CASE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND THEIR MEMBERS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF § 1125(E) OF THE BANKRUPTCY CODE.

ACCEPTANCE OR REJECTION OF THE PLAN

I, the undersigned, am the holder or legal representative of a Class ____ Claim against the Debtors in the unpaid amount of \$_____.

I, or I on behalf of the Class ____ Claim holder (check one box only):

ACCEPT the Plan

REJECT the Plan

Dated: _____

Print or type name: _____

Signature: _____

Address: _____

Name of Claim holder (if not an individual): _____

Title or description of legal authority of Person Executing Ballot: _____

**SEE NEXT PAGES FOR ADDITIONAL INSTRUCTIONS REGARDING THIS
BALLOT**

OPTIONAL ELECTION: CLAIM WAIVER/CONTRIBUTION TO DEBTORS

The undersigned, the holder of a Class ____ Claim against the Debtors in the unpaid amount of \$_____, voluntarily chooses to contribute all distributions it is entitled to receive on its claim against the Debtors to the Debtors.

The undersigned understands that if this contribution is made, the holder will receive no money or property on account of its Claim. Because the Debtors are tax-exempt organizations, the contribution of the holder's Claim may be tax-deductible.

Check the box below to contribute your Claim to the Debtors, in which case the holder of the Claim will receive nothing on account of its Claim:

YES, I voluntarily choose to contribute the amount of the distribution on my Claim to the Debtors. I understand that as a result of this election, I will receive nothing on account of my Claim.

Dated: _____

Print or type name: _____

Signature: _____

Address: _____

Name of Claim holder (if not an individual): _____

Title or description of legal authority of Person Executing Ballot: _____

**SEE NEXT PAGES FOR ADDITIONAL INSTRUCTIONS REGARDING THIS
BALLOT**

OPTIONAL ELECTION: CONVENIENCE CLASS PARTICIPATION

If you did not elect to contribute your Claim to the Debtors above, and if you are the holder of a Class 7 General Unsecured Claim against the Debtors, and if the amount of your Class 7 General Unsecured Claim is greater than \$500.00, you may elect to waive your Class 7 Claim and instead receive a Class 5 General Unsecured Convenience Claim.

Subject to the terms of the Plan and Disclosure Statement, which control in all respects, the difference between a Class 7 and Class 5 Claim can be summarized as follows:

A Class 7 Claim will be paid the amount of its Claim in five (5) equal annual installments, without interest, with the first installment to be paid nine (9) months after the Effective Date or applicable Claim Payment Date and each subsequent installment to be paid on the first Business Day that is twelve (12) months after the previous payment.

A Class 5 Claim will be paid \$500.00 in full and final satisfaction of the entire amount of the Claim, in two (2) equal installments. The first installment will be paid on the first Business Day which is six (6) days after the Effective Date or the Claim Payment Date. The second installment will be paid on the first Business Day after the first anniversary of the Effective Date or the Claim Payment Date.

Please consult the Plan and Disclosure Statement for additional information regarding the difference between a Class 5 Claim and a Class 7 Claim.

Check the box below if you wish to waive your Class 7 Claim in its entirety and instead receive a Class 5 Claim:

YES, I voluntarily choose to waive my Class 7 Claim in its entirety, and receive a Class 5 Claim instead.

Dated: _____

Print or type name: _____

Signature: _____

Address: _____

Name of Claim holder (if not an individual): _____

Title or description of legal authority of Person Executing Ballot: _____

TO HAVE YOUR VOTE AND YOUR ELECTIONS, IF ANY, COUNT, YOU MUST COMPLETE AND RETURN THIS BALLOT BY 5:00 P.M. PREVAILING MOUNTAIN TIME ON _____, 2016.

RETURN THIS BALLOT TO:

**QUARLES & BRADY LLP
ATTN: KELLY WEBSTER
ONE S. CHURCH AVE., SUITE 1700
TUCSON, ARIZONA 85701**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

<p>In re:</p> <p>ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole,</p> <hr/> <p style="text-align:center">Debtor.</p>	<p>Chapter 11</p> <p>Case No. 13-13676-t11</p> <p>Jointly Administered with:</p>
<p>Jointly Administered with:</p> <p>BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole.</p> <p>This pleading applies to:</p> <p><input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.</p>	<p>Case No. 13-13677-t11</p>

**CLASS 9
TORT CLAIM
BALLOT, CERTIFICATION AND RELEASES**

THIS DOCUMENT HAS THREE PARTS:

(1) A BALLOT FOR ACCEPTING OR REJECTING THE “DEBTORS’ PLAN OF REORGANIZATION DATED MARCH 21, 2016” [Dkt. No. 540] (“Plan”);

(2) AN ACKNOWLEDGEMENT, DISCLOSURE, AND CERTIFICATION REGARDING MEDICARE AND MEDICAID BENEFITS¹; AND

(3) A GENERAL RELEASE OF CLAIMS AGAINST THE PARTICIPATING PARTIES AND THE SETTLING INSURERS AND RELATED ACKNOWLEDGEMENTS AND CONSENTS.

The Bankruptcy Court has approved a disclosure statement with respect to the Plan (the “Disclosure Statement”). The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. Bankruptcy Court approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court.

¹ Capitalized terms are defined in the Plan.

You should review the Disclosure Statement and the Plan before you vote. If you are not represented by an attorney, you may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan.

UNDER THE TERMS OF THE PLAN AND THE ORDER OF THE BANKRUPTCY COURT, ALTHOUGH WE ENCOURAGE YOU TO VOTE, YOU DO NOT NEED TO VOTE TO ACCEPT OR REJECT THE PLAN TO RECEIVE FUNDS ON ACCOUNT OF YOUR TORT CLAIM BUT YOU MUST SIGN AND RETURN THIS BALLOT AS IT RELATES TO PART II AND PART III IN ORDER TO RECEIVE ANY FUNDS ON ACCOUNT OF YOUR TORT CLAIM.

PART I
BALLOT FOR ACCEPTING OR REJECTING PLAN²

PLEASE READ THE ENTIRE BALLOT BEFORE COMPLETING IT

By signing this Ballot, I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have been provided a copy or access to a copy of the Disclosure Statement and the exhibits thereto.

YOU MUST COMPLETE THIS BALLOT IN ORDER FOR YOUR VOTE TO COUNT AND YOU MUST RETURN THIS BALLOT BY 5:00 P.M. (PREVAILING MOUNTAIN TIME) ON _____, 2016 TO:

**QUARLES & BRADY LLP
ATTN: KELLY WEBSTER
ONE S. CHURCH AVENUE, SUITE 1700
TUCSON, ARIZONA 85701**

<i>Bankruptcy Claim No.</i> _____	<i>Creditor:</i> _____
-----------------------------------	------------------------

The undersigned, a holder of a Class 9 Tort Claim, votes (check one box only):

<input type="checkbox"/> to ACCEPT the Plan	<input type="checkbox"/> to REJECT the Plan
--	--

Amount of Your Claim for Voting Purposes
Only: \$1.00.

By signing this Ballot, I make the certifications herein and agree to the other terms herein and further certify all of the foregoing under penalty of perjury that:

TO BE COMPLETED BY TORT CLAIMANT:

Print or Type Name and Claim Number (if known)

Signature of Tort Claimant

Address of Tort Claimant

Telephone Number of Tort Claimant

² This Ballot is for voting purposes only and does not constitute and shall not be deemed a Proof of Claim or Interest or an admission of the validity of a Claim or Interest.

PART II
ACKNOWLEDGEMENT, DISCLOSURE AND CERTIFICATION

- **I ACCEPT AND ACKNOWLEDGE THAT I WILL PROVIDE ANY INFORMATION NECESSARY TO COMPLY WITH REPORTING OBLIGATIONS ARISING UNDER THE MSPA OR MMSEA (AS DEFINED IN THE PLAN), AND I HAVE OR I WILL PROVIDE FOR THE PAYMENTS/AND OR RESOLUTION OF ANY OBLIGATIONS OWING OR POTENTIALLY OWING UNDER THE MSPA RELATING TO MY TORT CLAIM OR DISTRIBUTION FROM THE TRUST (AS DEFINED IN THE PLAN). BY SIGNING THIS BALLOT, I ACKNOWLEDGE THAT IF I DO HAVE ANY OBLIGATIONS OWING OR POTENTIALLY OWING UNDER THE MSPA RELATING TO ANY TORT CLAIM OR DISTRIBUTION FROM THE TRUST, THE TRUSTEE MAY WITHHOLD FROM ANY PAYMENT DIRECTLY OR INDIRECTLY TO ME FUNDS SUFFICIENT TO ASSURE THAT ANY OBLIGATIONS OWING OR POTENTIALLY OWING UNDER THE MSPA RELATING TO SUCH TORT CLAIMS ARE PAID TO THE APPLICABLE AGENCY.**

- **I ACCEPT THAT EXCEPT AS EXPRESSLY PROVIDED IN THE PLAN, NONE OF THE RELEASED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY CLAIMANT, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE REPRESENTATIVES, FINANCIAL ADVISORS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN OR RELATING TO THE REORGANIZATION CASES, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED, HOWEVER, THE DEBTORS, THE REORGANIZED DEBTOR, COMMITTEE AND COMMITTEE MEMBERS WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE EFFECTIVE DATE) AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE REORGANIZATION CASES. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND THEIR MEMBERS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF BANKRUPTCY CODE § 1125(E).**

- **I ACCEPT THAT THE SETTLING INSURERS, THE REORGANIZED DEBTOR, THE TRUST, THE TRUSTEE, ALL PARTICIPATING PARTIES, AND PROFESSIONALS EMPLOYED BY THE FOREGOING SHALL NOT HAVE ANY LIABILITY TO ANY ENTITY, INCLUDING ANY**

GOVERNMENTAL ENTITY OR INSURER, ON ACCOUNT OF PAYMENTS MADE TO A TORT CLAIMANT, INCLUDING ANY LIABILITY UNDER THE MSPA.

- **I ACCEPT AND ACKNOWLEDGE THAT THE PLAN PROVIDES FOR THE TORT CLAIMS TO BE DETERMINED AS PART OF CONFIRMATION OF THE PLAN SOLELY BY AN INDIVIDUAL PROPOSED BY THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND APPROVED BY THE BANKRUPTCY COURT. THAT INDIVIDUAL IS REFERRED TO IN THE PLAN AS THE “ABUSE CLAIMS REVIEWER.” THE UNDERSIGNED ACCEPTS, ACKNOWLEDGES AND UNDERSTANDS THAT REVIEW OF MY TORT CLAIM BY THE ABUSE CLAIMS REVIEWER AND ANY COMPENSATION TO BE RECEIVED ON ACCOUNT OF MY TORT CLAIM IS DETERMINED SOLELY BY THE ABUSE CLAIMS REVIEWER AND BASED UPON THE ALLOCATION PROTOCOL THAT WAS ATTACHED TO THE PLAN. THE UNDERSIGNED FURTHER CERTIFIES I UNDERSTAND THAT THE DECISION OF THE ABUSE CLAIMS REVIEWER IS FINAL AND THAT THERE IS NO REVIEW OF THE DECISION BY A COURT OR ANY OTHER PARTY. THE UNDERSIGNED AGREES TO WAIVE AND RELEASE ANY RIGHT TO A TRIAL BY JURY OR OTHERWISE AGAINST THE DEBTORS, REORGANIZED DEBTOR, ANY OF THE PARTICIPATING PARTIES AND SETTLING INSURERS. I CERTIFY THAT BY SIGNING THE BALLOT THAT I CONSENT TO THIS METHOD FOR DETERMINING THE DISTRIBUTION ON ACCOUNT OF MY TORT CLAIM.**

PART III
GENERAL RELEASE OF CLAIMS AGAINST
PARTICIPATING PARTIES AND SETTLING INSURERS

I hereby fully release and forever discharge any and all Claims against any of the Participating Parties and any of the Settling Insurers that, directly or indirectly, relate to the Insurance Policies and any policies of insurance issued to the Participating Parties, the Tort Claims, or the injuries or damages alleged by any of the Tort Claimants, whether known or unknown, suspected or unsuspected, in law or equity. This release shall be binding upon my successors, heirs, agents and Representatives.

I represent and warrant that I have not assigned or otherwise transferred any interest in such Tort Claims.

This General Release of Claims shall be effective as of the Effective Date of the Plan.

Capitalized terms are defined in Article 3 of the Plan.

DATED: _____, 2016

By signing this Certification and Release, I make the certifications herein and agree to the other terms herein and further certify all of the foregoing under penalty of perjury that:

TO BE COMPLETED BY TORT CLAIMANT:

Print or Type Name and Claim Number (if known)

Signature of Tort Claimant

Address of Tort Claimant

Telephone Number of Tort Claimant

Return this Completed Ballot to:

QUARLES & BRADY LLP
ATTN: KELLY WEBSTER
ONE S. CHURCH AVE., SUITE 1700
TUCSON, ARIZONA 85701

If your Ballot is NOT RECEIVED by 5:00 p.m., Mountain Time on _____ 2016, it will not be counted.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole, Debtor.	Chapter 11 Case No. 13-13676-t11 Jointly Administered with:
Jointly Administered with: BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole. This pleading applies to: <input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.	Case No. 13-13677-t11

**CLASS 10
UNKNOWN TORT CLAIMS
BALLOT, CERTIFICATION AND RELEASES**

THIS DOCUMENT HAS THREE PARTS:

(1) A BALLOT FOR ACCEPTING OR REJECTING “DEBTORS’ PLAN OF REORGANIZATION DATED MARCH 21, 2016” [Dkt No. 540] (the “Plan”);

(2) AN ACKNOWLEDGEMENT, DISCLOSURE, AND CERTIFICATION REGARDING MEDICARE AND MEDICAID BENEFITS¹; AND

(3) A GENERAL RELEASE OF CLAIMS AGAINST THE PARTICIPATING PARTIES AND THE SETTLING INSURERS AND RELATED ACKNOWLEDGEMENTS AND CONSENTS.

The Bankruptcy Court has approved a disclosure statement with respect to the Plan (the “Disclosure Statement”). The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. Bankruptcy Court approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court.

¹ Capitalized terms are defined in the Plan.

You should review the Disclosure Statement and the Plan before you vote.

UNDER THE TERMS OF THE PLAN AND THE ORDER OF THE BANKRUPTCY COURT, ALTHOUGH WE ENCOURAGE YOU TO VOTE, YOU DO NOT NEED TO VOTE TO ACCEPT OR REJECT THE PLAN TO RECEIVE FUNDS ON ACCOUNT OF YOUR TORT CLAIM BUT YOU MUST SIGN AND RETURN THIS BALLOT AS IT RELATES TO PART II AND PART III IN ORDER TO RECEIVE ANY FUNDS ON ACCOUNT OF YOUR TORT CLAIM.

PART I
BALLOT FOR ACCEPTING OR REJECTING PLAN²

PLEASE READ THE ENTIRE BALLOT BEFORE COMPLETING IT

By signing this Ballot, I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have been provided a copy or access to a copy of the Disclosure Statement and the exhibits thereto.

YOU MUST COMPLETE THIS BALLOT IN ORDER FOR YOUR VOTE TO COUNT AND YOU MUST RETURN THIS BALLOT BY 5:00 P.M. (PREVAILING MOUNTAIN TIME) ON _____, 2016 TO:

**QUARLES & BRADY LLP
ATTN: KELLY WEBSTER
ONE S. CHURCH AVENUE, SUITE 1700
TUCSON, ARIZONA 85701**

<i>Bankruptcy Claim No.</i> _____	<i>Creditor:</i> _____
-----------------------------------	------------------------

The undersigned, Unknown Claims Representative and holder of a Class 10 claim, votes (check one box only):

<input type="checkbox"/> to ACCEPT the Plan	<input type="checkbox"/> to REJECT the Plan
--	--

Amount of Your Claim for Voting Purposes Only: \$1.00.

By signing this Ballot, I make the certifications herein and agree to the other terms herein and further certify all of the foregoing under penalty of perjury that:

TO BE COMPLETED BY UNKNOWN CLAIMS REPRESENTATIVE:

Print or Type Name

Signature of Unknown Claims Representative

Address of Unknown Claims Representative

Telephone Number of Unknown Claims Representative

² This Ballot is for voting purposes only and does not constitute and shall not be deemed a Proof of Claim or Interest or an admission of the validity of a Claim or Interest.

PART II
ACKNOWLEDGEMENT, DISCLOSURE AND CERTIFICATION

- **I ACCEPT THAT EXCEPT AS EXPRESSLY PROVIDED IN THE PLAN, NONE OF THE RELEASED PARTIES WILL HAVE OR INCUR ANY LIABILITY TO, OR BE SUBJECT TO ANY RIGHT OF ACTION BY, ANY CLAIMANT, ANY OTHER PARTY IN INTEREST, OR ANY OF THEIR RESPECTIVE REPRESENTATIVES, FINANCIAL ADVISORS, OR AFFILIATES, OR ANY OF THEIR SUCCESSORS OR ASSIGNS, FOR ANY ACT OR OMISSION IN OR RELATING TO THE REORGANIZATION CASES, INCLUDING THE EXERCISE OF THEIR RESPECTIVE BUSINESS JUDGMENT AND THE PERFORMANCE OF THEIR RESPECTIVE FIDUCIARY OBLIGATIONS, THE PURSUIT OF CONFIRMATION OF THE PLAN, OR THE ADMINISTRATION OF THE PLAN OR THE TRUST, EXCEPT LIABILITY FOR THEIR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE (PROVIDED, HOWEVER, THE DEBTORS, THE REORGANIZED DEBTOR, COMMITTEE AND COMMITTEE MEMBERS WILL BE DISCHARGED FROM ANY SUCH LIABILITY FOR SUCH ACTS OR OMISSIONS OCCURRING PRIOR TO THE EFFECTIVE DATE) AND IN ALL RESPECTS, SUCH PARTIES WILL BE ENTITLED TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN OR IN THE CONTEXT OF THE REORGANIZATION CASES. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE DEBTORS AND THEIR MEMBERS, FINANCIAL ADVISORS, AND OTHER PROFESSIONALS SHALL BE ENTITLED TO AND GRANTED THE BENEFITS OF BANKRUPTCY CODE § 1125(E).**
- **I ACCEPT THAT THE SETTLING INSURERS, THE REORGANIZED DEBTOR, THE TRUST, THE TRUSTEE, ALL PARTICIPATING PARTIES, AND PROFESSIONALS EMPLOYED BY THE FOREGOING SHALL NOT HAVE ANY LIABILITY TO ANY ENTITY, INCLUDING ANY GOVERNMENTAL ENTITY OR INSURER, ON ACCOUNT OF PAYMENTS MADE TO A TORT CLAIMANT OR UNKNOWN TORT CLAIMANT, INCLUDING ANY LIABILITY UNDER THE MEDICARE SECONDARY PAYER ACT.**
- **I ACCEPT AND ACKNOWLEDGE THAT THE PLAN PROVIDES FOR THE UNKNOWN TORT CLAIMS TO BE DETERMINED SOLELY BY AN INDIVIDUAL PROPOSED BY THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND APPROVED BY THE BANKRUPTCY COURT. THAT INDIVIDUAL IS REFERRED TO IN THE PLAN AS THE “ABUSE CLAIMS REVIEWER.” THE UNDERSIGNED ACCEPTS, ACKNOWLEDGES AND UNDERSTANDS THAT REVIEW OF UNKNOWN TORT CLAIMS BY THE ABUSE CLAIMS REVIEWER AND ANY COMPENSATION TO BE RECEIVED ON ACCOUNT OF UNKNOWN TORT CLAIMS IS DETERMINED SOLELY BY THE ABUSE CLAIMS REVIEWER AND BASED UPON THE ALLOCATION PROTOCOL THAT WAS ATTACHED TO THE PLAN. THE UNDERSIGNED**

FURTHER CERTIFIES I UNDERSTAND THAT THE DECISION OF THE ABUSE CLAIMS REVIEWER IS FINAL AND THAT THERE IS NO REVIEW OF THE DECISION BY A COURT OR ANY OTHER PARTY. I CERTIFY THAT BY SIGNING THE BALLOT THAT I CONSENT TO THIS METHOD FOR DETERMINING THE DISTRIBUTION ON ACCOUNT OF UNKNOWN TORT CLAIMS. THE UNDERSIGNED AGREES TO WAIVE AND RELEASE ANY RIGHT TO A TRIAL BY JURY OR OTHERWISE AGAINST THE DEBTORS, REORGANIZED DEBTOR, ANY OF THE PARTICIPATING PARTIES AND SETTLING INSURERS. I CERTIFY THAT BY SIGNING THE BALLOT THAT I CONSENT TO THIS METHOD FOR DETERMINING THE DISTRIBUTION ON ACCOUNT OF MY TORT CLAIM.

PART III
GENERAL RELEASE OF CLAIMS AGAINST
PARTICIPATING PARTIES AND SETTLING INSURERS

On behalf of the Unknown Tort Claimants, I hereby fully release and forever discharge any and all Claims against any of the Participating Parties and any of the Settling Insurers that, directly or indirectly, relate to the Insurance Policies, and any policies of insurance issued to the Participating Parties, the Tort Claims, the Unknown Tort Claims or the injuries or damages alleged by any of the Tort Claimants or Unknown Tort Claimants, whether known or unknown, suspected or unsuspected, in law or equity. This release shall be binding upon my successors, heirs, agents, Representatives, and any and all Unknown Tort Claimants.

This General Release of Claims shall be effective as of the Effective Date of the Plan.

Capitalized terms are defined in Article 3 of the Plan.

DATED: _____, 2016

By signing this Certification and Release, I make the certifications herein and agree to the other terms herein and further certify all of the foregoing under penalty of perjury that:

TO BE COMPLETED BY UNKNOWN CLAIMS REPRESENTATIVE:

Print or Type Unknown Claims Representative

Signature of Unknown Claims Representative

Address of Unknown Claims Representative

Telephone Number of Unknown Claims Representative

Return this Completed Ballot to:

QUARLES & BRADY LLP
ATTN: KELLY WEBSTER
ONE S. CHURCH AVE., SUITE 1700
TUCSON, ARIZONA 85701

**If your Ballot is NOT RECEIVED by 5:00 p.m., Mountain
Time on _____ 2016, it will not be counted.**

EXHIBIT "E"

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole, Debtor.	Chapter 11 Case No. 13-13676-t11 Jointly Administered with:
Jointly Administered with: BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole. This pleading applies to: <input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.	Case No. 13-13677-t11

**NOTICE OF NON-VOTING STATUS
WITH RESPECT TO CLASS 1**

PLEASE TAKE NOTICE THAT on _____, 2016, the United States Bankruptcy Court for the District of New Mexico (the “**Court**”) entered an order approving the “Disclosure Statement to Accompany Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 541] for the “Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 540] (the “**Plan**”), filed by the Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole, and Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole (collectively, the “**Debtors**”), (as such disclosure statement may be amended, the “**Disclosure Statement**”) filed by the Debtors for use in soliciting acceptances or rejections of the Plan.

UNDER THE TERMS OF THE PLAN, YOUR CLAIM/INTEREST IN CLASS 1 AGAINST THE DEBTORS IS NOT IMPAIRED AND, THEREFORE, PURSUANT TO BANKRUPTCY CODE § 1126(g), YOU ARE (I) DEEMED TO HAVE ACCEPTED THE PLAN, AND (II) NOT ENTITLED TO VOTE ON THE PLAN. ACCORDINGLY, THE ENCLOSED DOCUMENTS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE ANY QUESTIONS ABOUT THE STATUS OF YOUR

**INTEREST(S), YOU MAY CONTACT COUNSEL TO THE DEBTORS AT: QUARLES
& BRADY LLP, ONE S. CHURCH AVE., SUITE 1700, TUCSON, ARIZONA 85701,
ATTN: ELIZABETH S. FELLA; AND WALKER & ASSOCIATES, P.C., 500
MARQUETTE N.W., SUITE 650, ALBUQUERQUE, NEW MEXICO 87102, ATTN:
THOMAS WALKER.**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

<p>In re:</p> <p>ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole,</p> <p style="text-align: center;">Debtor.</p> <hr/>	<p>Chapter 11</p> <p>Case No. 13-13676-t11</p> <p>Jointly Administered with:</p>
<p>Jointly Administered with:</p> <p>BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole.</p> <p>This pleading applies to:</p> <p><input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.</p>	<p>Case No. 13-13677-t11</p>

**NOTICE OF NON-VOTING STATUS
WITH RESPECT TO CLASS 13**

PLEASE TAKE NOTICE THAT on _____, 2016, the United States Bankruptcy Court for the District of New Mexico (the “**Court**”) entered an order approving the “Disclosure Statement to Accompany Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 541] for the “Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 540] (the “**Plan**”), filed by the Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole, and Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole (collectively, the “**Debtors**”), (as such disclosure statement may be amended, the “**Disclosure Statement**”) filed by the Debtors for use in soliciting acceptances or rejections of the Plan.

UNDER THE TERMS OF THE PLAN, YOUR CLAIM IN CLASS 13 AGAINST THE DEBTORS IS IMPAIRED AND WILL NOT RECEIVE ANY DISTRIBUTION UNDER THE PLAN, THEREFORE, PURSUANT TO BANKRUPTCY CODE § 1126(g), YOU ARE (I) DEEMED TO HAVE REJECTED THE PLAN, AND (II) NOT ENTITLED TO VOTE ON THE PLAN. ACCORDINGLY, THE ENCLOSED DOCUMENTS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE ANY

QUESTIONS ABOUT THE STATUS OF YOUR INTEREST(S), YOU MAY CONTACT COUNSEL TO THE DEBTORS AT: QUARLES & BRADY LLP, ONE S. CHURCH AVE., SUITE 1700, TUCSON, ARIZONA 85701, ATTN: ELIZABETH S. FELLA; AND WALKER & ASSOCIATES, P.C., 500 MARQUETTE N.W., SUITE 650, ALBUQUERQUE, NEW MEXICO 87102, ATTN: THOMAS WALKER.

EXHIBIT "F"

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

<p>In re:</p> <p>ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, a New Mexico corporation sole,</p> <p style="text-align: center;">Debtor.</p> <hr/>	<p>Chapter 11</p> <p>Case No. 13-13676-t11</p> <p>Jointly Administered with:</p> <p>Case No. 13-13677-t11</p>
<p>Jointly Administered with:</p> <p>BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF GALLUP, an Arizona corporation sole.</p> <p>This pleading applies to:</p> <p><input checked="" type="checkbox"/> All Debtors. <input type="checkbox"/> Specified Debtor.</p>	

**NOTICE OF OBJECTION DEADLINE FOR INSURANCE SETTLEMENT
AGREEMENTS AND PARTICIPATING PARTY AGREEMENTS**

PLEASE TAKE NOTICE THAT:

On March 21, 2016, the Roman Catholic Church of the Diocese of Gallup, a New Mexico corporation sole, and Bishop of the Roman Catholic Church of the Diocese of Gallup, an Arizona corporation sole (collectively, the “**Debtors**”), the Debtors and Debtors-in-possession in the above-captioned jointly administered Chapter 11 reorganization cases, filed “Debtors’ Plan of Reorganization Dated March 21, 2016” [Dkt. No. 540] (the “**Plan**”) and a disclosure statement with respect to the Plan [Dkt. No. 541] (as such disclosure statement may be amended, the “**Disclosure Statement**”), pursuant to Bankruptcy Code¹ § 1125.

The Plan provides the means for settling and paying all Claims asserted against the Debtors. The Plan also provides for Participating Parties and Settling Insurers to participate by contributing funds that will be used, in part, for the benefit of Tort Claimants. The Plan provides for the creation of a Trust for the exclusive benefit of Tort Claimants. The Plan also provides that all Tort Claims against the Debtors, Settling Insurers, and Participating 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 Debtors,

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

Settling Insurers, and Participating Parties. The Trust Assets will consist of Cash from the Debtors, contributions by Participating Parties and Settling Insurers, and proceeds from the sale of certain real property of the Debtors. The Debtors have entered into certain Insurance Settlement Agreements and Participating Party Agreements, all of which must be approved in order for the Plan to be confirmed. Therefore, the Debtors will seek approval of the Insurance Settlement Agreements and Participating Party Agreements in conjunction with confirmation of the Plan.

As part of the Plan, the Debtors will seek the **entry of an Order permanently enjoining and barring all Claims by any Person or Entity against the Settling Insurers and Participating Parties, and releasing the Settling Insurers and Participating Parties from any further liability relating to (a) policies issued or allegedly issued to the Debtors or Participating Parties, and (b) Tort Claims (as specifically defined in the Plan, which includes Claims related to sexual abuse) as part of the Plan, the confirmation of which is a condition of the Insurance Settlement Agreements and Participating Party Agreements.**

The “**Settling Insurers**” include: (i) **Catholic Mutual Relief Society of America**, (ii) **Catholic Relief Insurance Company of America**, (iii) **The Home Insurance Company**, and (iv) **New Mexico Property and Casualty Insurance Guaranty Association**. If the Insurance Settlement Agreements are approved, the Debtors will sell, and Settling Insurers will purchase (if applicable), the Insurance Policies described more particularly in the Plan, free and clear of all liens, claims, encumbrances, and other interests.

The “**Participating Parties**” include: (i) **Province of Our Lady of Guadalupe of the Order of Friars Minor**, (ii) **Province of St. John the Baptist of the Order of Friars Minor**, (iii) **St. Michael’s Mission**, (iv) **Roman Catholic Diocese of Phoenix**, (v) **Saint Bonaventure Indian Mission and School, Inc.**, (vi) **Southwest Indian Foundation, Inc.**, (vii) **United States Fidelity and Guaranty Company**, and (viii) **the Parishes**.

IF YOU HOLD CLAIMS AGAINST THE DEBTORS, SETTLING INSURERS OR PARTICIPATING PARTIES, YOUR RIGHTS MAY BE AFFECTED.

Copies of the Plan and the exhibits thereto, including the Insurance Settlement Agreements and the Participating Party Agreements, can be inspected at the Office of the Clerk of the Bankruptcy Court at the address below, online at a link that can be found at <http://www.nmcourt.fed.us/usbc>, or by contacting counsel to the Debtors. These documents will also be available on the website for counsel for the Committee at www.pszjlaw.com. Any party who objects to the Insurance Settlement Agreements or Participating Party Agreements must file its objection with the Clerk of the Bankruptcy Court, Federal Building and United States Courthouse, 500 Gold Ave. SW, Tenth Floor, Albuquerque, NM 87102 (or P.O. Box 546, Albuquerque, NM 87103) no later than _____, 2016 and serve a copy of the objection on Elizabeth S. Fella, Quarles &

Brady LLP, One South Church Avenue, Suite 1700, Tucson, Arizona 85701. If objections are timely filed, they will be considered at the hearing on confirmation of the Plan to be held on _____, 2016 at _____.m. before the Honorable David T. Thuma, United States Bankruptcy Judge, Dennis Chavez Federal Building and United States Courthouse, 13th Floor, 500 Gold Ave., S.W., Albuquerque, New Mexico, 87102. If no objections are timely filed, an order approving the Insurance Settlement Agreements and Participating Party Agreements will be presented to the Court without further notice.

DATED this _____ day of _____, 2016.

/s/

Susan G. Boswell (AZ Bar No. 004791)

Lori L. Winkelman (AZ Bar No. 021400)

Elizabeth S. Fella (AZ Bar No. 025236)

Admitted Pro Hac Vice

QUARLES & BRADY LLP

One S. Church Ave., Suite 1700

Tucson, Arizona 85701

(520) 770-8700

Fax: (520) 623-2418

susan.boswell@quarles.com

lori.winkelman@quarles.com

elizabeth.fella@quarles.com

-and-

Thomas D. Walker

WALKER & ASSOCIATES, P.C.

500 Marquette N.W., Suite 650

Albuquerque, New Mexico 87102

(505) 766-9272

Fax: (505) 722-9287

twalker@walkerlawpc.com

Counsel for the Debtors