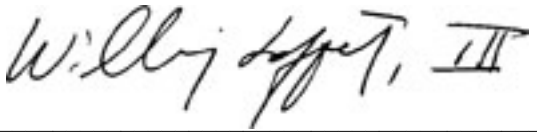
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U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

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The following constitutes the order of the Court.
Signed: May 8, 2026



William J. Lafferty, III
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:

THE ROMAN CATHOLIC BISHOP OF OAKLAND, a California corporation sole,

Debtor.

Case No. 23-40523 WJL
Chapter 11

ORDER (I) APPROVING THE DEBTOR'S DISCLOSURE STATEMENT AND (II) ESTABLISHING PROCEDURES FOR SOLICITATION, NOTICE AND BALLOTING FOR THE PLAN

Judge: Hon. William J. Lafferty

This matter comes before the Court in connection with the *First Amended Disclosure Statement in Support of Debtor's Modified Fourth Amended Plan of Reorganization*, the solicitation version of which was filed on May 8, 2026 at Docket No. 2902 (including all applicable exhibits thereto, the "**Disclosure Statement**") by the Roman Catholic Bishop of Oakland , a California corporation sole, and the debtor and debtor in possession (the "**Debtor**" or "**RCBO**") in the above-captioned chapter 11 bankruptcy case (the "**Chapter 11 Case**") describing the *Debtor's Modified Fourth Amended Plan of Reorganization Dated March 27, 2026* [Docket No. 2758] (as it may be amended, modified, or supplemented, and including all exhibits thereto, the "**Plan**").

The Court having held hearings and conferences on January 20, February 4, February 17, March 13, March 20, March 25, April 1, April 10, April 17, April 29, and May 8, 2026 to consider the filing and approval of the Disclosure Statement and the solicitation of votes thereon; and the Court having reviewed and considered the:

(i) *Supplemental Objection to the Disclosure Statement in Support of Debtor's Modified Fourth Amended Plan of Reorganization* filed by Interested Party Certain Underwriters at Lloyd's of London Subscribing to Slip Nos. CU 1001, K66034, K78138 and CU 3061) [Docket No. 2799];

(ii) *Certain Insurers' Objections to (I) the Disclosure Statement for the Official Committee of Unsecured Creditors' Plan of Reorganization, and (II) the Disclosure Statement in Support of Debtor's Modified Fourth Amended Plan of Reorganization* [Docket No. 2798];

(iii) *The Official Committee of Unsecured Creditors' Objection to Approval of the Debtor's Disclosure Statement in Support of the Debtor's Modified Fourth Amended Plan of Reorganization* [Docket No. 2800];

(iv) *Pacific Insurers' Objection to Approval of Disclosure Statements and Solicitation Procedures* [Docket No. 2806];

(v) *Debtor's Reply in Support of Disclosure Statement for Modified Fourth Amended Plan of Reorganization Court* [Docket No. 2811];

(vi) *Certain Underwriters at Lloyd's, London and Certain London Market Insurers' Supplemental Objection to the First Amended Disclosure Statement in Support of the Debtor's Modified Fourth Amended Plan of Reorganization dated May 1, 2026* [Docket No. 2884]; and,

(vii) *Committee's Reservation of Rights Regarding First Amended Disclosure Statement in Support of Debtor's Modified Fourth Amended Plan of Reorganization* [Docket No. 2893].

and all other documents filed in support of or opposition to the Disclosure Statement, the record in this case, and the representations and arguments of counsel and statements on the record at the hearings and

conferences held before the Court to consider the adequacy of the Disclosure Statement (collectively, the "**Hearings**"); upon all of the proceedings before the Court; and the Court having determined that there is just cause for the relief granted herein; and it appearing that the relief being granted is in the best interests of the Debtor, its estate and its creditors; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY FOUND AND DETERMINED THAT:

A. This Court has jurisdiction to consider approval of the Disclosure Statement in accordance with 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b).

B. The Disclosure Statement contains adequate information about the Plan within the meaning of section 1125 of the Bankruptcy Code.

C. The Disclosure Statement provides sufficient notice of the injunction, exculpation, and release provisions contained in the Plan, in accordance with Bankruptcy Rule 3016(c).

D. Due and proper notice of the Disclosure Statement, the Hearings, and the deadline for filing objections to the Disclosure Statement was provided under the circumstances; such notice was fair and reasonable and provided parties with due process; and no further notice is necessary.

E. The forms of Ballots approved herein are consistent with Official Form No. 314, address the particular needs of this Chapter 11 Case, and are appropriate for the Holders of Class 1, Class 4, or Class 5 Claims entitled to vote to accept or reject the Plan, as applicable (the "**Voting Classes**"). The voting instructions attached to the Ballots contain adequate information to instruct all members of the Voting Classes on how to submit their votes.

F. The prior ballot tabulation for Class 3 (General Unsecured Claims) and Class 6 (Non-Abuse Litigation Claims) will stand as set forth in this Order. The Holders of Claims in Class 3 and Class 6 were previously solicited in accordance with sections 1125 and 1126 of the Bankruptcy Code in connection with the Debtor's *Third Amended Plan of Reorganization* [Docket No. 1830], were provided with adequate information regarding the treatment of their Claims under that Plan, and were afforded a fair and reasonable opportunity to vote to accept or reject that Plan. The treatment of Class 3 and Class 6 Claims under the Plan is not materially different from, or less favorable than, the treatment provided in the prior solicitation, and no change in circumstances warrants resolicitation of such Classes. Accordingly,

the Court finds that resolicitation of Class 3 and Class 6 is not required under section 1127(c) of the Bankruptcy Code or Bankruptcy Rule 3019.

G. Holders of Claims in Class 2 (Priority Unsecured Claims, other than non-classified claims set forth in Article III of the Plan) are conclusively presumed to accept the Plan, and Holders of Claims in Class 7A (Abuse Related Contribution Claims Related to Class 4 Claims) and Holders of Claims in Class 7B (Abuse Related Contribution Claims Related to Class 5 Claims) are deemed to reject the Plan (Class 2, Class 7A, and Class 7B Claims are, collectively, the "**Non-Voting Classes**"). Accordingly, members of the Non-Voting Classes are not entitled to receive a Ballot or to vote to accept or reject the Plan.

H. The period, as set forth below, during which the Debtor may solicit acceptances to the Plan is a reasonable period of time for entities entitled to vote on the Plan to make an informed decision whether to accept or reject the Plan.

I. The procedures for the solicitation and tabulation of votes to accept or reject the Plan set forth herein provide for a fair and equitable voting process and are consistent with Section 1126 of the Bankruptcy Code.

NOW, THEREFORE, IT IS ORDERED THAT:

Approval of Documents

1. The Disclosure Statement is hereby approved pursuant to 11 U.S.C. § 1125(b) and Fed. R. Bankr. P. 3017(b).

2. The Ballots are hereby approved for purposes of solicitation and voting on the Plan in substantially the following forms attached to the *Notice of Revised Forms of Plan Solicitation Documents* [Docket No. 2906] (the "**Notice of Forms**"): for Class 1 Claims (RCC Secured Claim), attached as **Exhibit 2**; for Class 4 Claims (Abuse Claims), attached as **Exhibit 3**; and for Class 5 Claims (Unknown Abuse Claims), attached as **Exhibit 4**.

3. The form of Confirmation Hearing Notice is approved in substantially the form attached as **Exhibit 5** to the Notice of Forms.

The Confirmation Hearing

4. A hearing to consider confirmation of the Plan (the "**Confirmation Hearing**") shall commence at **9:00 AM (prevailing Pacific time)** on **June 15, 2026,** and continue thereafter as necessary, as set forth in the Court's *Confirmation Scheduling Order* [Docket No. 2790] establishing certain dates and deadlines in connection with confirmation of the Plan.

5. The Confirmation Hearing may be adjourned or continued from time to time by the Court or by the Debtor on a showing of good cause therefor or with the consent of the Committee, which consent shall not be unreasonably withheld, without further notice except for as announced in open court or as filed on the Court's docket. The Plan may be modified pursuant to Section 1127 of the Bankruptcy Code.

6. As set forth in the Confirmation Scheduling Order, objections or responses to confirmation of the Plan, if any, must (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the basis for the objection, and the specific grounds therefor; and (d) be filed with the Court and served so as to be actually received not later than **5:00 PM (prevailing Pacific time) on May 8, 2026**, by (i) counsel to the Debtor, Foley & Lardner LLP, 555 California Street, Ste. 1700, San Francisco, CA 94104, Attn: Ann Marie Uetz (auetz@foley.com), Matthew Lee (mdlee@foley.com), Shane Moses (smoses@foley.com), and Mark Moore (mmoore@foley.com); (ii) the Office of the United States Trustee for the Northern District of California, 450 Golden Gate Avenue, Room 05-0153, San Francisco, CA 94102, Attn: Jason Blumberg (jason.blumberg@usdoj.gov), (iii) counsel to the Committee, Keller Benvenutti Kim LLP, 425 Market Street, 26th Floor San Francisco, CA 94105, Attn: Gabrielle L. Albert (galbert@kbkllp.com), Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, NJ 07068, Attn: Jeffrey D. Prol (jprol@lowenstein.com) and Brent Weisenberg (bweisenberg@lowenstein.com) and Burns Bair LLP, 10 E. Doty Street, Suite 600, Madison, WI 53703-3392, Attn: Timothy Burns (tburns@burnsbair.com) and Jesse Bair (jbair@burnsbair.com); and (iv) those persons who have formally appeared and requested service in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure. All objections not timely filed and served in accordance with the provisions of this Order shall be deemed waived and will not be considered by this Court, unless the parties agree, or the Court orders otherwise.

7. As set forth in the Confirmation Scheduling Order, the Debtor and any other party in interest supporting the Plan shall respond or otherwise reply to any objections to confirmation in their Brief in Support of Confirmation no later than **5:00 PM (prevailing Pacific time) on June 5, 2026**.

Solicitation Procedures

8. For the purposes of determining (a) upon whom service must be made following approval of the Disclosure Statement pursuant to Rule 3017(d), and (b) which Holders of Claims are entitled to vote on the Plan pursuant to Rule 3018(a), the Voting Record Date (the "**Voting Record Date**") shall be April 15, 2026 except as modified pursuant to any future Court order.

9. The Voting Record Date shall also be the record date for purposes of determining which Creditors are entitled to receive a Notice of Non-Voting Status.

10. No later than May 13, 2026 (the "**Solicitation Mailing Date**"), the Debtor shall complete (or cause to be completed) the mailing of Solicitation Packages (defined below) to Holders of Claims in the Voting Classes entitled to vote on the Plan, as applicable, as of the Voting Record Date. For the avoidance of doubt, service upon the Unknown Claims Representative shall constitute service to Holders of Claims in Class 5.

11. The package distributed to Holders of Claims in Voting Classes and to the Unknown Abuse Claims Representative shall contain a copy of (i) the Confirmation Hearing Notice; (ii) this Order; (iii) the appropriate Ballot(s) to accept or reject the Plan, with detailed voting instructions and a pre-addressed, postage prepaid return envelope; (iv) the Disclosure Statement and Plan; and (v) the Committee's Letter to Survivors [attached to the Notice of Forms as Exhibit 6] (collectively, the "**Solicitation Package**"); *provided however*, that inclusion of the Committee's Letter shall not constitute approval by the Bankruptcy Court of the arguments or averments contained therein. No additional solicitation communications from the Committee, or any party other than the Debtor, shall be included in the solicitation package or distributed to Abuse Claimants in connection with solicitation of the Plan without prior leave of Court. The Debtor is authorized to make non-substantive changes to the Disclosure Statement, the Plan, and related documents without further order of the Court, including ministerial changes to correct typographical and grammatical errors, and to make conforming changes among the Disclosure

Statement, the Plan, and any other materials in the Solicitation Packages, before mailing the Solicitation Packages; *provided, however*, the Debtor shall provide the Committee no less than two (2) business days' notice of any such changes.

12. Solicitation Packages shall be provided to all Holders of Claims in the Voting Classes appearing in the Debtor's Schedule F (as amended, *see* Docket No. 161 at pp. 40-157) or who filed Proofs of Claim before the applicable Bar Date (or whose Claims were deemed timely by order of this Court) and whose Claims are not the subject of a pending objection as of the Voting Record Date. Notwithstanding the foregoing or anything herein to the contrary, all persons who filed a Proof of Claim asserting an Abuse Claim shall receive a Solicitation Package containing a Ballot for voting on the Plan, regardless of the contingent, unliquidated, and disputed nature of such Claim, and notwithstanding any pending objections to their Claims. With respect to all Holders of Claims in Voting Classes, parties' rights are reserved with respect to whether Ballots should ultimately be counted.

13. Solicitation Packages for Holders of Class 4 Claims shall be served via the noticing address included on their Proof of Claim, if any, based on the information reflected on the claims register maintained by Verita as of the Voting Record Date. If such noticing address is the address of the Holder of such Class 4 Claim's attorney, such Holder shall be served the Solicitation Package through such attorney unless either the Holder or their attorney has notified the Debtor or Verita that the representation has terminated. The Debtor may serve such attorneys for Holders of Class 4 Claims with Solicitation Packages via email and may serve attorneys who represent more than one Holder of a Class 4 Claim with only one copy of the Solicitation Package, provided the Debtor shall provide separate Ballots for each such Holder of a Class 4 Claim.

14. The Debtor shall provide the Unknown Abuse Claims Representative, appointed pursuant to this Court's Order entered on December 20, 2024 [Docket No. 1554], as modified and/or supplemented by this Court's Order entered on March 11, 2026 [Docket No. 2715] with a single Class 5 Ballot for purposes of voting to accept or reject the Plan in his capacity as representative for the Holders of Class 5 Claims. Compliance with this paragraph shall constitute sufficient notice and service of the Solicitation Package with regard to Class 5 Claims.

15. The Debtor may provide creditors who have more than one Claim with only one Solicitation Package and one Ballot for each Voting Class to which they belong.

16. The Debtor is not required to distribute a Solicitation Package to any person who holds a Claim as to which no Proof of Claim has been filed and that either (i) is scheduled as contingent, unliquidated, or disputed, or (ii) is not scheduled in an amount greater than $0, unless the Holder of such Claim files a motion for temporary allowance of a claim under Bankruptcy Rule 3018.

17. Not later than the Solicitation Mailing Date, the Debtor shall serve Holders of Claims in the Non-Voting Classes with (i) the Confirmation Hearing Notice, and (ii) the Notice of Non-Voting Status.

18. Not later than the Solicitation Mailing Date, the Debtor shall distribute (or cause to be distributed) copies of the Confirmation Hearing Notice, this Order, and the Disclosure Statement and Plan to: (a) the United States Trustee; (b) counsel for the Committee; (c) the United States Attorney for the Northern District of California; and (d) all other persons that have filed notices of appearances and requests for documents in the Chapter 11 Case, to the extent such persons are not separately receiving a Solicitation Package or Notice of Non-Voting Status.

19. Not later than the Solicitation Mailing Date, the Debtor shall distribute (or cause to be distributed) a copy of the Confirmation Hearing Notice to any other persons listed on the master mailing matrix maintained for the Chapter 11 Case, to the extent such persons are not previously identified herein to receive notice.

20. The Debtor is not required to distribute copies of the Plan, Disclosure Statement, or this Order to any Holder of a Claim in a Non-Voting Class, or any Holder of an Unclassified Claim, unless such party makes a request for copies of such documents by (a) calling the Debtor's toll-free restructuring hotline at (888) 733-1425 (U.S./Canada) or (310) 751-2631 (International), or (b) e-mailing RCBOInfo@veritaglobal.com.

21. Any party-in-interest may obtain free of charge an electronic or paper copy of the Plan, Disclosure Statement, this Order, or related documents by (a) calling the Debtor's toll-free restructuring

hotline at (888) 733-1425 (U.S./Canada) or (310) 751-2631 (International), or (b) e-mailing RCBOInfo@veritaglobal.com.

22. The Ballots, the Notice of Non-Voting Status, and the Confirmation Hearing Notice shall be distributed in paper format unless otherwise provided herein; however, because the Plan and Disclosure Statement may be cumbersome and costly to print and mail, the Debtor is authorized to distribute, or cause to be distributed, the Plan, Disclosure Statement, and this Order via USB flash drive, at its discretion.

23. Verita shall serve the Solicitation Package, the Notice of Non-Voting Status, and notices regarding the Confirmation Hearing, as set forth above. Should any mailing of Solicitation Packages, Notice of Non-Voting Status, and Confirmation Hearing Notices be returned by the United States Postal Service or courier, the Debtor and Verita need not resend those documents to the same address(es). The Debtor and Verita are further relieved of any obligation to attempt to locate the correct address and resend the Solicitation Packages, Notice of Non-Voting Status, and Confirmation Hearing Notices that are returned as undeliverable, unless and until the Debtor is provided with accurate addresses for such persons. The Debtor's failure to ensure receipt by mail of Solicitation Packages or any other materials related to voting or confirmation of the Plan by such persons (a) shall not constitute inadequate notice of the Confirmation Hearing or Voting Deadline and (b) shall not constitute a violation of Bankruptcy Rule 3017(d).

24. Service of the Confirmation Hearing Notice in accordance with this Order is hereby found to be adequate and reasonably calculated under the circumstances to comply with the due process rights of all creditors and parties in interest, and no other or further notice of the Confirmation Hearing is necessary or shall be required.

Voting and Tabulation

25. To be counted as a vote to accept or reject the Plan, all Ballots must be properly completed, signed, dated and returned by *only one* of the following return methods: (a) first-class mail (whether in the return envelope provided with each Ballot or otherwise); (b) overnight courier; (c) hand delivery; or (d) electronic, online transmission, through a customized online balloting portal (the "**E-Balloting Portal**") on the Bankruptcy Case website maintained by Verita. Any parties entitled to vote on the Plan

may cast an electronic Ballot which allows the claimant to electronically sign and submit a Ballot instantly by using the E-Balloting Portal. In order to be counted, Ballots must be **actually received** no later than **5:00 PM (prevailing Pacific time) on June 10, 2026** (the "**Voting Deadline**"). The Debtor may extend the Voting Deadline with the consent of the Committee in writing, which consent shall not be unreasonably withheld, as to any individual Claim or Claims or as to all Claims. Consistent with the form of Class 4 Ballot, the E-Balloting Portal will include a requirement for any person submitting a Ballot on behalf of a Class 4 claimant (that is not the claimant him or herself) to certify: 1) that he or she has consulted the claimant on whose behalf the Ballot is being submitted, and 2) that under applicable law, he or she has authority to submit such Ballot on behalf of such Claimant regarding the decisions reflected therein.

26. 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, any Claim, and without prejudice to the rights of any party in interest in any other context, each Holder of a Class 1, Class 4, or Class 5 Claim entitled to vote on the Plan is entitled to vote the amount of such Claim as provided: (a) in a timely filed Proof of Claim or, if no Proof of Claim was filed, the amount of such Claim as provided in the Debtor's Schedules of Assets and Liabilities (as amended, the "**Schedules**"), or (b) an agreement with the Debtor, with the consent of the Committee, fixing the allowed amount of such Claim for voting purposes, subject to the following exceptions and specific procedures:

a) if a Claim is deemed Allowed under the Plan, such Claim is Allowed for voting purposes in the deemed Allowed amount set forth in the Plan;

b) if a Claim for which a Proof of Claim has been timely filed is contingent, unliquidated, or disputed, and such Claim has not been Allowed, such Claim will be temporarily Allowed, for voting purposes only, in the non-contingent and fully liquidated amount listed on the Proof of Claim (disregarding any unliquidated or contingent amounts); and if such filed Proof of Claim does not clearly and expressly state a non-contingent and liquidated amount, then a vote on account of such Claim shall be counted as $1, unless such Claim is objected to as set forth in paragraph (f) below;

c) 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;

d) a Claim shall be disallowed for voting purposes if the Claim is listed in the Schedules as contingent, unliquidated, or disputed and a Proof of Claim for such Claim was not (i) filed by the applicable bar date for the filing of Proofs of Claim established by the Court or (ii) deemed timely filed by an order of the Court before the Voting Deadline;

e) if a party has served an objection or request for estimation as to a Claim at least fourteen (14) days before the Voting Deadline, such Claim is temporarily disallowed for voting purposes only and not for purposes of allowance or distribution, except as ordered by the Court before the Voting Deadline;

f) Proofs of Claim filed for $0.00 or which do not specify a claim amount are not entitled to vote, other than Claims in Class 4 or Class 5 which are treated as set forth below;

g) for purposes of voting, classification and treatment, under the Plan, each person that holds or has filed more than one Claim shall be treated as if such person has only one Claim in each applicable Class in the amount of the total of the aggregated Claims of such entity in such Class;

h) any person that filed duplicate Claims in the same Class shall be provided with only one Solicitation Package and one Ballot for voting a single Claim in such Class, regardless of whether the Debtor has objected to such duplicate Claims;

i) if a Proof of Claim has been amended by a later Proof of Claim filed on or before the Voting Record Date, the last Proof of Claim filed shall govern, and the earlier filed Claim shall be disallowed for voting purposes, regardless of whether the Debtor has objected to such amended Claim; and

j) except as otherwise ordered by the Court, any amendments to a Proof of Claim after the Voting Record Date shall not be considered for purposes of these tabulation rules.

27. 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, any Claim, and without prejudice to the rights of any party in interest in any other context, each Holder of a Class 4 Claim who has filed a Proof of Claim shall have their Claim temporarily allowed in the amount of $1.00, notwithstanding the contingent, unliquidated, and disputed nature of such Claim, or any objections that may be pending with respect to such Claim. The foregoing general procedure will be subject to the following exceptions and specific procedures:

a) for purposes of voting, classification and treatment, under the Plan, each Holder of a Class 4 Claim that holds or has filed more than one Claim shall be treated as if they have only one Class 4 Claim;

b) any Holder of a Class 4 Claim that filed duplicate Class 4 Claims shall be provided with only one Solicitation Package and one Ballot for voting a single Class 4 Claim, regardless of whether any party in interest has objected to such duplicate Claims; and

c) any Person scheduled as having a contingent, unliquidated or disputed Class 4 Claim who has not filed a Proof of Claim shall have their claim disallowed for voting purposes unless they file a Rule 3018 Motion in accordance with the procedures below.

28. The Unknown Abuse Claims Representative shall be entitled to vote a single Class 5 Claim on behalf of Holders of Class 5 Claims, which shall be Allowed for voting purposes only in the amount of $1.00.

29. The following procedures shall apply for tabulating votes:

a) Verita shall date-stamp all Ballots when received, with any Ballots received on the Voting Deadline date *and* time-stamped;

b) any Ballot that is otherwise properly completed, executed, and timely returned but does not indicate an acceptance or rejection of the Plan, or that indicates both an acceptance and rejection of the Plan, will not be counted;

c) if a Creditor casts more than one Ballot voting the same Claim before the Voting Deadline, the last dated, validly executed Ballot received before the Voting Deadline shall be deemed to reflect the voter's intent and thus to supersede any prior Ballots;

d) Creditors must vote all of their Claims within a particular Class to either accept or reject the Plan, and may not split their votes within the Voting Class and thus a Ballot (or group of Ballots) within the Voting Class that partially accepts and partially rejects the Plan shall not be counted;

e) notwithstanding anything contained herein to the contrary, the Debtor with the consent of the Committee, which consent shall not be unreasonably withheld, may waive any defects in a Ballot, or enter into a stipulation to settle or resolve any dispute in relation thereto, with a Holder of a Claim that has completed a Ballot;

f) notwithstanding anything contained herein to the contrary, Verita, with the Debtor's and Committee's consent, which consent by the Committee shall not be unreasonably withheld, may contact entities entitled to vote to cure any defects in their Ballots; provided, however, that Verita shall contact counsel of record for any such Holder of a Class 4 Claim represented by counsel; and

g) except as otherwise provided in this Order, for purposes of determining whether the numerosity and Claim amount requirements of Sections 1126(c) and 1126(d) of the Bankruptcy Code have been satisfied, Verita will tabulate only those Ballots received on or before the Voting Deadline.

30. The following Ballots will 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 Debtor and the Committee agree, to grant an extension of the Voting Deadline with respect to such Ballot in writing; (ii) any Ballot that is illegible or contains insufficient information to permit the identification

of the voter; (iii) any Ballot cast by a person or entity that does not hold a Claim in a Class entitled to vote to accept or reject the Plan; (iv) any unsigned Ballot; and (v) any Ballot submitted by email, facsimile, or any other means of electronic submission other than utilization of the E-Balloting Portal.

31. If any creditor seeks to challenge the allowance or disallowance of its Claim for voting purposes in accordance with the above procedures, such creditor shall serve a motion for an order pursuant to Bankruptcy Rule 3018(a) (a "**Rule 3018 Motion**") temporarily allowing such Claim for purposes of voting to accept or reject the Plan on or before the 10th day after the later of (i) service of the Confirmation Hearing Notice, and (ii) service of notice of an objection or request for estimation, if any, as to such Claim.

32. Any Rule 3018 Motion shall (i) be made in writing, (ii) comply with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, (iii) set forth the name of the party asserting the Rule 3018 Motion, and (iv) state with particularity the legal and factual bases for the Rule 3018 Motion. In the event a Rule 3018 Motion is filed, the Debtor shall provide such creditor with a provisional Ballot, to be counted only in accordance with the terms of any order adjudicating such Rule 3018 Motion entered by the Court prior to the Voting Deadline.

33. Upon the expiration of the Voting Deadline, the Debtor shall file a written certification provided by Verita (the "**Tabulation Certification**") of the amount and number (as applicable) of Allowed Claims in the Voting Classes for the Plan that voted to accept or reject the Plan. The Debtor shall file the Tabulation Certifications and copies of all voting ballots (redacted as necessary to protect the personally identifiable information of Holders of Class 4 Claims) not later than two (2) business days after the Voting Deadline.

34. For the reasons set forth in the Court's finding at paragraph F above, the votes previously cast by the Holders of Claims in Class 3 and Class 6 shall be deemed validly cast with respect to the Plan. Notwithstanding the foregoing, (a) any Holder of a Claim in Class 3 or Class 6 who did not previously vote or wishes to change their vote may request a new Ballot for voting on the Plan, and any such Ballots received by Verita shall be tabulated together with the existing Class 3 and Class 6 Ballots, and (b) all Class 3 and Class 6 Ballots, whether submitted previously or pursuant to this Order, shall be subject in all respects to (i) Paragraph 26 hereof, including, but not limited to, the exceptions and specific procedures

in Paragraph 26(a)-(j), and (ii) any objections that might otherwise be made to tabulation of any individual such ballot(s), or that any individual such ballot(s) should be disallowed for voting purposes on any basis that would be applicable if such ballots were cast subsequent to this Order with regard to the Plan.

Other Matters

35. The Debtor and Verita are authorized and empowered to take such steps, expend such monies, and perform such acts as may be reasonably necessary to implement and effectuate the terms of this Order.

36. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

37. This Court retains jurisdiction over any and all matters arising out of or related to the interpretation or implementation of this Order.

*** END OF ORDER ***

COURT SERVICE LIST

All ECF Recipients