

TARTER KRINSKY & DROGIN LLP
Attorneys for The Christian Brothers' Institute, et al.
Debtors and Debtors-in-Possession
1350 Broadway, 11th Floor
New York, New York 10018
(212) 216-8000
Scott S. Markowitz, Esq.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re: : Chapter 11
: :
THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*, : Case No.: 11-22820 (RDD)
: :
Debtor. : (Jointly Administered)
----- X

AGENDA FOR JANUARY 9, 2014 HEARINGS

Time and Date of Hearing: **January 9, 2014 at 10:00 a.m. (EST)**

Location of Hearing: The Honorable Robert D. Drain, United States Bankruptcy Court
for the Southern District of New York, 300 Quarropas Street,
White Plains, New York 10601.

I. UNCONTESTED MATTERS:

1. Motion of Brother Rice High School Inc. for an Order Permitting its Intervention in Adversary Proceeding No. 13-08318

Status: No objections have been filed to this motion and the motion is scheduled to proceed.

II. ADVERSARY PROCEEDING PRE-TRIAL CONFERENCES:

1. Official Committee of Unsecured Creditors v. All Hallows Institute
Adv. Pro. No. 13-08229 (RDD)

Status: At a previous hearing the Court denied a motion to dismiss. This adversary proceeding is being prosecuted by the Committee pursuant to STN authority. The pretrial will proceed.

2. The Hanover Insurance Company and Massachussetts Bay Insurance Company v. The Christian Brothers' Institute and The Christian Brothers of Ireland, Inc.
Adv. Pro. No. 13-08318 (RDD)

Status: This adversary proceeding was commenced in or about July 10, 2013, and seeks to obtain a declaration that the Plaintiffs are not obligated to provide coverage to the Debtors under various insurance policies indisputably issued to the Debtors. These insurance policies date back from the late 1970's to the mid 1980's and are primary general liability policies and excess policies. The Debtors tendered certain claims to Hanover under these policies asserted in the proofs of claim filed by sexual abuse claimants. Hanover declined coverage primarily on late tender defenses. The parties have been discussing and attempting to schedule a mediation session. This pretrial will proceed.

III. CONTESTED MATTERS

1. Debtors' Motion for a Judgment on the Pleadings Dismissing Adversary Proceeding No. 12-08236 (RDD)

Status: This is the Debtors' motion to dismiss an action commenced by the Seattle Archdiocese seeking to substantively consolidate the Debtors' with various non-debtor entities. The Debtors intend to proceed to argue the motion which has been fully submitted. The Seattle Archdiocese has advised that it would prefer that the motion be adjourned to March 4, 2014.

2. Seattle Archdiocese Motion to Compel The Christian Brothers of Ireland, Inc. Compliance with a 2004 Order

Status: The Debtors are prepared to argue this motion, but are amenable to adjourning to March 4, 2014.

3. Hearing to Consider Confirmation of the First Amended Joint Plan of Reorganization

Status: The Debtors and the Committee intend to proceed with confirmation of the Plan. The following objections to confirmation of the Plan were filed: (i) objection of Pacific Indemnity Company ("Pacific") (ECF Doc. No. 630), (ii) joinder of Interstate Fire & Casualty Company to objection of Pacific (ECF Doc. No. 632), (iii) joinder of Maryland Casualty Company to objection of Pacific (ECF Doc. No. 638), (iv) joinder of Hanover Insurance Company and Massachusetts Bay Insurance Company to objection of Pacific (ECF Doc. No. 640), (v) limited objection of Aetna Inc. and certain affiliates (ECF Doc. No. 635), (vi) objection of Canandaigua National Bank and Trust (ECF Doc. No. 634), and (vii) objection of the Corporation of the Catholic Archbishop of Seattle (ECF Doc. No. 637). Pacific filed an objection asserting that various provisions of the Plan run afoul of their insurance policies and the Plan is not insurance neutral. Three other insurance companies filed a joinder to the

Pacific objection. The Debtors and the Committee are attempting to reach an agreement as to revised insurance language to be included in the Plan. The Debtors expect to resolve the objections filed by Aetna and Canandaigua Bank by proposing certain language to be included in any confirmation order entered by this Court. The Debtors have addressed the Seattle Archdiocese objection as well as Pacific's objection in its memorandum of law filed under ECF Doc. No. 646.

Dated: New York, New York
January 7, 2014

TARTER KRINSKY & DROGIN LLP
Attorneys for The Christian Brothers' Institute, et al.
Debtors and Debtors-in-Possession

By: /s/ Scott S. Markowitz
Scott S. Markowitz
1350 Broadway, 11th Floor
New York, New York 10018
(212) 216-8000