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Reorganized Debtors
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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| In re: | : Chapter 11 |
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| THE CHRISTIAN BROTHERS' INSTITUTE, <i>et al.</i> | : Case No.: 11-22820 (RDD) |
| | : : |
| Debtors. | : (Jointly Administered) |
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EX-PARTE MOTION FOR ENTRY OF AN ORDER DISCHARGING OMNI MANAGEMENT GROUP, LLC OF ITS DUTIES AND RESPONSIBILITIES AS (I) CLAIMS, NOTICING, BALLOTING, AND ADMINISTRATIVE AGENT FOR THE DEBTORS, AND (II) AS AGENT OF THE BANKRUPTCY COURT

Pursuant to 11 U.S.C. § 105(a) and 28 U.S.C. § 156(c), the above-captioned reorganized debtors (the “Debtors” or “Reorganized Debtors”) hereby seek entry of an order discharging Omni Management Group, LLC (“Omni”) of its duties and responsibilities as (i) claims, noticing, balloting, and administrative agent for the above-captioned Reorganized Debtors, and (ii) as agent of the Bankruptcy Court. In support of the Motion, the Reorganized Debtors state as follows:

BACKGROUND

1. On April 28, 2011 (the “Filing Date”), each of the above-captioned Debtors commenced their respective Chapter 11 cases (individually, a “Case” and together, the “Cases”) by filing a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”). After the Filing Date, the Debtors continued to operate their business as debtors-in-possession pursuant to §§1107(a) and 1108 of the Bankruptcy Code.

2. On August 19, 2011, the Debtors filed an application pursuant to 11 U.S.C. §327(a) and Federal Rule of Bankruptcy Procedure 2014 to retain and employ Omni as Administrative Agent (ECF Doc. No. 77). On the same date, the Debtors filed a separate application to employ Omni as claims, noticing and balloting agent pursuant to 28 U.S.C. § 156(c). Pursuant to an order of the Court, entered on September 2, 2011 (ECF Doc. No. 86), Omni was retained as claims, noticing, and balloting agent. Pursuant to an order of the Court, entered on September 2, 2011 (ECF Doc. No. 87), Omni was retained as administrative agent (collectively, the “Retention Orders”).

3. On January 13, 2014, the Court entered an Order (ECF Doc. No. 652)(the “Confirmation Order”) confirming the modified first amended joint plan of reorganization (the “Plan”) proposed by the Debtors and the Official Committee of Unsecured Creditors (the “Creditors Committee”). Pursuant to a notice, dated January 29, 2014 (ECF Doc. No. 656), the Plan became effective on January 28, 2014 (the “Effective Date”).

4. No request for a final decree has been filed in the Debtors’ chapter 11 cases and such cases have not been closed. Omni has continued to provide services to the Debtors since entry of the Retention Orders and continues to provide services as of the date of this Motion.

5. As of March 31, 2014, Omni is owed approximately \$100,000 for providing services to the Debtors including, *inter alia*, noticing, website hosting and data storage. Omni continues to accrue monthly charges relating to the Debtors’ bankruptcy website and data storage.

6. Because the Reorganized Debtors involvement in these cases has been winding down since the Effective Date and all pending claims related matters turned over to Eric Shwarz, the Trustee of the trust created pursuant to the Plan, in order to avoid the incurrence of further unnecessary charges, the Debtors hereby seek authorization to terminate Omni’s responsibilities

as reflected in the Retention Orders.

RELIEF REQUESTED

7. Pursuant to 11 U.S.C. § 105(a) and 28 U.S.C. § 156(c), the Debtors seek entry of an order discharging Omni of its duties and responsibilities as (i) claims, noticing, balloting, and administrative agent for the Reorganized Debtors, and (ii) as agent of the Bankruptcy Court.

8. The Reorganized Debtors maintain there is no further need for Omni to provide services in these chapter 11 cases. Other than a motion to approve a settlement and insurance buyback agreement with Arrowood Indemnity Company in late January 2014, there has been no substantive activity on the docket that would implicate Omni's duties and responsibilities as claims, noticing, balloting, and administrative agent. Termination of Omni's services will result in a savings of approximately \$12,000 per month in administrative and data storage costs which the Reorganized Debtors submit are unnecessary and they cannot afford. To the extent that the Trust requires Omni's noticing services with respect to any motions to approve future insurance buybacks or to notice any other post-Effective Date relief, the Trust will make its own arrangements with Omni to perform these noticing type services.

9. Upon entry of the Order granting the relief sought herein, Omni will immediately communicate with the Clerk of the Court to determine the disposition of the proofs of claim filed in these chapter 11 cases, and currently in Omni's possession, as well as the Clerk's need, if any, for final claims registers or creditor matrices as required by the Local Rules for the Southern District of New York which incorporate certain protocol with respect to private claims agents.

NOTICE

10. Neither the Local Bankruptcy Rules for the Southern District of New York nor the Protocol for the Employment of Claims and Noticing Agents under 28 U.S.C. § 156(c) (the "Protocol") seem to require notice of the relief requested herein. Specifically, paragraph 10 of

the Protocol only states that at the end of a case or upon termination of the claims and noticing agent's services, the debtor or the trustee must obtain a termination order to terminate the services of the claims and noticing agent. Here, the Reorganized Debtors have consulted with counsel for the trustee of the trust created pursuant to the Plan and they have consented to Omni's termination. As such, the Reorganized Debtors submit that no other further notice is required for the relief requested herein.

WHEREFORE, Omni respectfully requests that this Court enter an order in the form annexed hereto as **Exhibit A** discharging Omni of its duties and responsibilities as (i) claims, noticing, balloting, and administrative agent for the reorganized Debtors, (ii) as agent of the Bankruptcy Court, and grant such other and further relief as the Court deems just and proper.

Dated: New York, New York
April 2, 2014

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Exhibit A

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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 In re: : Chapter 11
 :
 THE CHRISTIAN BROTHERS' INSTITUTE, *et al.* : Case No.: 11-22820 (RDD)
 :
 Debtors. : (Jointly Administered)
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**ORDER DISCHARGING OMNI MANAGEMENT GROUP, LLC OF ITS
DUTIES AND RESPONSIBILITIES AS (I) CLAIMS, NOTICING, BALLOTING,
AND ADMINISTRATIVE AGENT FOR THE DEBTORS, AND
(II) AS AGENT OF THE BANKRUPTCY COURT**

Upon consideration of the Motion for entry of an Order discharging Omni Management Group, LLC (“Omni”) of its duties and responsibilities as (i) claims, noticing, balloting, and administrative agent for the above-captioned Reorganized Debtors, and (ii) as agent of the Bankruptcy Court, and it being determined that no further notice is required for the relief requested in the Motion, and sufficient cause appearing therefore;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED;
2. Subject to compliance with the provisions of paragraph 3 of this Order, Omni is discharged as claims, noticing, balloting, and administrative agent;
3. Within three (3) business days of the date of this Order, Omni will communicate with the Clerk of this Court to determine the disposition of the proofs of claim currently in Omni’s possession, as well as the disposition of the claims registers and any other information required by the Clerk.

Dated: New York, New York
April __, 2014

HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE