

Instructions for Proof of Claim

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571

How to fill out this form

Fill in all of the information about the claim as of the date the case was filed.

Fill in the caption at the top of the form.

If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.

Attach any supporting documents to this form.

Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).

Do not attach original documents because attachments may be destroyed after scanning.

If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

IF BY U.S. POSTAL SERVICE MAIL

Donlin, Recano & Company, LLC
Re: Franciscan Friars of California, Inc.
P.O. Box 2053
New York, NY 10272-2042

IF BY HAND DELIVERY OR OVERNIGHT DELIVERY:

Donlin, Recano & Company, LLC
c/o Angeion Group
Re: Franciscan Friars of California, Inc.
200 Vesey Street, 24th Floor
New York, NY 10281

Alternatively, your claim can be filed electronically at

- (i) <https://www.donlinrecano.com/Clients/ffc/FileClaim> for General Claims (defined in the *Order Establishing Deadlines For Filing Proofs Of Claim And Approving The Form And Manner Of Notice Thereof*), or
- (ii) <https://www.donlinrecano.com/Clients/ffc/FileSurvivorClaim> for Sexual Abuse Claims (defined in the *Order Establishing Deadlines For Filing Proofs Of Claim And Approving The Form And Manner Of Notice Thereof*).

A Proof of Claim form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth. See Bankruptcy Rule 9037.

For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian. For example, write A.B., a minor child (John Doe, parent, 123 Main St., City, State). See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at <https://www.donlinrecano.com/Clients/ffc/ClaimsSearch>.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate. 11 U.S.C. § 503.

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Do not file these instructions with your form.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Uniform claim identifier: An optional 24-character identifier that some creditors use to facilitate electronic payment.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:

FRANCISCAN FRIARS OF CALIFORNIA,
INC.,
Debtor.

Case No. 23-41723 WJL

Chapter 11

Judge: Hon. William J. Lafferty

OPTIONAL SUPPLEMENT TO OFFICIAL FORM 410 FOR
USE BY SEXUAL ABUSE CLAIMANTS

DO NOT FILE THIS DOCUMENT WITH THE COURT

This supplement to Official Form 410 (this “**Supplement**”) is **not** required to be filed by holders of claims arising out of sexual abuse against the Franciscan Friars of California, Inc. (the “**Debtor**”) in order to properly file a claim against the Debtor. **But the Debtor and the Official Committee of Unsecured Creditors (the “Committee”) strongly recommend that any person asserting a sexual abuse claim fill out this form in full and file it with Official Form 410 no later than August 30, 2024 at 5:00 pm PT.** Filling out this Supplement in full will allow the Debtor and the Committee to understand the facts supporting your sexual abuse claim against the Debtor. This information will be used by the Debtor and the Committee in, among other things, their efforts to consensually resolve the issues in this chapter 11 case. Additionally, providing the information requested in this Supplement may reduce the likelihood that the parties to the bankruptcy case will need to seek more information from you through a deposition, written interrogatories, or other methods of discovery. If you choose not to complete this form, then it may be more likely that you will be asked to provide additional information regarding your claim, or that there may be an objection to your claim.

Please carefully read the following instructions included with this Supplement and complete all applicable questions to the extent of your knowledge or recollection. If you do not know the answer to an open-ended question, you can write “I don’t know” or “I don’t recall” if either is the case. If a question does not apply, please write “N/A.” If you are completing this form in hard copy, please write or type clearly using blue or black ink.

If you choose to complete and submit this Supplement, the Debtor and the Committee strongly recommend that it be completed at the same time that you complete the official proof of claim form, Official Form 410. However, the failure to file this Supplement with your official proof of claim form will not be a basis upon which to disallow your claim.

Claims properly filed in accordance with these instructions may later be amended to, among other things, supplement, modify, correct, or clarify the information provided herein by properly filing a subsequent Supplement and referring back to the originally filed claim.

1 To file this Supplement, it must be actually received by Donlin Recano & Company, Inc.,
2 the claims and noticing agent (the “**Claims Agent**”) for the Debtor by either filing it:
3

- 4 (i) Electronically using the interface available at:
5 <https://www.donlinrecano.com/Clients/fcc/FileSurvivorClaim>;
- 6 (ii) by mail to the Claims Agent at the following address: Donlin, Recano &
7 Company, LLC, Re: Franciscan Friars of California, Inc., P.O. Box 2053,
8 New York, NY 10272-2042; or
- 9 (iii) by overnight mail or hand-delivery to the Claims Agent at the following
10 address: Donlin, Recano & Company, LLC, c/o Angeion Group, Re:
11 Franciscan Friars of California, Inc., 200 Vesey Street, 24th Floor, New
12 York, NY 10281.

13 Supplements sent by any other means (such as facsimile transmission or email, or through
14 a different manner than described in (i), (ii) and (iii) above) **will not** be accepted.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 For this Supplement to be valid, the Sexual Abuse Claimant, or his/her attorney, must sign
2 this form. If the Sexual Abuse Claimant is deceased or incapacitated, the Supplement must be
3 signed by the Sexual Abuse Claimant's representative or the attorney for the Sexual Abuse
Claimant's estate.

4 If the Sexual Abuse Claimant is a minor, the Supplement must be signed by the Sexual
5 Abuse Claimant's parent, legal guardian, or attorney. Any Supplement signed by a representative
6 or legal guardian must attach documentation establishing such person's authority to sign the claim
7 for the Sexual Abuse Claimant.

8 Who Should File a Supplement?

9 This Supplement should only be filed by Sexual Abuse Claimants who allege Sexual Abuse
10 (defined below) on or before the date the Debtor filed for bankruptcy protection, December 31,
11 2023.

12 Who Is a Sexual Abuse Claimant?

13 The term "**Sexual Abuse Claimant**" refers to the person asserting a Sexual Abuse Claim
14 against the Debtor related to the Sexual Abuse Claimant's Sexual Abuse.

15 What is a Sexual Abuse Claim?

16 For the purposes of this Supplement, "**Sexual Abuse**" is any actual or alleged sexual
17 conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape,
18 pedophilia, ephebophilia, or sexually-related physical, sexually-related psychological, or sexually-
19 related emotional harm, or contacts, or interactions of a sexual nature between a child and an adult,
or an adult and another adult regardless of whether consensual or nonconsensual, sexual assault,
sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other
conduct constituting a sexual offense of any type, kind, nature or description, incest, or use of a
child in a sexual performance.

20 A "**Sexual Abuse Claim**" is any claim (as "claim" is defined in section 101(5) of the
21 Bankruptcy Code) against the Debtor resulting or arising from, in whole or in part, directly or
22 indirectly, any Sexual Abuse and seeking monetary damages or any other relief, under any theory
23 of liability, including vicarious liability, any negligence-based theory, contribution, indemnity, or
any other theory based on any acts or failures to act by the Debtor or any other person or entity for
whose acts or failures to act the Debtor is or was allegedly responsible.

24 If you have a claim arising from other types of abuse, including non-sexual physical abuse,
25 non-sexual emotional abuse, bullying or hazing, you do not need to complete this Supplement.

Additional Information.

You may obtain additional information from the Claims Agent by: (1) calling toll free at (888) 444-4055 or (2) emailing inquiries to ffcinfo@drc.equiniti.com. You may wish to consult an attorney regarding this matter. The Claims Agent may not provide you with legal advice.

You may also obtain information from counsel for the Committee, Lowenstein Sandler LLP, by sending an email to: jprol@lowenstein.com or bweisenberg@lowenstein.com.