

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

ARCHDIOCESE OF MILWAUKEE,

Debtor.

Case No. 11-20059-svk

Chapter 11

Hon. Susan V. Kelley

MOTION OF DEBTOR FOR AN ORDER ESTABLISHING CASE MANAGEMENT
AND SCHEDULING PROCEDURES

Archdiocese of Milwaukee, debtor and debtor-in-possession (the “Debtor” or “Archdiocese”), hereby submits this Motion (the “Motion”) for the entry of an order establishing case management and scheduling procedures during the pendency of the above captioned chapter 11 case. In support of its Motion, the Debtor respectfully states as follows:

Jurisdiction

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper in this District under 28 U.S.C. §§ 1408 and 1409.

2. The statutory bases for the relief requested herein are § 105(a) of Chapter 11 of the Bankruptcy Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), and Rule 9007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

Background

3. On January 4, 2011 (the “Petition Date”), the Debtor commenced its



reorganization case (the “Reorganization Case”) by filing a voluntary petition for relief under the Bankruptcy Code.

4. The Debtor is continuing in possession of its property and is operating and managing its business, as a debtor in possession, pursuant to §§ 1107 and 1108 of the Bankruptcy Code. No request has been made for the appointment of a trustee or an examiner, and no official committee has been established.

5. For a description of the Debtor and its operations, the Debtor respectfully refers the Court and the parties in interest to the *Description of Debtor and Pre-filing History Affidavit of John J. Marek* (the “Marek History Affidavit”) and the *Marek Affidavit in Support of First Day Motions* (the “Marek First Day Affidavit”), both filed contemporaneously herewith, and incorporated herein by reference.

Relief Requested

6. By this Motion, the Debtor requests entry of an order establishing case management and scheduling procedures for the Reorganization Case.

Basis for Relief

7. Bankruptcy Rule 9007 grants the Court general authority to regulate notices.

8. Bankruptcy Rule 2002 grants the Court specific authority in many circumstances to modify or determine what notices are to be given and Bankruptcy Rule 2002(m) grants general authority to prescribe the amount and type of notice to be provided.

9. Section 105(a) of the Bankruptcy Code provides:

The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title. No provision of this title providing for the raising of an issue by a party in interest shall be construed to preclude the court from, sua sponte, taking any action or making any determination necessary or appropriate to

enforce or implement court orders or rules, or to prevent an abuse of process.

10. Thus, the Bankruptcy Code and the Bankruptcy Rules grant the Court broad authority and discretion to regulate and manage notice and procedures for the administration of a bankruptcy action and allow the Court to consider equitable common law principles.

11. Due to the substantial number of parties in interest expected to be involved in the Reorganization Case, the Debtor submits that special notice procedures are appropriate to promote the efficient administration of this case. The Debtor has over 2,700 potential creditors and other parties in interest. This case will be highly visible and of interest to the public and media. The Debtor anticipates that hundreds of parties may file requests for notices in this Reorganization Case under Bankruptcy Rule 2002, and that hundreds of pleadings will be filed. Paper service of each filing on each notice party, as is sometimes required absent a court order to the contrary, would be a waste of the Debtor's limited resources. Instead, because of the significant number of parties in interest in this Reorganization Case, the Debtor proposes that it and other parties be authorized to effectuate service on most parties by electronic mail (“e-mail”), which would save the estate time and expense relating to the copying and mailing of paper documents. Thus, to address these issues, the Debtor requests the implementation of the notice procedures outlined below (the “Notice Procedures”).

12. In addition, due to the anticipated number of motions and other pleadings that will be filed in this Reorganization Case, the Debtor believes that special hearing procedures should be established. The hearing procedures outlined below (the “Hearing Procedures”) will allow certain uncontested motions to be approved without a hearing and allow the Debtor and other parties in interest to efficiently schedule matters for hearing before the Court. The Hearing

Procedures will also provide certainty to all parties regarding the deadlines for responsive pleadings.

13. Similar procedures, including service by e-mail, have been approved in other large chapter 11 cases. *See, e.g., In re Grede Foundries, Inc.*, Case No. 09-14337 (Bankr. W.D. Wisc. July 13, 2009) [Docket No. 191]; *In re Chrysler LLC, et al.*, Case No. 09-50002 (AJG) (Bankr. S.D.N.Y. April 30, 2009) [Docket No. 661]; *In re Lehman Brothers Holdings, Inc.*, Case No. 08-13555 (JMP) (Bankr. S.D.N.Y. September 15, 2008) [Docket No. 285]; *In re Steve & Barry's Manhattan LLC, et al.*, Case No. 08-12579 (ALG) (Bankr. S.D.N.Y. July 10, 2008) [Docket No. 54];¹ the Debtor submits that its circumstances warrant similar relief.

14. The requested Notice Procedures, Hearing Procedures, and additional procedures (collectively, the “Case Management Procedures”) are outlined below.

CASE MANAGEMENT PROCEDURES

Notice Procedures

15. Service. Every motion, application, complaint, objection, notice, brief, memorandum, affidavit, declaration or other writing filed in this Chapter 11 case (including notices and orders by the Court, but not including proofs of claim or proofs of interest) (collectively, the “Filings”) shall be served on the Service List, as hereafter defined.

16. Service List. The service list includes the parties listed below and any party that successfully files a Notice Request (as hereafter defined) (collectively the “Service List”):

- a) The Debtor;
- b) Debtor’s counsel;
- c) Debtor’s special counsel;

¹ Because of the voluminous nature of the orders cited herein, they are not attached to the Application. Copies of these orders, however, are available on request of the Debtor’s proposed counsel.

- d) the Debtor's proposed noticing agent, Kurtzman Carson Consultants LLC ("KCC");
- e) the United States Trustee for the Eastern District of Wisconsin (the "U.S. Trustee");
- f) prior to the appointment of a Creditor's Committee for unsecured creditors, the creditors listed on the Debtor's list of twenty largest unsecured creditors filed in this Reorganization Case;
- g) counsel to any official committees established pursuant to § 1102 of the Bankruptcy Code (each, a "Committee");
- h) the Business Manager for the Debtor's union;
- i) counsel to Secured Lender;
- j) the Wisconsin Attorney General; and
- k) such governmental units and taxing authorities as Debtor's general counsel determines should be on the Service List.

The contact information for the parties listed above (the "Original Service List Members") is attached hereto as Exhibit A. Any creditor or party-in-interest may request to be added to the Service List by filing a written request with the Court (a "Notice Request") and providing a copy of the Notice Request to (a) counsel to the Debtor, and (b) KCC. A Notice Request must include: (a) the name, organization (if any), full street address, phone number, fax number and current e-mail address of the party requesting service; (b) if the requesting party is an attorney, the name of the person or entity (or persons or entities) that the attorney represents as required under Rule 9010(b); and (c) a certification that the Notice Request has been served upon counsel to the Debtor and KCC, and the date and manner of service. A fully and properly completed Notice Request will be deemed granted unless the Debtor files and serves a written objection to such Notice Request within ten (10) days of service thereof. Promptly after approval or deemed

approval of the Notice Request, KCC will add the party filing such Notice Request to the Service List.

17. Service by E-Mail. Unless otherwise provided by the order granting the relief requested in this Motion (the “Case Management Order”) or another order of this Court, parties on the Service List who are registered users of the Court’s Case Management/Electronic Case Filing System (the “CM/ECF System”), or who included an e-mail address in their Notice Request, will be deemed to have consented to service by e-mail in the Reorganization Case. Absent an order of the Court to the contrary, parties on the Service List will be required to effectuate service by e-mail, but no other parties will be required to effectuate service by e-mail in the Reorganization Case (although service by e-mail will be allowed).

18. E-Mail Service Rules. Service by e-mail will be subject to the following rules:

- a) E-mail Content. With respect to the service of any Filing, the subject line of the e-mail must include the Debtor’s case name (*In re: Archdiocese of Milwaukee*) and/or case number. The body of the e-mail must include (i) the Debtor’s case name, (ii) case number, (iii) the name of the party serving such Filing, and (iv) the title of the Filing being served.
- b) E-mail Attachments. All Filings served by e-mail will include access to a computer file containing the entire document, including the proposed form of order and any exhibits, attachments or other materials in “PDF” format, readable by Adobe Acrobat or other equivalent document reader program commonly available without cost. The relevant Filing either will be attached to the e-mail in the format specified above or the e-mail will contain a link to such Filing in such format.
- c) Service by the Courts CM/ECF System. E-mail service of all Filings through the Court’s CM/ECF System is permitted. All parties on the Service List that are registered users of the CM/ECF System will be deemed to have consented to e-mail service by the Court’s CM/ECF System.

19. Service by U.S. Mail. Notwithstanding the foregoing, any party that provides written request for paper notices to the Debtor or files a Notice Request that specifically requests paper copies of Filings shall receive paper copies of Filings and will appear on the Service List as a “U.S. Mail Service Recipient.”

20. Adversary Complaints. Notwithstanding the foregoing, a summons and complaint in an adversary proceeding may not be served by e-mail. Local Rule 7004 of the Local Rules of the United States Bankruptcy Court for the Eastern District of Wisconsin (the “Local Rules”) and Bankruptcy Rule 7004 shall govern adversary filing procedures.

21. Alternative Service. If a party is unable to serve a Filing by e-mail due to technological difficulties (e.g., the electronic file is too large to send by e-mail or the party’s e-mail system is not functioning at the time of service), service by such party will be adequate if by U.S. mail or hand or overnight delivery, as long as each of the Original Service List Members are served by facsimile, hand or overnight delivery.

22. Removal from the Service List. A party may be deleted from the Service List only by such party’s express written request to the Debtor or upon another party’s written request to, and approval of, the Court for good and sufficient cause shown.

23. Maintenance of the Service List. On or about the first business day of each calendar month, KCC will (a) file with the Court an updated copy of the Service List and (b) serve the Service List by e-mail or U.S. mail on the parties identified therein. The Service List will indicate the month for which such list is being published. KCC will provide an electronic or paper copy of the most up-to-date version of the Service List to any party in interest requesting a copy of the same, and will maintain copies of such lists on its website for this Reorganization Case at <http://kccllc.net/ArchMil>. A motion will be deemed served on the Service List if it is

served upon the most recent Service List that has been filed with the Court as of the day prior to the date of service.

24. Special Service Rules. All Filings for which particular notices are required by Bankruptcy Rules 2002(a)(2), 2002(a)(3), 2002(a)(6), 4001, 6004, 6006 or 6007 will be served on the parties identified on the Service List and in accordance with the following procedures:

- a) Filings relating to the use, sale, lease or abandonment of property will be served on each entity having a known ownership interest in the property or a known lien or encumbrance on the property.
- b) Filings relating to relief from the automatic stay under § 362 of the Bankruptcy Code or other automatic stay matters will be served, as applicable, on (i) each entity having a known ownership interest in or known lien or encumbrance on any affected property and (ii) the parties to any underlying lawsuit or administrative proceeding and their counsel of record.
- c) Filings relating to the use of cash collateral or obtaining credit will be served on each entity with a known interest in the cash collateral and each entity with a known interest in or known lien or encumbrance on any property proposed to serve as collateral (or additional collateral) in support of the proposed use of cash collateral or new extension of credit.
- d) Filings relating to approval of a proposed compromise or settlement will be served on each entity that is a party to the compromise and settlement.
- e) Filings relating to rights under § 365 of the Bankruptcy Code will be served on each party to the executory contract(s) or unexpired lease(s) sought to be affected.
- f) Filings relating to applications for payment of compensation or reimbursement of expenses of professionals will be served in accordance with any order establishing procedures for interim compensation and reimbursement of expenses for professionals entered by the Court.
- (g) Notice of other matters for which the Bankruptcy Rules require notice to all parties in interest will be served on all creditors, unless otherwise ordered by the Court.
- (h) All other Filings will be served on the parties identified on the Service List and each entity with a particularized interest in the subject of the Filing.

Hearing Procedures

25. General Motion Practice. The following procedures will be followed for Motions and objections generally:

- a) Local Rules 9013.2 through 9014.5 govern motion practice. For the purposes of this Reorganization Case, the fourteen (14) day notice period for motions (the "Notice Period") will commence after a Filing is filed and e-mail service is effectuated, notwithstanding Bankruptcy Rule 9006, which grants additional time if service is by mail.
- b) Notwithstanding the foregoing, the Notice Period for the meeting of creditors, disclosure statement approval, and confirmation of a chapter 11 plan remains governed by Bankruptcy Rule 2002.
- c) If service to the members of the Service List that are registered users of the CM/ECF system or that provided e-mail addresses in their Notice Request is accomplished without using the Courts CM/ECF system, other e-mail service, or by facsimile, the Notice Period will be extended to seventeen (17) days after a Filing is filed and served.
- d) Pursuant to Local Rule 9014.1, filings may be approved without a hearing if there is no objection (an "Objection") filed during the Notice Period. If an Objection is timely filed the Court will schedule a hearing on the merits of the Filing. If the Notice Period has passed without Objection, the moving party shall file an affidavit of no objection with the Court after which time the Court may approve the Filing without a hearing.
- e) If an Objection is filed, the movant or another interested party may file a reply to the Objection, by no later than the earlier of (i) two (2) business days prior to the date scheduled for a hearing on the motion, if any, or (ii) seven (7) days after filing and service of the Objection.

26. Requests for Shortened Time or Limited Notice. Upon the filing of an affidavit and a showing of good cause, a party in interest may move the Court for (a) emergency consideration of a motion, application, or other moving paper upon shortened notice (an "Emergency Hearing"), (b) some other reduction of a time period under Bankruptcy Rules

9006(b) or 9006(c) or the Case Management Order, or (c) a reduction in the parties to be served with a particular pleading.

27. Telephonic Participation. In addition to the requirements imposed by Local Rule 9014.4, if a party desires to participate in a hearing by telephone, such party must request permission from the Court and notify attorneys for the Debtor at least forty-eight (48) hours prior to the scheduled hearing.

Additional Procedures

28. Document Requests and Access to Docket. Electronic copies of all pleadings and documents are available for a fee via PACER on the Court's website at <http://ecf.wieb.uscourts.gov/>. Further, KCC, the Debtor's noticing agent, maintains a website at <http://kcellc.net/ArchMil>, where electronic copies of all pleadings and documents will be posted as soon as possible after filing and may be viewed free of charge. *It should be noted that, at any given time, the official docket on the Court's website may be more up to date than the docket maintained on KCC's free website.*

29. Adversary Proceedings. Notwithstanding anything to the contrary herein, the prosecution of any adversary proceedings commenced in this Chapter 11 case will be subject to the Court's general case management procedures for adversary proceedings or any separate case management and scheduling orders entered with respect to such adversary proceedings. The parties on the Service List will be entitled to service of all Filings in adversary proceedings.

30. Modifications of Case Procedures. Nothing in the Case Management Order will prejudice the rights of any party in interest to seek an amendment or waiver of the provisions of the Case Management Order upon a showing of good cause.

31. Adequate Notice. Notice and service accomplished in accordance with the provisions set forth in the Case Management Order will be deemed adequate in all respects pursuant to the Bankruptcy Code, the Bankruptcy Rules and the Local Rules.

32. Computation of Time. Unless otherwise specified, all time periods referenced in this Motion will be calculated in accordance with Bankruptcy Rule 9006(a).

33. Effect of the Case Management Order. In accordance with Local Rule 9029.1, the Bankruptcy Rules and the Local Rules will continue to apply to all proceedings in this Reorganization Case except to the extent that any provision of the Case Management Order by its terms supersedes or is inconsistent with such rules.

34. Promulgation of Case Management Order. Within five (5) business days after the entry of the Case Management Order, the Debtor will serve a copy of the Case Management Order on each of the parties on the Service List. In addition, shortly after the end of each calendar month, a copy of the Case Management Order will be served by the Debtor or KCC upon any party filing a Notice Request within such calendar month.

Conclusion

35. For the reasons set forth above, the Debtor submits that the proposed Case Management will save significant time and expense for the Court, the Debtor's estate and all parties in interest, and will assist in the efficient administration of the Reorganization Case. As a result, the Debtor submits that the Case Management Procedures are in the best interests of its estate and its creditors and should be approved in their entirety.

Notice

36. The Debtor will serve notice of this Motion by electronic mail or facsimile as well as overnight delivery on the parties identified on the Original Service List attached hereto as Exhibit A.

37. Within three (3) business days of the entry of the order, notice of the Order will be given to the Notice List Recipients and those persons who have requested notice pursuant to Rule 2002 of the Bankruptcy Rules. In light of the nature of the relief requested, the Debtor submits that no further notice is required, pursuant to Bankruptcy Rules 9006(c)(1) and 9007, and asks the court to approve the same.

No Prior Request

38. No prior application for the relief requested herein has been made to this or any other court.

WHEREFORE, for the reasons set forth herein and in the Marek First Day Affidavit, the Debtor respectfully requests that this Court (a) enter an order granting the relief requested herein and (b) grant such other and further relief as the Court may deem appropriate.

Dated: January 4, 2011

ARCHDIOCESE OF MILWAUKEE
Debtor and Debtor-in-Possession
by its counsel,
Whyte Hirschboeck Dudek S.C.

By: /s/ Daryl L. Diesing

Daryl L. Diesing
State Bar No. 1005793
Bruce G. Arnold
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mgosman@whdlaw.com

EXHIBIT A

<p><i>Debtor and Debtor in Possession:</i> Archdiocese of Milwaukee 3501 S. Lake Dr. Milwaukee, WI 53207 Attn: John Marek, CFO Phone: 414-769-3334 Facsimile: 414-769-3408 Email: marekj@archmil.org</p>	<p><i>Counsel to Debtor and Debtor in Possession:</i> Whyte Hirschboeck Dudek S.C. 555 E. Wells St., Ste. 1900 Milwaukee, Wisconsin 53202-3819 Attn: Daryl L. Diesing Phone: 414-273-2100 Facsimile: 414-223-5000 Email: ddiesing@whdlaw.com barnold@whdlaw.com mgosman@whdlaw.com</p>
<p><i>Office of the United States Trustee</i> U.S. Trustee's Office 517 E. Wisconsin Ave., Room 430 Milwaukee, WI 53202 Attn: David W. Asbach Phone: 414-297-4480 Facsimile: 414-297-4478 Email: dave.w.asbach@usdoj.gov debra.schneider@usdoj.gov</p>	<p><i>Special Counsel to the Debtor and Debtor in Possession:</i> Quarles & Brady LLC 411 E. Wisconsin Ave., Suite 2040 Milwaukee, WI 53202 Phone: 414-277-5000 Facsimile: 414-271-3552 Email: jar@quarles.com dpm@quarles.com</p>
<p><i>Debtor's Notice and Claims Agent:</i> Kurtzman Carson Consultants LLC 2335 Alaska Ave. Los Angeles, CA 90245 Attn: Travis Vandell Phone: 310-823-9000 Facsimile: 310-751-1559 Email: tvandell@kcellc.com</p>	<p><i>Counsel to Certain Creditors listed on Debtor's 20 Largest:</i> Jeff Anderson & Associates P.A. 366 Jackson St., Ste 100 St. Paul, MN 55101 Attn: Jeff Anderson Phone : 651-227-9990 Facsimile : 651-297-6543 Email: jeff@andersonadvocates.com</p>
<p><i>Counsel to Secured Lender, Park Bank:</i> Joseph E. Fenzel S.C. 757 N. Broadway, Ste 600 Milwaukee, WI 53202-3612 Phone : 414-224-1601 Facsimile: 414-224-1602 Email: jfenzel@fenzellaw.com</p>	<p>Archdiocese of Milwaukee Priests Retiree Pension Plan Attn: John Marek 3501 S. Lake Dr. Milwaukee, WI 53207-0912 Phone: 414-769-3334 Facsimile: 414-769-3408 fax Email: marekj@archmil.org</p>

<p><i>Archdiocese of Milwaukee Lay Employees Pension Plan</i> Attn: John Marek 3501 S. Lake Dr. Milwaukee, WI 53207-0912 Phone: 414-769-3334 Facsimile: 414-769-3408 Email: marekj@archmil.org</p>	<p>Archdiocesan Cemeteries of Milwaukee Union Employees' Pension Plan Attn: John Marek 3501 S. Lake Dr. Milwaukee, WI 53207-0912 Phone: 414-769-3334 Facsimile: 414-769-3408 Email: marekj@archmil.org</p>
<p><i>Archdiocese of Milwaukee Priests' Pension Plan</i> Attn: John Marek 3501 S. Lake Dr. Milwaukee, WI 53207-0912 Phone: 414-769-3334 Facsimile: 414-769-3408 Email: marekj@archmil.org</p>	<p>M.H.S. Inc. Attn: Richard J. Anderson, III 742 W. Capitol Dr. Milwaukee, WI 53206-3327 Phone: 414-264-5440 Facsimile: 414-264-0672 Email: randerson@messmerhigh.com</p>
<p><i>Mr. Val Thomas</i> <i>IRS, Central Insolvency Unit</i> 545 Zor Shrine Pl, Stop 5301 MSN Madison, WI 53719 Phone: 608-829-8127 Facsimile:</p>	<p>Wisconsin Department of Revenue Special Procedures Unit PO Box 8901 Madison, WI 53708-8901 Attn: Hiram F. Cutting Phone: 608-266-2772 Facsimile: 608-267-1037 Email: hirma.cutting@revenue.wi.gov</p> <p>2135 Rimrock Road 5-SPU Madison, WI 53713</p>
<p><i>Wisconsin Department of Justice</i> <i>Office of the Attorney General</i> P.O. Box 7857 Madison, WI 53707-7857 Facsimile: 608-267-2779</p>	<p>Department of Workforce Development, Division of Unemployment Insurance PO Box 8914 Madison, WI 53708 Facsimile: 608-266-8221</p>
<p><i>Counsel to Any Official Committee(s):</i> <i>To be included after such committee is appointed and counsel is retained</i></p>	<p>Milwaukee Laborer's Local 113 Attn: Anthony Niera, Business Manager 6310 W. Appleton Ave. Milwaukee, WI 53210 Phone: 414-873-4520 Facsimile: 414-873-5155 Email: contactus@milwlaborers113.org</p>

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

In re:

ARCHDIOCESE OF MILWAUKEE,

Debtor.

Case No. 11-20059-svk

Chapter 11

Hon. Susan V. Kelley

**ORDER ESTABLISHING CASE MANAGEMENT
AND SCHEDULING PROCEDURES**

This matter having come before the Court on the Motion of the Debtor and Debtor in Possession (the “Debtor”), pursuant to Bankruptcy Rule 1015(c), for an Administrative Order Establishing Case Management and Scheduling Procedures (the “Case Management Motion”)¹

¹ Capitalized terms not otherwise defined herein will have the meanings given to them in the Case Management Motion.

Daryl L. Diesing
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filed by the Debtor in the above-captioned case; the Court having reviewed the Case Management Motion and the *Description of Debtor and Pre-filing History Affidavit of John J. Marek* and the *Marek Affidavit in Support of First Day Motions* (the “Affidavits”); and the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b) and (iii) notice of the Case Management Motion was sufficient under the circumstances; and the Court having determined that the legal and factual bases set forth in the Case Management Motion and the Affidavits establish just cause of the relief granted herein;

It is hereby ordered:

1. The Case Management Motion is GRANTED as set forth herein.
2. The Notice Procedures, Hearing Procedures and Other Case Management

Procedures are approved as follows:

Notice Procedures

1. Service. Every motion, application, complaint, objection, notice, brief, memorandum, affidavit, declaration or other writing filed in this Chapter 11 case (including notices and orders by the Court, but not including proofs of claim or proofs of interest) (collectively, the “Filings”) shall be served on the Service List, as hereafter defined.

2. Service List. The service list includes the parties listed below and any party that successfully files a Notice Request (as hereafter defined) (collectively the “Service List”):

- a) The Debtor;
- b) Debtor’s counsel;
- c) Debtor’s special counsel;

- d) the Debtor's proposed noticing agent, Kurtzman Carson Consultants LLC ("KCC");
- e) the United States Trustee for the Eastern District of Wisconsin (the "U.S. Trustee");
- f) prior to the appointment of a Creditor's Committee for unsecured creditors, the creditors listed on the Debtor's list of twenty largest unsecured creditors filed in this Reorganization Case;
- g) counsel to any official committees established pursuant to § 1102 of the Bankruptcy Code (each, a "Committee");
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- j) the Wisconsin Attorney General; and
- k) such governmental units and taxing authorities as Debtor's general counsel determines should be on the Service List.

The contact information for the parties listed above (the "Original Service List Members") is attached as Exhibit A to the Case Management Motion. Any creditor or party-in-interest may request to be added to the Service List by filing a written request with the Court (a "Notice Request") and providing a copy of the Notice Request to (a) counsel to the Debtor, and (b) KCC. A Notice Request must include: (a) the name, organization (if any), full street address, phone number, fax number and current e-mail address of the party requesting service; (b) if the requesting party is an attorney, the name of the person or entity (or persons or entities) that the attorney represents as required under Rule 9010(b); and (c) a certification that the Notice Request has been served upon counsel to the Debtor and KCC, and the date and manner of service. A fully and properly completed Notice Request will be deemed granted unless the Debtor files and serves a written objection to such Notice Request within ten (10) days of service

thereof. Promptly after approval or deemed approval of the Notice Request, KCC will add the party filing such Notice Request to the Service List.

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4. E-Mail Service Rules. Service by e-mail will be subject to the following rules:

- a) E-mail Content. With respect to the service of any Filing, the subject line of the e-mail must include the Debtor's case name (*In re: Archdiocese of Milwaukee*) and/or case number. The body of the e-mail must include (i) the Debtor's case name, (ii) case number, (iii) the name of the party serving such Filing, and (iv) the title of the Filing being served.
- b) E-mail Attachments. All Filings served by e-mail will include access to a computer file containing the entire document, including the proposed form of order and any exhibits, attachments or other materials in "PDF" format, readable by Adobe Acrobat or other equivalent document reader program commonly available without cost. The relevant Filing either will be attached to the e-mail in the format specified above or the e-mail will contain a link to such Filing in such format.
- c) Service by the Courts CM/ECF System. E-mail service of all Filings through the Court's CM/ECF System is permitted. All parties on the Service List that are registered users of the CM/ECF System will be deemed to have consented to e-mail service by the Court's CM/ECF System.

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8. Removal from the Service List. A party may be deleted from the Service List only by such party’s express written request to the Debtor or upon another party’s written request to, and approval of, the Court for good and sufficient cause shown.

9. Maintenance of the Service List. On or about the first business day of each calendar month, KCC will (a) file with the Court an updated copy of the Service List and (b) serve the Service List by e-mail or U.S. mail on the parties identified therein. The Service List will indicate the month for which such list is being published. KCC will provide an electronic or paper copy of the most up-to-date version of the Service List to any party in interest requesting a copy of the same, and will maintain copies of such lists on its website for this Reorganization Case at <http://kccllc.net/ArchMil>. A motion will be deemed served on the Service List if it is

served upon the most recent Service List that has been filed with the Court as of the day prior to the date of service.

10. Special Service Rules. All Filings for which particular notices are required by Bankruptcy Rules 2002(a)(2), 2002(a)(3), 2002(a)(6), 4001, 6004, 6006 or 6007 will be served on the parties identified on the Service List and in accordance with the following procedures:

- a) Filings relating to the use, sale, lease or abandonment of property will be served on each entity having a known ownership interest in the property or a known lien or encumbrance on the property.
- b) Filings relating to relief from the automatic stay under § 362 of the Bankruptcy Code or other automatic stay matters will be served, as applicable, on (i) each entity having a known ownership interest in or known lien or encumbrance on any affected property and (ii) the parties to any underlying lawsuit or administrative proceeding and their counsel of record.
- c) Filings relating to the use of cash collateral or obtaining credit will be served on each entity with a known interest in the cash collateral and each entity with a known interest in or known lien or encumbrance on any property proposed to serve as collateral (or additional collateral) in support of the proposed use of cash collateral or new extension of credit.
- d) Filings relating to approval of a proposed compromise or settlement will be served on each entity that is a party to the compromise and settlement.
- e) Filings relating to rights under § 365 of the Bankruptcy Code will be served on each party to the executory contract(s) or unexpired lease(s) sought to be affected.
- f) Filings relating to applications for payment of compensation or reimbursement of expenses of professionals will be served in accordance with any order establishing procedures for interim compensation and reimbursement of expenses for professionals entered by the Court.
- (g) Notice of other matters for which the Bankruptcy Rules require notice to all parties in interest will be served on all creditors, unless otherwise ordered by the Court.
- (h) All other Filings will be served on the parties identified on the Service List and each entity with a particularized interest in the

subject of the Filing.

Hearing Procedures

11. General Motion Practice. The following procedures will be followed for Motions and objections generally:

- a) Local Rules 9013.2 through 9014.5 govern motion practice. For the purposes of this Reorganization Case, the fourteen (14) day notice period for motions (the “Notice Period”) will commence after a Filing is filed and e-mail service is effectuated, notwithstanding Bankruptcy Rule 9006, which grants additional time if service is by mail.
- b) Notwithstanding the foregoing, the Notice Period for the meeting of creditors, disclosure statement approval, and confirmation of a chapter 11 plan remains governed by Bankruptcy Rule 2002.
- c) If service to the members of the Service List that are registered users of the CM/ECF system or that provided e-mail addresses in their Notice Request is accomplished without using the Courts CM/ECF system, other e-mail service, or by facsimile, the Notice Period will be extended to seventeen (17) days after a Filing is filed and served.
- d) Pursuant to Local Rule 9014.1, filings may be approved without a hearing if there is no objection (an “Objection”) filed during the Notice Period. If an Objection is timely filed the Court will schedule a hearing on the merits of the Filing. If the Notice Period has passed without Objection, the moving party shall file an affidavit of no objection with the Court after which time the Court may approve the Filing without a hearing.
- e) If an Objection is filed, the movant or another interested party may file a reply to the Objection, by no later than the earlier of (i) two (2) business days prior to the date scheduled for a hearing on the motion, if any, or (ii) seven (7) days after filing and service of the Objection.

12. Requests for Shortened Time or Limited Notice. Upon the filing of an affidavit and a showing of good cause, a party in interest may move the Court for (a) emergency consideration of a motion, application, or other moving paper upon shortened notice (an

“Emergency Hearing”), (b) some other reduction of a time period under Bankruptcy Rules 9006(b) or 9006(c) or this Order, or (c) a reduction in the parties to be served with a particular pleading.

13. Telephonic Participation. In addition to the requirements imposed by Local Rule 9014.4, if a party desires to participate in a hearing by telephone, such party must request permission from the Court and notify attorneys for the Debtor at least forty-eight (48) hours prior to the scheduled hearing.

Additional Procedures

14. Document Requests and Access to Docket. Electronic copies of all pleadings and documents are available for a fee via PACER on the Court’s website at <http://ecf.wieb.uscourts.gov/>. Further, KCC, the Debtor’s noticing agent, maintains a website at <http://kccllc.net/ArchMil>, where electronic copies of all pleadings and documents will be posted as soon as possible after filing and may be viewed free of charge. *It should be noted that, at any given time, the official docket on the Court’s website may be more up to date than the docket maintained on KCC’s free website.*

15. Adversary Proceedings. Notwithstanding anything to the contrary herein, the prosecution of any adversary proceedings commenced in this Chapter 11 case will be subject to the Court’s general case management procedures for adversary proceedings or any separate case management and scheduling orders entered with respect to such adversary proceedings. The parties on the Service List will be entitled to service of all Filings in adversary proceedings.

16. Modifications of Case Procedures. Nothing in this Order will prejudice the rights of any party in interest to seek an amendment or waiver of the provisions of the this Order upon a showing of good cause.

17. Adequate Notice. Notice and service accomplished in accordance with the provisions set forth in this Order will be deemed adequate in all respects pursuant to the Bankruptcy Code, the Bankruptcy Rules and the Local Rules.

18. Computation of Time. Unless otherwise specified, all time periods referenced in this Motion will be calculated in accordance with Bankruptcy Rule 9006(a).

19. Effect of this Order. In accordance with Local Rule 9029.1, the Bankruptcy Rules and the Local Rules will continue to apply to all proceedings in this Reorganization Case except to the extent that any provision of this Order by its terms supersedes or is inconsistent with such rules.

20. Promulgation of Case Management Order. Within five (5) business days after the entry of this Order, the Debtor will serve a copy of this Order on each of the parties on the Service List. In addition, shortly after the end of each calendar month, a copy of this Order will be served by the Debtor or KCC upon any party filing a Notice Request within such calendar month.

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