

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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<i>In re</i>	: Chapter 11
	:
THE McCLATCHY COMPANY, <i>et al.</i> ,	: Case No. 20-10418 (MEW)
	:
Debtors. ¹	: (Jointly Administered)
	:
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**SUPPLEMENTAL DECLARATION OF DAVID N.
LEVINE IN SUPPORT OF THE DEBTORS' APPLICATION FOR
ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
GROOM LAW GROUP, CHARTERED AS SPECIAL EMPLOYEE BENEFITS
COUNSEL TO THE DEBTORS *NUNC PRO TUNC* TO THE PETITION DATE**

I, David N. Levine, being duly sworn, state the following under penalty of perjury:

1. I am a principal in the law firm of Groom Law Group, Chartered (“**Groom**” or the “**Firm**”),² special employee benefits counsel to the above-captioned debtors (the “**Debtors**”) in these chapter 11 cases. Groom maintains its offices at 1701 Pennsylvania Ave, N.W., Washington, D.C., 20006-5811. I am an attorney admitted and in good standing to practice law in the District of Columbia.

2. I submit this declaration (this “**Supplemental Declaration**”) to supplement the *Declaration of David N. Levine in Support of the Debtors' Application for Order Authorizing the Employment and Retention of Groom Law Group, Chartered as Special Employee Benefits Counsel to the Debtors Nunc Pro Tunc to the Petition Date*, dated February 24, 2020, which is

¹ The last four digits of Debtor The McClatchy Company's tax identification number are 0478. Due to the large number of debtor entities in these jointly administered chapter 11 cases, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' proposed claims and noticing agent at <http://www.kccllc.net/McClatchy>. The location of the Debtors' service address for purposes of these chapter 11 cases is: 2100 Q Street, Sacramento, California 95816.

² Capitalized terms used and not otherwise defined herein shall have the meaning ascribed to them in the Application (as hereinafter defined).



annexed as Exhibit B to the *Debtors' Application for Order Authorizing the Employment and Retention of Groom Law Group, Chartered as Special Employee Benefits Counsel to the Debtors Nunc Pro Tunc to the Petition Date*, filed on February 24, 2020 [Docket No. 99] (the “**Application**”).

3. I am over the age of 18, competent to testify, and authorized to submit this Declaration on behalf of Groom. The facts set forth below are based either upon my personal knowledge, discussions with other principals, of counsel, and associates of Groom, and client/matter records of Groom reviewed by myself or by principals, of counsel, or associates of Groom acting under my supervision and direction, and if called as a witness, I could and would testify thereto.

4. Groom is submitting this Supplemental Declaration to disclose a new relationship with The McClatchy Company Retirement Plan (the “**Pension Plan**”), a company-sponsored noncontributory defined benefit pension plan covered by the Pension Benefit Guaranty Corporation (“**PBGC**”).

5. The PBGC is a wholly-owned United States government corporation, and an agency of the United States, that administers the defined benefit pension plan termination insurance program under Title IV of the Employee Retirement Income Security Act of 1974, *as amended*, 29 U.S.C. §§ 1301-1461 (2018).

6. PBGC terminated the Pension Plan as of August 31, 2020 and trustee the Pension Plan effective as of September 4, 2020. The full transition (the “**Transition**”) of administration of the Pension Plan to PBGC is expected to take at least 6 months.

7. The Debtors expect that PBGC will file claims against the Debtors on account of termination of the Pension Plan, and that those claims will be treated as general unsecured claims in these cases.

8. Since about September 3, 2020, Groom has been advising both the Debtors and the Pension Plan with respect to the Transition. Groom has discussed the arrangement with the Debtors, and the Debtors have no objection to the arrangement.

9. If Groom discovers any further connections with any interested party or enters into any new relationship with any interested party, Groom will promptly supplement its disclosure to the Court.

10. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Date: September 11, 2020

/s/ David N. Levine

David N. Levine
Principal
Groom Law Group, Chartered