

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re
Archdiocese of Milwaukee,
Debtor.

Chapter 11
Case No. 11-20059-svk

Appearances and Summary of Disposition
Honorable Susan V. Kelley, Presiding

Date: August 12, 2011

Start Time: 10:04:19 a.m.

End Time: 11:16:09 a.m.

Proceeding: Joint Motion of the Official Committee of Unsecured Creditors and Jeffrey Anderson & Associates for an Order Pursuant to Federal Rule of Bankruptcy Procedure 2004 Directing the Oral Examination of certain deponents and for Production of Documents

Courtroom Deputy: Laura D. Steele

Court Reporter: Courtsmart

Appearances: James Stang and Albert Solochek for the Official Committee of Unsecured Creditors
Daryl Diesing and Francis LoCoco for the Debtor in Possession
Michael Finnegan for Certain Personal Injury Claimants
James Murray for Archbishop Rembert G. Weakland
Patrick Brennan for Bishop Richard J. Sklba

The Court granted the Motions for Rule 2004 examinations of Archbishop Robert G. Weakland, Bishop Richard J. Sklba, and Daniel Budzynski (the "Deponents"), but established certain ground rules in connection with the examinations.

Attorney Finnegan will propound an Interrogatory to determine whether the Debtor is aware of any witnesses whose age and/or medical condition dictate that their testimony should be immediately preserved.

The Debtor will produce documents required by the Bar Date Order on or before September 1, 2011, and will produce additional documents described in the Revised

Document Request (Exhibit 1 to the Committee's Reply in support of Joint Motion for Rule 2004 Exam, filed August 11, 2011), by September 23, 2011.

Depositions of the Deponents may be scheduled during the weeks of October 17, 2011 and October 24, 2011. The subject of the depositions are limited to (1) who perpetrated sexual abuse in the Archdiocese of Milwaukee; (2) what the Debtor knew about that abuse and when; and (3) whether there are additional survivors of that abuse who have not received notice of the February 1, 2012 claims bar date in this case. These are the only depositions of the Deponents on these three subjects that the Committee, Attorney Anderson's clients, Attorney Elliott's clients and Attorney Smith's clients will be permitted to conduct. Depositions are limited to a total of seven hours for each Deponent and may be held over two days. The parties will notify the Court of the dates and times of the depositions to ensure that the Court will be available to resolve any disputes. Depositions may be conducted by video, and the written transcripts will be filed with the Court and made accessible only to parties to this case. (The transcripts should not be placed on any public website, including the Committee's or the Kurtzman Carson website). The Court instructed that neither the Committee, Attorney Anderson, nor any of the other parties should disseminate the transcripts or videos without further order of this Court.

Attorney Stang will upload the proposed Order.

There was a discussion of the Court's request that Exhibits to pleadings consisting of unsubstantiated accounts of abuse, newspaper articles and excerpts from books and internet blogs should not be filed in the public docket. If counsel believes these Exhibits are relevant and necessary to the pleading, counsel is encouraged to file a Motion to seal or restrict viewing of the Exhibit to parties or Court users only. Any such restriction will not limit the admissibility of the Exhibit at a hearing or trial, as appropriate and permitted by the Rules of Evidence.

An audio recording of the hearing is available on the docket.