



NOTICE OF DEADLINE FOR FILING SEXUAL ABUSE CLAIMS IN FRANCISCAN FRIARS OF CALIFORNIA, INC. BANKRUPTCY CASE

Dear Tribal Member,

We hope this letter finds you well. On December 31, 2023, the Franciscan Friars of California Inc. sought Chapter 11 bankruptcy protection at the United States Bankruptcy Court of the Northern District of California, citing a surge in lawsuits triggered by a California sex abuse law that temporarily lifted the statute of limitations on child sex abuse claims. The Roman Catholic organization, responsible for founding and maintaining Mission Santa Barbara in Buellton, California, was facing 94 child sex abuse lawsuits. The Franciscans of the Province of St. Barbara, serve in California, Arizona, Oregon, and Washington, and in a number of Native American nations in the Southwest.

In May 2019, the names of friars connected with the Province of Saint Barbara who were deemed credibly accused of the sexual abuse of minors dating back to 1950 were disclosed. Media outlets were notified of that event in communities impacted by the news. **The report by the Franciscan Friars of the Province of St. Barbara listed friars who previously served at San Xavier Mission and Our Lady of Guadalupe credibly accused of sexual abuse of a minor.**

According to the list, **Friar Camillus Cavagnaro** had claims of sexual abuse of a minor from 1962-1965. He was **at San Xavier between 2002-2005 and 2006-2007. Friar Berard Connolly** had claims ranging from 1960-1963 and 1982-1984, He was **at San Xavier between 1988 – 1993. Friar Kevin Dunne’s** claims range from 1970- 1973. He was **at San Xavier between 1995 – 1997. Friar Adrian Furman’s** claims range from 1959-1965. He was **at San Xavier dates not available. Friar Jorge Lopez** had claims of sexual abuse of a minor from 1975 – 1976. He was **at Our Lady of Guadalupe between 1982-1988. Friar Santiago Almaguer**, had a claim of sexual abuse of a minor in 1978. He was **at Our Lady of Guadalupe in 1978.**

The Pascua Yaqui Tribe is not aware of any attempts to provide official notice of the release of the list of credibly accused friars in 2019 to the Tribe. To the best of our knowledge, the Franciscan Friars of California, Inc., did not provide official notice to the Pascua Yaqui Tribe of the 2023 Chapter 11 Bankruptcy filing. To the best of our knowledge, Pascua Yaqui officials were not contacted by the Franciscan Friars of St. Barbara Province, aka the Franciscan Friars of California, or their attorneys, regarding the bankruptcy case, the Sexual Abuse Claim Notice Package, and/or provided with the public notice of the deadline for Filing Proofs of Claim.

Our primary concern is to ensure that all Pascua Yaqui victims are given notice and the opportunity to receive the compensation and support they rightfully deserve. You or your family member may be entitled to file a claim under this bankruptcy case. **The deadline to file a proof of claim against the Franciscan Friars of California, Inc. (the “Debtor”) is July 19, 2024 at 5:00 p.m.** (Pacific). We understand that this process can be emotionally challenging, and we are committed to providing the necessary information and assistance.

Taking the step to report a claim of sexual abuse is not easy. The strength and courage to make such a report often comes after many years of suffering.

Survivors and families should have an opportunity to report a claim of sexual abuse and the Pascua Yaqui Tribal Council is providing notice to the Pascua Yaqui Reservation and to our community of Guadalupe, Arizona.

Support Services:

We recognize the sensitivity of this matter and have planned for support services to assist you. If you need emotional support, counseling, or any other form of assistance, please contact **Pascua Yaqui Victim Advocate Manager at 520-879-5769** .

If you have any questions about the claims process or require assistance in completing your claim form, please do not hesitate to contact the **Pascua Yaqui Attorney General’s Office at 520-883-5106** or you can also visit us in person at **7777 S. Camino Huivisim, Tucson, AZ, 85757** for more information.

We are here to support you. Thank you for your courage and resilience.

TO: All individuals who may hold claims against the Franciscan Friars of California, Inc. arising out of sexual abuse:

PLEASE TAKE NOTICE THAT:

The deadline to file a proof of claim against the Franciscan Friars of California, Inc. (the “Debtor”) is **July 19, 2024 at 5:00 p.m.** (prevailing Pacific Time) (the “Bar Date”). If you have a claim against the Debtor related to sexual abuse committed by any person connected with the Debtor (a “Sexual Abuse Claim”), you must file a proof of claim on or before the Bar Date.

To file a proof of claim, you must complete the Official Form 410 (the “Official Proof of Claim Form”) approved by the United States Bankruptcy Court for the Northern District of California (the “Bankruptcy Court”) and

(i) File it electronically through the website for this Chapter 11 Case hosted by Donlin, Recano & Company, Inc. (the “Claims Agent”) at <https://www.donlinrecano.com/Clients/ffc/FileSurvivorClaim> or

(ii) **Mail it Through the United States Postal Service to:**

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

By overnight mail or hand-delivery to the Claims Agent at the following address:

Donlin, Recano & Company, Inc.
c/o Equiniti
Re: Franciscan Friars of California, Inc.
48 Wall Street, 22nd Floor
New York, NY 10005

You may, but are not required to, complete the enclosed “Optional Supplement to Official Form 410 for Use by Sexual Abuse Claimants” (the “Supplement”) and submit it with your completed Official Proof of Claim Form. While you are not required to complete and file the Supplement to assert a claim against the Debtor, the Committee strongly recommends that any person asserting a sexual abuse claim fill out the Supplement in full and submit it with the Official Proof of Claim Form.

Your rights and options – and the deadline to exercise them by – are explained in more detail in this notice.

I. WHY WAS THIS NOTICE ISSUED?

The Debtor filed a chapter 11 bankruptcy case. The Bankruptcy Court entered an Order (the “Bar Date Order”) setting a deadline of **July 19, 2024 at 5:00 p.m.** (prevailing Pacific Time) for filing claims against the Debtor. The Debtor’s case is pending in the Bankruptcy Court and the case is titled In re Franciscan Friars of California, Inc. (the “**Chapter 11 Case**”).

II. WHAT SHOULD I DO IF I HAVE A SEXUAL ABUSE CLAIM?

You should file the Official Proof of Claim Form if you have a Sexual Abuse Claim as defined above. You should file the Official Proof of Claim Form regardless of whether you:

- Did or did not report your sexual abuse to the Debtor or to anyone else;
- Previously filed a lawsuit or asserted claims in connection with the sexual abuse;

or

- Are included in, or represented by, another action with respect to your Sexual Abuse Claim.

You should submit the Official Proof of Claim Form regardless of your age now or the length of time that has passed since the sexual abuse took place.

III. PROCEDURE FOR FILING PROOFS OF CLAIM

Official Proof of Claim Forms should not be filed with the Bankruptcy Court or with the Clerk of the Bankruptcy Court.

If you do not choose to complete the Supplement electronically, the Supplement should be mailed, delivered or submitted in the same manner as your Official Proof of Claim Form.

For the Official Proof of Claim Form, the individual holding the Sexual Abuse Claim (“Sexual Abuse Claimants”) or his/her attorney must sign this form. If the Sexual Abuse Claimant is deceased or incapacitated, the form must be signed by the Sexual Abuse Claimant’s representative or the attorney for the Sexual Abuse Claimant’s estate.

If the Sexual Abuse Claimant is a minor, the form must be signed by the Sexual Abuse Claimant’s parent, legal guardian, or attorney. Any Official Proof of Claim Form signed by a representative (other than the Sexual Abuse Claimant’s attorney) or legal guardian must attach documentation establishing such person’s authority to sign the claim for the Sexual Abuse Claimant.

Sexual Abuse Claimants should insert “unliquidated” next to question 7 (How much is the claim?) in the Official Proof of Claim Form.

Proofs of claim will be deemed filed only when actually received at the addresses listed above or via electronic submission on or before the Bar Date. Proofs of claim may not be delivered by

facsimile, telecopy, or electronic mail transmission. **If you have questions on how to file, you can contact your attorney or call (888) 444-4055 to speak to the Claims Agent.**

Failure to timely complete and return the Official Proof of Claim Form by the Bar Date may result in your inability to vote on a plan of reorganization and receive a distribution in the above-captioned Chapter 11 Case.

IV. CONFIDENTIALITY OF SEXUAL ABUSE CLAIMS

Filed Official Proof of Claim Forms, the Supplement, and the information contained therein will be kept confidential under the Bar Date Order.

However, the Official Proof of Claim Form and the Supplement may be provided, pursuant to confidentiality procedures approved by the Bankruptcy Court, to the Debtor, the Committee, their respective counsel, the United States Trustee, and to such other persons as the Bankruptcy Court may authorize on a confidential basis. In addition, the Official Proof of Claim Form and the Supplement may be required to be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions. If any such disclosure is made to a governmental authority, Sexual Abuse Claimants will be notified at the time of the disclosure of their Official Proof of Claim Form and the Supplement.

YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU HAVE A CLAIM OR WHETHER YOU MUST FILE A PROOF OF CLAIM. HOLDERS OF SEXUAL ABUSE CLAIMS MAY ALSO OBTAIN INFORMATION FROM COUNSEL FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS, LOWENSTEIN SANDLER LLP, BY SENDING AN EMAIL TO BRENT WEISENBERG AT BWEISENBERG@LOWENSTEIN.COM OR GABRIELLE ALBERT AT GALBERT@KBKLLP.COM