

# CERTIFIED TRANSCRIPT

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**BOY SCOUTS OF AMERICA  
OFFICIAL TORT CLAIMANTS COMMITTEE TOWN HALL  
DECEMBER 16, 2021**

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1 **KENNEDY:** Good evening, everyone. If you're tuning in, we're just going to wait a few  
2 minutes like usual to let people jump on board the meeting. So you've got a few minutes if you  
3 need to grab something to drink or get settled in. Evening, everyone. We're just gonna wait a few  
4 minutes, let other people join the Town Hall, and so we'll start shortly. We'll wait just a few  
5 more seconds to let people jump on if they can. Well, Deb, why don't we go ahead and get  
6 started?

7 Well, good evening, everybody. I'm Doug Kennedy. I'm the co-chair of the TCC. Last week we  
8 said we were taking some time off, unless there were any developments, and there were a couple  
9 of developments, and even a development within the last hour or so that we want to talk about  
10 tonight. So we're back, and we can tell you we've been at it every day since we last talked to  
11 you, and we're happy to be back.

12 But there is one thing that we're not all that happy about. Normally you'd see John Humphrey  
13 here, and I'm feeling the pressure, because John does such a wonderful job with these Town  
14 Halls. But unfortunately, John's father passed away in this last week, so John is with family.  
15 Tonight he's--has to travel across the country to take care of this, and be with family and take  
16 care of things. John's father was 90. And I never had the good fortune of meeting his dad, but I  
17 can tell you, he had to have been proud of everything that John has done for all of us survivors as  
18 the co-chair of the TCC. He is a brother to all of us, and he should be one to all of you. His  
19 strength is immeasurable. So I have a hunch that he's probably watching tonight, and if he is, I  
20 hope you will all send him some strength. And John, I hope you're with family, you're traveling  
21 safely, and we look forward to you coming back, brother. So, everybody, I'll be kind of hosting  
22 things tonight in John's absence.

23 We do have another TCC member with us tonight. Rob Lawson is with us, and is gonna be  
24 speaking in a little while. The question and answer is open. Let me just also remind everyone  
25 that the question and answer is really for general questions. Anything specific, you need to get  
26 specific answers from your attorney or from a legal professional. Also, at the end of this Town

1 Hall we'll have the email address that we discuss tonight, the reminder of where you can get the  
2 transcript for the hearing. So that will be up at the end of this call as well.

3 So it is--I don't even have my watch on. It is December, the middle of December. You're  
4 probably feeling a little bit anxious and ready for the vote to be over. We understand that, and  
5 we're with you on that. So hang in there. We're gonna talk a little bit more about the voting and  
6 when the results are gonna be in. We'll remind everybody of that.

7 And I also want to mention something, and I'm gonna talk about this at the very end of this  
8 hearing. TCC has been chatting about this a little bit. All of us on the TCC, we're survivors of  
9 sexual assault. And when it happened to us, we swore that we would never be victims again, and  
10 we would never be bullied. And recently some things have been said about the TCC from a  
11 group that opposes us, I guess would be a polite way to put it, and we're not gonna sit back and  
12 stand for it. So I'm gonna have a couple things to say about that much later tonight.

13 So the purpose of these hearings is to educate you, keep you updated with what's going on in this  
14 bankruptcy, to give you a little bit of a sense of where we're headed and what to expect in the  
15 near future. It's hard to predict much further than that. So to kind of get us started a little bit on  
16 that, I'm gonna ask our attorney, Jim Stang, to chat with us about probably the reason you came  
17 on tonight, to see if we had a view with what's going on on the Century and local council  
18 settlement, and why we don't think it changes anything other than highlights how bad this  
19 settlement is. So Jim, I'll let you take it away.

20 **STANG:** Good evening, everybody. Before we get into the Century/Chubb settlement, Doug  
21 referred to something that's happened even just in the past hour, and let me just talk about that  
22 for a moment.

23 People may be familiar with a company called Purdue Pharmaceutical. It was an opioid  
24 manufacturer, and got a lot of publicity because its owners, a family named Sackler, contributed  
25 many billions of dollars in the bankruptcy case to getting a release of the claims that existed  
26 against them personally. The bankruptcy court approved a plan that, in exchange for that

1 contribution of billions of dollars, the Sacklers would be released of their personal liability as  
2 officers and directors in connection with the company.

3 That ruling approving that plan was taken up on appeal, and within the last hour the District  
4 Court, which is the first appellate court in the bankruptcy process of appeals--it goes from the  
5 bankruptcy court, in New York it would go to the District Court, and then to the Second Circuit  
6 Court of Appeals. So the District Court, which is the first level of appeal, issued its ruling today,  
7 a 142-page opinion. And the judge concluded that the releases that were being given to the  
8 Sacklers were not enforceable, and could not be contained in a reorganization plan.

9 Now, the Purdue case is in what we call the Second Circuit. The Boy Scout case is in the Third  
10 Circuit. And those circuits, there are 11 of them, don't always agree on everything. And what  
11 this District Court judge has said is not binding on Judge Silverstein in the Boy Scout case.  
12 Because she speaks from the Second Circuit, and Judge Silverstein speaks from the Third  
13 Circuit. However, all the bankruptcy nerds have been following Purdue very closely, looking for  
14 guidance both from the bankruptcy court, and now we'll be looking for guidance from the  
15 District Court. This opinion may go up on another appeal. We don't know. It really was only  
16 issued in the last hour. But the judge addresses many things that are germane and relevant to  
17 what's going on in the Boy Scout plan.

18 So we're good, but we can't digest a 142-page opinion in an hour, and report back to you with  
19 any firm ideas about what the judge said and how--and what she didn't say, and how it affects—  
20 could affect the Boy Scouts, and how it might not affect the Boy Scouts. But you'll probably see  
21 some headlines, if you're following the Internet news, and even in some print tomorrow that this  
22 Purdue reorganization plan has been rejected by the first appellate court. So that's breaking  
23 news, folks, truly breaking news.

24 The next thing I wanted to talk about was the Century/Chubb settlement. This was filed very  
25 recently with the bankruptcy court. I think it was about two days ago. It is a very, very  
26 complicated document, and it's just the term sheet. It's not actually the final agreement. But it

1 does put out the outlines in some detail as to what the Chubb and Century settlement are. I use  
2 those terms together because there's a corporate relationship between Century and Chubb, and  
3 the deal settles claims against Century and Chubb. So I will try to give this to you in a medium  
4 size nutshell.

5 The first piece is that Century/Chubb is paying \$800 million to the settlement trust. The money  
6 comes in chunks, but by the time BSA were to exit, the full money would be in escrow. And then  
7 the money is released depending on how the court--whether the appellate courts approve the deal  
8 or not. The--what does Century get in exchange for that? Century gets a release of any risk under  
9 its insurance policies issued to the Boy Scouts, it gets rid of any risk on policies that it issued to  
10 the local councils, and it gets rid of any risk on policies issued to chartered organizations.

11 Remember, this stool has three legs, the stool being your claims. You might have claims against  
12 BSA, you might have claims against the local councils, and you might have claims against the  
13 charters. And all three have insurance. So to the extent that Century and/or Chubb issued  
14 insurance policies to any of those three, it is off the risk for the abuse claims in exchange for  
15 \$800 million. And so if you have a claim against a charter that is covered by insurance that was  
16 issued by Century or Chubb, your claim is gonna go to the trust and be handled through the trust.  
17 That is the main part of the Century/Chubb deal.

18 But there's more. Because there are other insurance companies that have issued--and by the way,  
19 the same is true for Hartford. So we have a Hartford deal. We have a Century/Chubb deal. The  
20 concept is the same for both, or all three, if you will. If you wrote a policy to any of those three  
21 entities, your policies are returned to you. You pay money. I think the Hartford deal is \$785  
22 million. This deal is \$800 million. And all the claims that would've been covered by that  
23 insurance go to the trust for administration, and you can no longer sue the charters, the Boy  
24 Scouts, or the locals if they were covered by those policies.

25 So what's left? Well, you have other insurance companies who have not yet settled. And as you  
26 may know, a big part of the Boy Scout plan is to resolve the liability of the charters and to

1 resolve the liability of the locals. In order to resolve the liability of the charters, who may have  
2 been insured by other insurance companies, the local councils and the BSA are putting up some  
3 additional money.

4 Now, there's an excep--there's a but here, and I'm trying not to make this too complicated. What  
5 I'm about to say does not apply to any Methodist affiliated charters or Catholic affiliated  
6 charters. For reasons that I don't think it's necessary to get into, those groups of chartered  
7 organizations are not covered by what I'm about to say. So if your charter was a Kiwanis Club, if  
8 your charter was a police department, if your charter was a church outside of those two religious  
9 denominations, I'm talking about those. I'm not talking about the Catholics, and I'm not talking  
10 about the Methodists, and I'm not talking about the Mormons, who have their own settlement.  
11 So how are those charters getting off the hook? Again, not the Catholics, not the Methodists, not  
12 the Mormons. Two things are happening. The Boy Scouts are putting up some additional money,  
13 and the local councils are putting up some additional money. What is that additional money? The  
14 Boy Scouts have committed to putting up an additional \$100 million, payable, it's a little hard to  
15 tell from the agreement, but probably payable in 2035. And it depends on their membership  
16 having a very, very substantial increase.

17 My recollection is that the current Boy Scout membership is in the 750,000 to 800,000 youth.  
18 This agreement to put up this additional money requires that that membership be at 1.5 million,  
19 and that the adult volunteer number hits 500,000. I honestly don't remember how many adult  
20 volunteers there currently are. But in order for the Boy Scouts to put up this additional money,  
21 they have to hit those increased membership levels. And I'll tell you, my best recollection is that  
22 the membership projections, at least for the next five years, are, well, let's just say we--I  
23 personally have questions as to whether we can hit the--whether they can hit the million and a  
24 half. Better minds than mine though will inform me as to whether that's feasible or not.  
25 So if they hit those numbers, the million and a half in youth membership, the 500,000 in adults,  
26 they start to share with the trust the membership fee money up to \$100 million. But my read of

1 the agreement says that will start around 2035. There's some other conditions to them putting up  
2 that, sharing that fee money, but it's, frankly, a little too technical for tonight. But those are the—  
3 to me, the major conditions are the membership numbers. That's the Boy Scout piece.  
4 What the local councils are doing, again, to get the relief for the charters, is to put up essentially  
5 another \$40 million. They would put up an additional 15 in cash and/or property. We do not  
6 know whether it's gonna be cash or property or some combination of those, but that's what they  
7 would put up. And there would be another addition to the promissory note that they have agreed  
8 to do. They have in their deal, when you hear the local councils are putting up \$600 million, 100  
9 of that is a promissory note that gets paid depending on how the pension plan does. If the  
10 pension plan is doing really well, then they'll have some extra money to put towards the note. If  
11 the pension plan isn't doing well, it affects their obligation to pay on the note. So that \$100  
12 million note is gonna go to 125. Fifteen extra from cash and property, 25 on the note, gives you  
13 the additional 40.  
14 So the Boy Scouts with their \$100 million, based on future things happening, and the local  
15 councils, based on, in part, on future things happening, have agreed to put up money, so that the  
16 local council--so that the charters other than the Catholics, other than the Methodists, and other  
17 than the Mormons, are released of any claims against them. That's how I read the term sheet.  
18 Now, I want to be very clear, because I know we have a lot of folks listening who are from the  
19 Boy Scouts, and from the local councils, and possibly from charters. We have tried for the last  
20 two days to get on the phone with the Boy Scouts to have them walk us through this term sheet.  
21 And I--no one's dodging us, but we just haven't had the--we haven't coordinated on the time yet.  
22 We're trying to do that. So folks, if I've misstated what you think your deal is, I'm sure you'll  
23 tell me that when we get on the phone together. But this is what I understand the deal to be. So  
24 Doug, that's the report on the Century and Chubb deal.  
25 **KENNEDY:** Thanks, Jim. And, you know, it really highlights how important this local council  
26 piece is of this. And I think that's a great segue into Rob Lawson joining us tonight. Rob has

1 been a member of the Tort Claimants Committee. He is a survivor, like the other eight men on  
2 the Tort Claimants Committee. And he has just done an amazing job being informed, and asking  
3 great questions, and being actively engaged. So when I had to call to the bullpen tonight, Rob  
4 happily answered the call. And we're so happy you could be with us tonight to chat a little bit  
5 about what this local council piece means to him as another survivor and one of your advocates.  
6 So Rob, thanks for being with us tonight.

7 **LAWSON:** Thanks. Thanks, Doug. I appreciate the intro. As Doug said, my name's Rob  
8 Lawson. I'm from Gainesville, Georgia, about an hour northeast of Atlanta. I'm married. I have  
9 three wonderful kids. I was a Boy Scout back in the mid 1980s. I rose through the ranks, and I  
10 did achieve my Eagle Scout. I was also a member of the Order of the Arrow, the scouting  
11 fraternity, the exclusive scouting fraternity, the Order of the Arrow. And it was during the Order  
12 of the Arrow three-day initiation ceremony where I was abused.

13 A lot of times you'll hear the initiation ceremony referred to as "the ordeal," and it certainly was  
14 an ordeal for me. But again, that's where I was assaulted. My assault occurred at a campground  
15 called Rainy Mountain, in the northeast Georgia foothills just below the Appalachian Mountains.  
16 Rainy Mountain is owned by the Northeast Georgia Council, and they have, in addition to Order  
17 of the Arrow programs there, they have other programs also for Northeast Georgia scouts.  
18 Because I am in Georgia, as Doug said, the statute of limitations here in Georgia has changed  
19 somewhat in the past few years, but it's still considered a gray state. And so for this bankruptcy  
20 we are categorized--Georgia is categorized as one of the gray states. So me and everyone else in  
21 gray states understand the importance to all survivors for getting maximum settlement possible  
22 out of this bankruptcy.

23 After being picked as one of the nine survivors appointed to the TCC by the U.S. trustee for the  
24 Department of Justice in Delaware in early March of 2020, the TCC, we pretty much got straight  
25 to work. We've had around 300 meetings, weekly meetings with our brothers and fellow TCC  
26 members and survivors. We also have weekly meetings with our TCC professionals, state

1 (inaudible) counsel as well.

2 The U.S. trustee chose the nine survivors on the TCC from a wide range of backgrounds and  
3 locations across the United States and Guam. We have one member from Guam. And we hired  
4 an outstanding team of professionals, including Pachulski Stang firm, and others that do our  
5 accounting, and they have been excellent in navigating this difficult bankruptcy process, and  
6 we're very thankful and appreciative.

7 Currently each individual local council analysis, or dashboard as we like to call it, is up on the  
8 TCC website. You can logon to that at [tccbsa.com](http://tccbsa.com) and take a look at your respective local  
9 council, and see all the information and materials and analysis there, and take a look at your own  
10 region. A very important piece of any settlement is the contributions that the local councils will  
11 make or are proposing to make. And one of the reasons the TCC does not support this current  
12 plan is we believe that the local councils can and should contribute more to a proposed  
13 settlement or plan.

14 For example, for my former council, the Northeast Georgia Council, there are currently 106  
15 claims filed citing this council, the Northeast Georgia Council, as where their abuse or the abuse  
16 occurred. And according to the Boy Scouts' own plan, those 106 claims against the Northeast  
17 Georgia Council are valued at between \$22 million and \$134 million. That's 106 claims, per the  
18 Boy Scouts' plan, valued at between \$22 million and \$134 million. However, the Northeast  
19 Georgia Council is only contributing \$2.1 million, and it has \$6.3 million in unrestricted assets.  
20 So on average, they are contributing only 5% of the values of those 106 claims, and only 16% of  
21 their unrestricted assets. So they're retaining about 84% of the assets they have available to  
22 compensate survivors.

23 In addition, on a broader view, the TCC understands that the overall local councils across the  
24 country on average are only contributing a mere fraction of all local councils total assets. And  
25 because of this factor, the TCC feels that local councils can contribute significantly more to help  
26 alleviate the suffering of survivors of childhood sexual abuse that occurred during their time in

1 the Boy Scouts. That's why the TCC, or one of the reasons the TCC and I cannot support this  
2 plan. And again, we urge survivors to vote no, as you can see with Doug's background there.  
3 And for all the survivors out there, I just want you to know, we want you to know, that the nine  
4 other survivors on the TCC who are working hard for all survivors, we ask that you remain  
5 patient and remain strong. And as we all know, most survivors of childhood sexual abuse go  
6 years, decades, or possibly their entire lifetime thinking that they are alone, or that no one will  
7 believe them. But we want you all, all the survivors out there, to know that we believe you. And  
8 we also want you to remember that you are not alone. We stand with you, and we're fighting for  
9 you. Thanks, Doug.

10 **KENNEDY:** Thanks, Rob. I really appreciate you coming on tonight. I really do. And thanks so  
11 much for all your hard work, and the hard work of everybody on the TCC. Hey, Deb, before we  
12 move on, is there any--is there a theme or a question or something we should--that's popping up  
13 on the question and answer that we should address?

14 **GRASSGREEN:** There's been a few questions about where to find the local council  
15 analysis on the website, so I know we're gonna get to that. Do you want to just--

16 **KENNEDY:** Yeah, why we don't we go ahead--

17 **GRASSGREEN:** --did you want to cover that?

18 **KENNEDY:** --and do--we can do that now, sure.

19 **GRASSGREEN:** So as Jim mentioned, the local council information is available on the  
20 website, and I'll show you what one of them look like, and Jim can walk you through it. But if  
21 you're on your phone, you need to look at the dropdown menu where it says, "Local council  
22 analysis." If you're on a web browser, it's a--there's a bar across the top, and you'll see local  
23 council analysis. If you click on that, they're there by state, and then you have to search and find  
24 your particular council. For example, we just heard Rob talk about, I think, the Northwest  
25 Georgia. Did I get that right, Rob?

26 **LAWSON:** Northeast.

1 **GRASSGREEN:** Northeast. There's also a Northwest Georgia local council, so there's two  
2 of them. They're right there. But they're under Georgia. So you find your state, you find your  
3 council, and you'll see the information. And Jim, do you want to walk through it? I can share my  
4 screen. Let's see. Here we go.

5 **KENNEDY:** Jim? Jim, go off mute.

6 **GRASSGREEN:** This is what the website looks like.

7 **STANG:** Oh, there we go.

8 **GRASSGREEN:** This is--

9 **STANG:** Okay.

10 **GRASSGREEN:** There you go, Jim.

11 **STANG:** So Deb doesn't know this, but we changed the homepage of tcbsa.com this  
12 afternoon, and there's actually a rectangular box that shares the space where it says, "How do I  
13 vote," the video box. So you can go across the tabs, you can do the dropdown menu, but as you  
14 open the homepage there's a big, rectangular box that says, "Local council information." So you  
15 can't miss it.

16 So this is--we went through one of these dashboards at a prior call. I want to make clear that this  
17 information, that I'm just gonna spend a few minutes walking you through, comes directly from  
18 the disclosure statement that was approved by the court. None of the information that's on this  
19 particular dashboard, and the others that Deb mentioned, is anything other than what the  
20 disclosure statement says, which the court approved after five days of hearing as containing  
21 adequate information.

22 So let's just get through. Obviously you've got the name of the local council, the state it's in.  
23 California is an open state. There's no statute of limitations defense there. This is the number of  
24 claims that according to the Boy Scouts' consultant were recorded against this council. For the  
25 most part people--well, I shouldn't put it that way. Approximately half of the claims, maybe not  
26 quite half, but a lot of them, and it's in the footnotes, people didn't identify their local council.

1 And I get it. I was a Cub Scout. I have no idea who my local council was. And so this number is  
2 what people have been able to identify. But there are--there could be many more claims against  
3 the Silicon Valley Monterey Bay Council. We just don't know. They're--in the 82,000 and  
4 change total claims, these are the ones that could be identified to this local council.

5 So then you've got two valuations. The claims are somewhere between \$105 million and \$472  
6 million, and that is--that's the claim range. The contribution made by this council is \$10 million.  
7 Its unrestricted assets are a little over \$33 million. So this box here shows you the percentages  
8 for the contribution that's being made. It's--because of some scales, it's somewhere between—  
9 their contribution is somewhere between 2% and 9.5% of the value of the claims. And in terms  
10 of the restricted net as--the unrestricted net assets, they're contributing something between 7%  
11 and not quite 32%.

12 So the footnotes are important to read. I would ask that you read them. But this gives you a sense  
13 of how much they're putting up as against their liability, and how much they're putting up as  
14 against their unrestricted net assets. Every dashboard on the website looks like this in terms of its  
15 layout, and the footnotes, I believe, are identical. So Deb, that's the report on the local council  
16 piece.

17 **GRASSGREEN:** The other question, Jim, that I'm seeing a bunch, lots of people are asking  
18 about the USA Gymnastics settlement, and how that compares to what's happening here. Maybe  
19 you could take a minute and jump in on that.

20 **STANG:** And I'm not saying this to try to sound like I'm being overly sentimental. I was on  
21 the USAG USA Gymnastics case with our partner, Ilan Scharf. It was an honor--and we still do  
22 represent the committee. It was an honor representing these women. These folks are  
23 extraordinary, and they range from Olympians to folks who just were going through an  
24 Olympics--a gymnastics gym, and they had the misfortune of encountering, in most cases, this  
25 so-called doctor, Larry Nassar.

26 That case went on--has been going on for I think it's close to three years, and the final

1 settlement, which was approved by the court a day or two ago, on average, was \$800,000 per  
2 person. And that money is in addition to some of the money folks received because of Michigan  
3 State University's liability for the abuse they suffered. But just USA Gymnastics, the average, is  
4 \$800,000.

5 And when people have asked me over the last few days, "How do you get from settlements in  
6 hand with the Boy Scouts that are averaging," in our opinion, current settlements, including  
7 Century and Chubb, "about \$29,000 a person, and how do you look at your other hand and go  
8 \$800,000 a person?" There are differences between the cases. But one of the real differences is  
9 how hard you're fighting with the insurance companies, and making them pay their fair share.  
10 Now, we're not committing to you that we're getting in Boy Scouts \$800,000 a person, you  
11 know, so please, that's not the takeaway. The takeaway is that if you want maximum value from  
12 your opponents, you have to confront them with all the legal arguments and factual arguments  
13 you can make for them to pay what they should be paying. And as folks who've been following  
14 these Town Halls know, we don't think Hartford's paying anything close to what it should be  
15 paying, we don't think Century is paying what it should be paying, and we don't think the local  
16 councils are paying anything close to what they should be paying. So you get low numbers  
17 because the pressure hasn't been put on them. So that's USA Gymnastics.

18 **KENNEDY:** Thanks, Jim. And Jim, one thing I want to point out to everyone, and please  
19 correct me if I misspeak, but the analyses that we have up for all the local councils are different  
20 than the analyses that we completed using our financial consultants, BRG, and were shared with  
21 the local councils. But because of privacy reasons, we can't post all of that information. Did I  
22 unpack that correctly?

23 **STANG:** Yeah, I wouldn't quite call it privacy. The information that was supplied to us that  
24 drove a lot of the additional analysis of the local councils was given to us on a confidential basis.  
25 Their expert reports had been exchanged between the parties that include an analysis of what the  
26 local councils can pay. If we have a contested confirmation hearing in front of Judge Silverstein,

1 the more in-depth analyses will be presented to her through a report done by our financial  
2 experts, and depending on what the court needs, some specific local council more complete  
3 dashboards will be presented. But the information you're seeing on the dashboard I walked you  
4 through comes from the disclosure statement. And we tried to put it in a format that people can  
5 see, and make their own determination on whether a local council is putting up enough of its--if  
6 its contribution is material enough, and how much of its unrestricted assets it's putting up.

7 **KENNEDY:** Thanks, Jim. Appreciate it. So obviously we're winding the days down quickly  
8 here until the voting will be over, so we wanted to give everyone an update on where voting is,  
9 and what you should be thinking about right now since we're all casting votes. And so we've  
10 asked Rich Pachulski to bring us up to speed on that.

11 **PACHULSKI:** Thanks, Doug, for introducing me. Thank you, Jim and Rob, for going  
12 through a detailed analysis as to, instead of what some people are hearing is additional monies  
13 that are being provided primarily by Century, somewhat by the local councils, that it's far too  
14 small an increase to justify the TCC moving from a no vote to a yes vote. So we're--the TCC has  
15 been adamant even with the increases that the increases are so insignificant that it is not worth a  
16 change of vote. But we do want to spend a moment getting into the voting. Some of this you've  
17 heard. Some of it you may not have. Some of it may be a clarification. But I'd like to spend a  
18 couple of minutes and walk you through it.

19 As we mentioned last week, there--the initial voting deadline was December 14th. That  
20 obviously has passed. And the parties agreed to an extension to December 28th. So, you know,  
21 approximately 12 days from now people still have. But the ballots must be received, there are  
22 really no exceptions, by 4:00 p.m. Eastern.

23 Now, after the ballots are fully received by Omni, they will provide preliminary results that will  
24 be filed with the court on January 4th. They then go through a fairly detailed auditing process,  
25 and the hope is that there would be minimal, if any, changes from the fi--the preliminary to the  
26 final, but the final will be filed with the court on January 17th.

1 Now, at this point everyone still has an opportunity to either vote, or if you voted, to do nothing,  
2 because you're satisfied with the vote, or you may want to change the vote. If you want to get--if  
3 you want to change your vote, or for instance you want to get a ballot, because for whatever  
4 reason you don't have one or you misplaced it, you would email bsaballots, which will be one  
5 word, @omniagnt.com. So it's omni A-G-N-T .com. The omniagnt is one word, and then .com.  
6 So if you want to change your vote or get a ballot, that--you will go through Omni at their site.  
7 Now, we've heard a lot of people question whether their vote has been accurately sent in. We've  
8 heard that people are very concerned about it as to whether Omni has recorded your vote  
9 correctly for one reason or another. You really have two choices. One is to call Omni. I  
10 understand that, again, they have a lot of people, but there are a lot of people who are calling  
11 them, so it's taking some time. You can either call them, or you can email them. The benefit of  
12 an email is that you will get a response in writing, so if there's ever an issue, you can show that  
13 they confirmed you voted yes or you voted no, and that if it's incorrectly been tabulated, that you  
14 can show the reason for the--that it has actually been incorrectly tabulated. So that is the way to  
15 deal with any concerns about your vote.

16 Now, we've also heard complaints that people are getting either bombarded, or their lawyers  
17 have been working to get them to try to change a vote, whether it's yes to no or no to yes. But at  
18 some point, if you're dissatisfied in the sense that your lawyer keeps calling you, or somebody  
19 from that office keeps calling you, and you want it to stop, then you should send them a direction  
20 in writing to stop. If you're fine with it, then you can continue taking the calls or doing as you  
21 please. But we understand, and we've seen it in the court record, that people are dissatisfied in  
22 certain cases with their lawyer continuing to call them, and you should direct them otherwise.

23 That is your choice. At the end of the day, those who are represented by counsel have the right to  
24 instruct their counsel how they want to move forward, whether it's how to vote or whether to  
25 vote. Th--we certainly encourage everyone to vote, but that is within your decision making, and  
26 you have the right to ask your attorney to act appropriately.

1 Now, to make it very clear, whether it's a yes vote or no vote, even if for some reason you  
2 abstain as part of the vote, which again, is not something we recommend, we want every vote to  
3 be valid. We want every survivor to have the right to vote however they want to vote, and we  
4 will be focusing that as w--if not our number one priority, pretty close to it. We want to make  
5 sure that people have the right to vote. If there are any concerns, then you should speak to your  
6 lawyer or Omni. If you don't have counsel, you can reach out to us. But if you have counsel, we  
7 recommend you go through that counsel. But we want to make sure that you vote. Now again,  
8 we ca--we've said this before. It is important to vote, whatever your vote is, and every ballot that  
9 is submitted in a timely manner will be counted. And every vote in this case will count, and it's  
10 important to vote.

11 Now again, the TCC cannot be any clearer, and it's one reason for the Town Hall that we're  
12 having today is to explain the additional compensation that has been provided, in this case by  
13 Century and to some degree potentially by the BSA and the local councils, but some of that is  
14 contingent, as Jim very accurately explained. But while the TCC does not support the settlement,  
15 we want all TC--all survivors to have the best information they possibly can have to make the  
16 best decision for their individual situation. This is not one size fits all. There are different states  
17 with statute of limitations. There's different abuse. There are different views on the plan. You  
18 need to think about it and vote the way you deem appropriate.

19 So again, while the TCC opposes the plan, does not believe that what has been added is of  
20 significance to the point that the TCC changes its mind, it hopes it will, but that's not where we  
21 are today, and we think things in some respects are getting worse before they're getting better,  
22 we do want everybody to vote. And again, hopefully that has been of some benefit in  
23 understanding it. You still have, give or take, 12 days, and we would recommend that you vote,  
24 or change your vote if you deem it's appropriate. And for that I thank everybody, and we'll turn  
25 it back to you, Doug.

26 **KENNEDY:** Thanks.

1 **STANG:** Doug, can I interrupt for a second? Just for a moment?

2 **KENNEDY:** Please, Jim.

3 **STANG:** I was looking at the Q&A, and someone I think misunderstood something I said.  
4 The TCJC, that's the Mormon Church, that settlement money, which is \$250 million, has been  
5 earmarked by the TCJC for Mormon survivors only. But the other monies that are coming from  
6 Century, Chubb, Hartford, are going into the settlement trust for the benefit of everyone,  
7 regardless of whether your abuse occurred during the year that they provided insurance.  
8 Someone asked, "Did Stang say the Century money is only going to those who are covered by  
9 Century policies?" No. That money is going into a total pool for the benefit of all 82,000-plus  
10 survivors. So I just wanted to clear that up, because I saw that (inaudible).

11 **KENNEDY:** Thanks, Jim. Thanks for clearing that up. We're winding down a little bit, but one  
12 of the things we did want to touch base on was some update with youth protection. Jim and Rich  
13 and I had the opportunity to meet with a representative, or someone representing the Boy Scouts,  
14 to begin to have a conversation and to better understand our proposals and where we're coming  
15 from on youth protection. We've been over that on past Town Hall meetings, and I should  
16 mention that the transcripts and the videos are all on our website TCCBSA.

17 It was, I like to think, a productive conversation. We'll see. But the one thing I want to stress to  
18 every survivor, and I have heard this time and time again. Every member of the TCC has heard it  
19 from survivors. Our--the communications, discussion within the TCC, to a person, every  
20 survivor has said, "We want to be sure what happened to us doesn't continue to happen, and we  
21 want to know how well the Boy Scouts are performing on that." Transparency is probably that  
22 critical, most critical point that is really bubbling up to the surface on all this discussion of youth  
23 protection.

24 And I couldn't help but be reminded this week, because of my profession, there's a thing called  
25 the Clery Act. It is a law that requires every college and university in the country to publish  
26 annually on a five-year rolling basis its rates of things like assault, and robbery, and hate crime,

1 and sexual assault as well. And it allows parents in this country, and anyone attending school, to  
2 go and look and see what those rates are in those colleges and universities, to see how well  
3 they're performing to protect their students. And quite frankly, the TCC sees no reason why the  
4 Boy Scouts, that are charged with the protection of our children in this country, shouldn't say,  
5 "You know what? We're gonna be every bit as transparent. And we want people to know how  
6 well we're doing to protect our nation's youth."

7 So I just wanted to share with everybody going forward we are continuing to really focus on  
8 transparency, so everyone knows in the future, if the Boy Scouts continue, how well they're  
9 performing. So parents and guardians and people can make informed choices. We--before we  
10 start to wrap this up, Deb, are there any other questions or points that we need to chat about?

11 **GRASSGREEN:** Let me take a quick look. I think there's--we hit the questions about the—  
12 lots of questions are will the Century money go to everybody? I think Jim took care of that. Just  
13 the--just one settlement is limited. The rest of them are going to everybody. I think--no, I think  
14 we hit most of them. There's some, you know, specific questions, which we try to answer the  
15 general questions that apply to everybody. So--

16 **PACHULSKI:** Hey, Deb, can I just answer one generally? Because I think it's--

17 **GRASSGREEN:** Sure.

18 **PACHULSKI:** --there's one at--looking at them quickly, and I want to make something  
19 very clear. The TCC has been designated by some of our opponents as the party of no. And  
20 someone asked in the question and answer, you know, "When are you guys gonna finally say  
21 there's a settlement good enough?" So I just want to repeat something I said last week.

22 Number one, we don't think the youth protection is even close to adequate. We are never going  
23 to support anything that doesn't fix youth protection going forward. We do not want that to be on  
24 our watch where people will criticize the TCC for allowing that to happen and not objecting. So  
25 until that happens, the vote would be--TCC will object.

26 Number two, the trust as presently structured, which was effectively a deal between the BSA and

1 the coalition, there were others potentially involved, but they were the main ones, is not  
2 independent. Until there's real independence, the TCC is gonna object. It's not that complicated.  
3 We've conveyed it.

4 And number three, that the compensation is satisfactory. We've made it very clear to the parties  
5 that if you are going to settle on the cheap with Hartford and ex--ask for expansive releases, and  
6 you're going to settle on the cheap with Century, and again ask for--and Century gets expansive  
7 releases, then the TCC is gonna object.

8 So this isn't a matter--we would love to make a deal. My entire practice is making deals. And  
9 this one is just a bad deal. And we're not gonna cave just because it's the easy way to go. And  
10 it's not because USA Gymnastics got \$800,000, and right now the average is about 28 or 9—  
11 29,000. Cases are different. But that's dramatic. And so yes, we are gonna ask that the plan  
12 not be confirmed. But it's not because we just want to oppose it. It's because it's completely  
13 inadequate.

14 **KENNEDY:** Thanks, Rich. Well said. Well said. I want to add a couple things, and one of  
15 these is gonna sound a little personal, and it's from everyone on the TCC. It's from Rob and I  
16 and the other seven members. Our phones and email blew up recently when we found out at a  
17 Town Hall that was being held by the coalition that they went after the TCC pretty hard, and  
18 saying that the TCC is making money off of this bankruptcy.

19 I want to be clear about something, and I want to remind whoever's writing the script for those  
20 coalition Town Hall meetings, the TCC isn't making a dime off of this. The TCC is made up of  
21 nine survivors. We have professionals that are working for us. Those professionals, thank God,  
22 are part of the (inaudible) process, and are paid by the debtor. Those professionals are working  
23 for every single survivor out there, not just the survivors of some attorneys or some group, every  
24 single survivor out there, as Rich said, to get the very best settlement.

25 We interviewed professionals, and every single person on the TCC (inaudible) the ones we have.  
26 We think they're fantastic. You know, they're at the top of their game, and they make a good

1 paycheck. And I feel happy about that, because they earn it. I know in the last few weeks the  
2 pace of this work is incredible. And to those who much is expected, you know, much is given,  
3 and they're working their asses off, quite frankly.

4 So I'm not gonna sit back and listen to criticism about the amount of money that our  
5 professionals make, not the TCC. Because Rob and I and everyone else is a volunteer. We only  
6 make a dime if anybody else gets an award just like us. But what really irks us is the fact that in  
7 this settlement that we're voting for, gang, is the provision that, should the settlement be  
8 approved, since last August, the attorneys that serve the coalition are making \$950,000 a month,  
9 and will also get a lump sum of \$10.5 million on top of that. So you know that old saying about  
10 being in glass houses and throwing stones? Well, that's what's going on right now. So if you're  
11 gonna criticize our professionals, you want to throw those stones from inside your glass house,  
12 we're gonna throw them right back at you. So please, let's just deal with facts. From the very  
13 first Town Hall, the TCC has been committed to facts. So I hope those facts that we just told you  
14 help you understand why maybe we're a little pissed off about that.

15 The last thing is I just want to remind everybody that unless there's future developments, we're  
16 taking a little bit of a hiatus on the Town Halls. Please check our website TCCBSA for when  
17 we're gonna have the next Town Hall. We'll have a slide up at the end of this meeting with that  
18 information and the email addresses. So stay tuned. I want to thank our attorneys tonight for  
19 putting this together. I want to thank Rob for joining us. And most importantly, John Humphrey,  
20 we're thinking about you, brother. And everyone out there, please, please, please be safe this  
21 holiday season. Okay. Good night, everyone.

22 **STANG:** Happy holiday.

23 **PACHULSKI:** Thanks, everyone.

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1 I hereby certify that the foregoing is a true and correct transcription of the audiotape labeled  
2 GMT20211217-010037\_Recording\_1538x960.

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Melissa D. Lee

10 Date

Printed Name

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Signature

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