

PROTOCOL FOR OBJECTIONS, RESPONSES AND PROCEEDINGS ON CONFIDENTIAL PROOFS OF CLAIM

Except as expressly modified by this Protocol, the Bankruptcy Code, applicable provisions of Title 28, the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules shall apply to all contested matters relating to disputed claims.

1. Objections.

1.1 Filing of Objections, Supporting Pleadings and Certificates of Service.

Any objection, supporting affidavits, declarations or other pleadings or certificate of service relating to a confidential claim (collectively an "Objection") shall be filed under seal and delivered to the Court via hand delivery or U.S. mail pursuant to LBR 5005-1(b)(2) or (b)(3). An Objection shall be filed in a sealed envelope in accordance with LBR 9018-1. The envelope shall be marked "CONFIDENTIAL MATERIAL – FILED UNDER SEAL". Pursuant to LBR 9018-1(b) a caption page in the form attached hereto as Exhibit A shall be attached to any Objection. The caption page shall not contain the claimant's name. The claim and claimant will be identified only by reference to the claim number assigned by the Clerk of the Court and the claim number assigned by BMC.

1.2 Contents of Objection.

In addition to the basis for objection and the required notice, the objection shall have a caption which shall contain the following information: (1) claimant's name; (2) the claim number assigned by the Clerk of the Court; and (3) the claim number assigned by BMC.

1.3 Notice.

The notice required by LBR 3007-1(a) shall read as follows:

NOTICE

Notice is hereby given that the [Objecting Party] has filed an objection to your confidential proof of claim. A written response must be filed with the Clerk of the United States Bankruptcy Court for the Eastern District of Washington at 920 Riverside Avenue, Spokane, WA 99201, and served on the undersigned attorney within thirty-three (33) days of the date of this objection. In the event you fail to file a timely written response to this objection and serve the response on the undersigned attorney, the Court may rule on the pleadings filed without oral argument and without further notice to you, and you will be deemed to have consented to such a determination in accordance with LBR 3007-1(b)(1)(B). In the event that no written objection is filed, the [Objecting Party] will present the Court with an ex parte order disallowing your confidential claim in its entirety.

The objection and all supporting pleadings have been filed under seal to maintain the confidentiality of your claim. To further maintain the confidentiality of your claim, any response must be filed under seal as well. In the event that you do not follow the procedure specified below, the confidentiality of your claim cannot be assured. To file a response under seal you must serve the response on the undersigned attorney and submit your response to the Bankruptcy Court by doing the following:

1. Submit your response to the objecting party by mailing a copy of your response to the undersigned attorney. The objecting party's attorney is obligated to keep the information contained in your claim and response confidential. Include any supporting pleadings, affidavits or declarations with your response. Also provide a sworn statement showing mailing to the undersigned attorney.

2. To file your response with the Bankruptcy Court, place your response, any supporting pleadings, affidavits or declarations, and your sworn proof of mailing to the undersigned attorney in a sealed envelope marked "CONFIDENTIAL MATERIAL- FILED UNDER SEAL".

3. Attach the enclosed cover sheet to the sealed envelope.

4. Place your response (contained in the sealed envelope marked "CONFIDENTIAL MATERIAL - FILED UNDER SEAL") and the enclosed cover sheet in an additional envelope and mail to the Bankruptcy Court at the address specified above.

1.4 Service of Objection.

An Objection shall be served on the claimant and the claimant's attorney (if any). In addition, all Objections, including any omnibus Objections, shall be served by the Objecting Party on counsel for the Debtor, counsel for the Tort Claimants' Committee, counsel for the Tort Litigants' Committee, the Future Claims Representative and the U.S. Trustee.

1.5 Filing of Caption Page.

Upon the filing of an Objection, the Clerk will file the caption page. Only the caption page will be shown on the docket.

1.6 Compliance with Objection Procedure.

Compliance with this Protocol by the Objecting Party shall be deemed sufficient to protect the confidentiality of the confidential claims. Provided the Objecting Party has complied with this Protocol, the Objecting Party shall not be liable for any damages in the event the identity of a claimant or any other confidential information becomes known to the public.

2. Responses.

2.1 Filing of Responses.

A response to an Objection and any supporting pleadings (collectively a "Response") and proof of service of a Response shall be filed under seal and delivered to the Court via hand delivery or U.S. mail pursuant to LBR 5005-1(b)(2) or (b)(3). A Response shall be filed in a sealed envelope in accordance with LBR 9018-1. The envelope shall be marked "CONFIDENTIAL MATERIAL – FILED UNDER SEAL". Pursuant to LBR 9018-1(b) a caption page in the form attached hereto as Exhibit B shall be attached to a Response. The caption page shall not contain the claimant's name. The claim and claimant will be identified only by reference to the claim number assigned by the Clerk of the Court and the claim number assigned by BMC.

2.2 Filing of Caption Page.

Upon the filing of an Response, the Clerk will file the caption page. Only the caption page will be shown on the docket.

3. Chamber Copies and Copies to Interested Parties.

The Objecting Party shall provide copies of the confidential claim, Objection and Response (if any) to chambers within thirty-five (35) days of the filing of an Objection. In addition, the Objecting Party shall provide copies of the Objection and Response (if any) to the parties listed in Section 1.4 of this Protocol and, if requested, to any insurance carrier identified in the protocol for sharing confidential proofs of claim for sexual abuse ("POC Sharing Protocol") which was approved on December 1, 2005, when the Court entered its Order 1) Fixing Bar Date for Filing Proofs of Claim; 2) Approving Proof of Claim and Bar Date Notice Forms; and 3) Approving Notice Procedures [Docket No. 883]. Any person who requests and/or receives copies of any Objection or Response shall first execute the Compliance Declaration described in the POC Sharing Protocol and shall be bound by the terms of the POC Sharing Protocol with respect to any Objections, Responses or other documents related thereto. The Objecting Party has no duty or obligation to provide copies of Objections or Responses to a person or Party that has not signed a Compliance Declaration.

4. Notice of Hearing.

Upon filing of a Response the Clerk shall set hearing on the Objection. The Clerk shall provide the Objecting Party with notice of the hearing. The notice of hearing shall identify the claimant only by reference to the claim number assigned by the Clerk of the Court and by the claim number assigned by BMC. The Objecting Party shall provide notice of hearing to the claimant and claimant's attorney (if any). For omnibus Objections, the Objecting Party shall also provide notice of the hearing (as applicable) to counsel for the Debtor, counsel for the Tort

Litigants' Committee, counsel for the Tort Claimants' Committee, the Future Claims Representative and the U.S. Trustee.

5. Proceedings on Confidential Claims.

5.1 Pretrial Matters Determined by Bankruptcy Court.

In the event the basis for an Objection does not involve a dispute regarding the factual matters asserted in the claim, such as the legal unenforceability of the claim due to late filing, application of a statute of limitations or other matters relating to the legal validity of the claim, the Bankruptcy Court shall enter a final order upon such Objection. In the event an Objection disputes the factual matters set forth in the claim, resolution of the claims shall occur as set forth in section 5.2 of this Protocol.

5.2 Disputed Factual Matters.

If the Objection disputes the facts set forth in the confidential claim, liquidation of the claim shall occur as specified in this Section 5.2.

5.2.1 State Court Action Pending.

Where an objection has been filed to a claim related to a matter that has been remanded to state court, liquidation of the claim shall occur in the state court. In the event an Objection to such a claim is filed by the Debtor, the Objection shall be considered to be a waiver by the Debtor of the automatic stay to allow the liquidation of the claim in state court.

5.2.2 No State Court Action Pending.

With respect to the liquidation of confidential claims for sexual abuse for which no state court action is pending, the claim shall be liquidated in the appropriate court pursuant to 28 U.S.C. 157(b)(5). The Bankruptcy Court shall retain the matter up to the point of the entry of the pretrial order.

5.3 Referral to Bankruptcy Court Upon Consent of the Parties.

The claimant and Objecting Party may consent to determination of disputed factual matters, of the type specified in Section 5.2, by the Bankruptcy Court pursuant to 28 U.S.C. 157(c)(2). In the event of such consent, the District Court will refer the matter to the Bankruptcy Court for resolution.