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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	:	
	:	
THE ROMAN CATHOLIC DIOCESE OF	:	Chapter 11
ROCKVILLE CENTRE, NEW YORK,	:	
	:	Case No. 20-12345 (MG)
Debtor.	:	

**APPELLANT’S DESIGNATION OF ITEMS TO BE INCLUDED
IN THE RECORD ON APPEAL AND STATEMENT OF ISSUES
PURSUANT TO FED. BANKR. PROC. R. 8009(a)**

STATEMENT OF THE ISSUES ON APPEAL

Pursuant to Fed R. Bank. Proc. 8009(a), and Rule 8009-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court Southern District of New York, Claimant 90610 (90424) (“Claimant” or “Appellant”) hereby submits his designation of the record and statement of issues on appeal in connection with his appeal from the Memorandum Opinion sustaining the Debtor’s Sixteenth Omnibus Objection to Claims (Dkt. No. 2516) and the related Order on the Debtor’s Sixteenth Omnibus Objections to Claims (Dkt. No. 2541):

1. Did the Bankruptcy Court err in sustaining the Debtor’s Sixteenth Omnibus Objection to Late Claims as to Claimants 90610 (90424) when: (i) the Debtor objected to Claimant’s claims for compensation for childhood sexual abuse claiming the claims do not properly allege that it controlled the alleged abuser or entity with which the abuser was affiliated; (ii) Claimant presented evidence that the Debtor supervised and controlled the entity involved; (iii) Claimant alleged facts

which show the Debtor supervised and controlled the abuser; (iv) Claimant sufficiently alleged facts to withstand a motion to dismiss in New York State Court, where the claim was originally filed; (v) Claimant had no opportunity to conduct discovery regarding the Debtor's supervision and control of the entity; and (vi) Claimant sufficiently alleged facts to withstand a motion to dismiss under a federal pleading standard?

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

Claimant 90610 (90424) designates the following pleadings and other documents as the record on appeal:

Date Filed	Docket Number	Description
08/09/21	Claim No. 90424	Confidential Sexual Abuse Proof of Claim with Attachments – Claim No. 90424
02/21/23	1677	Motion for Omnibus Objection to Claim(s) Number: 20048, 90191, 90310, 90430, 90447, 90036, 90301, 90283, 90023, 90247, 90321, 90363, 90379, 90255, 90429, 90483, 90456, 90261, 90413, 90403, 90455, 90454, 90450, 90451, 90452, 90453, 90494, 90522, 90508, 90130, 90083, 90465, 90021, 90358, 90424, 90380, 90214, 90166, 90215 / The Debtor's Sixth Omnibus Claim Objections with hearing to be held on 3/28/2023 at 10:00 AM at Videoconference (ZoomGov) (MG) Responses due by 3/14/2023, filed by Corinne Ball on behalf of The Roman Catholic Diocese of Rockville Centre, New York. (Ball, Corinne)
02/21/23	1678	Declaration / Declaration of Thomas G. Renker (related document(s)[1677]) filed by Corinne Ball on behalf of The Roman Catholic Diocese of Rockville Centre, New York. (Ball, Corinne)
02/28/2023	1719	Affidavit of Service re: The Debtors Sixth Omnibus Claim Objections; and Declaration of Thomas G. Renker (related document(s)[1678], [1677]) filed by Epiq Corporate Restructuring, LLC.(Garabato, Sid)
03/14/23	1810	Response to Motion filed by Jordan Merson on behalf of Merson Law Sexual Abuse Creditors. (Merson, Jordan)
03/21/23	1847	Reply to Motion / Debtor's Reply in Further Support of Its Sixth Omnibus Objection (related document(s)[1677]) filed by Corinne Ball on behalf of The Roman Catholic Diocese of Rockville Centre, New York. (Ball, Corinne)
03/29/23	1946	Affidavit of Service re: Debtor's Reply in Further Support of its Sixth Omnibus Objection; and Declaration of Thomas G. Renker (related document(s)1848, 1847) filed by Epiq Corporate Restructuring, LLC.(Garabato, Sid) (Entered: 03/29/2023)

04/11/23	2009	Transcript regarding Hearing Held on 4/5/2023 at 10:01am RE: Debtors Sixth Omnibus Claim Objections. Claim(s) Number (s) : 20048, 90191, 90310, 90430, 90447, 90036, 90301, 90283, 90023, 90247, 90321, 90363, 90379, 90255, 90429, 90483, 90456, 90261, 90413, 90403, 90455, 90454, 90450, 90451, 90452, 90453, 90494, 90522, 90508, 90130, 90083, 90465, 90021, 90358, 90424, 90380, 90214, 90166, 90215; et al. Remote electronic access to the transcript is restricted until 7/10/2023. The transcript may be viewed at the Bankruptcy Court Clerks Office. [Transcription Service Agency: Veritext Legal Solutions.]. (See the Courts Website for contact information for the Transcription Service Agency.) (RE: related document(s) [1861], [1911], [1810], [1856], [1730], [1913], [1899], [1719], [1872], [1986], [1867], [1754], [1774], [1984], [1864], [1885], [1870], [1860], [1858], [1886], [1874], [1818], [1755], [1987], [1871], [1731], [1893], [1906], [1869], [1865], [1814], [1857], [1868], [1908], [1678], [1744], [1782], [1677], [1976], [1887], [1905], [1907], [1863], [1866], [1909]). Notice of Intent to Request Redaction Deadline Due By 4/18/2023. Statement of Redaction Request Due By 5/2/2023. Redacted Transcript Submission Due By 5/12/2023. Transcript access will be restricted through 7/10/2023. (Garcia, Pedro)
06/02/23	2132	Memorandum Opinion and Order, Signed on 6/2/2023, Sustaining the Debtor's Sixth Omnibus Objection to Claims. (related document(s)[1677]) (Anderson, Deanna)
06/12/23	2142	Order Signed on 6/12/2023 on Debtor's Sixth Omnibus Objection to Claims (Related Doc # [1677]). (Anderson, Deanna)
07/03/23	Claim No. 90610	Amended Confidential Sexual Abuse Proof of Claim with Attachments – Claim No. 90610
08/07/23	2372	Motion for Omnibus Objection to Claim(s) Number: 90430; 90447; 20048; 90036; 90301; 90283; 90456; 90023; 90247; 90379; 90255; 90483; 90429; 90321; 90363; 90261; 90413; 90455; 90454; 90450 90451; 90452; 90453; 90494; 90522; 90130; 90083; 90021; 90358; 90424 90380; 90214; 90215 / Debtor's Sixteenth Omnibus Objection to Claims Previously Disallowed, with Leave to Amend, Pursuant to the Order on Debtors Sixth Omnibus Objection to Claims with hearing to be held on 9/6/2023 at 02:00 PM at Videoconference (ZoomGov) (MG) Responses due by 8/28/2023, filed by Corinne Ball on behalf of The Roman Catholic Diocese of Rockville Centre, New York. (Ball, Corinne)
09/05/23	2463	Certificate of Mailing of Claims Agent for Debtors Sixteenth Omnibus Objection to Claims Previously Disallowed, with Leave to Amend, Pursuant to the Order on Debtors Sixth

		Omnibus Objection to Claims (related document(s)[2372]) filed by Epiq Corporate Restructuring, LLC.(Garabato, Sid)
08/28/23	2428	Response to Motion (related document(s)[2372]) filed by Jordan Merson on behalf of Merson Law Sexual Abuse Creditors. (Merson, Jordan)
09/01/23	2458	Reply to Motion Debtor's Reply in Further Support of Its Sixteenth Omnibus Objection to Claims (related document(s)[2372]) filed by Todd Geremia on behalf of The Roman Catholic Diocese of Rockville Centre, New York. (Geremia, Todd)
09/11/23	2481	Transcript regarding Hearing Held on 09/06/2023 At 2:01 PM RE: Eighth Application For Interim Professional Compensation Feb 2023-May 2023 For Sitrick And Company Inc.; Fifth Application For Interim Professional Compensation For Services As Counsel To Future Claims Representative For Joseph Hage Aaronson LLC.; Etc. Remote electronic access to the transcript is restricted until 12/11/2023. The transcript may be viewed at the Bankruptcy Court Clerks Office. [Transcription Service Agency: Veritext Legal Solutions.]. (See the Courts Website for contact information for the Transcription Service Agency.) (RE: related document(s) [2313], [2327], [2288], [2439], [2419], [2318], [2433], [2324], [2316], [2404], [2432], [2309], [2386], [2328], [2428], [2427], [2436], [2440], [2430], [2346], [2434], [2431], [2320], [2372], [2314], [2303], [2438], [2364], [2321], [2426], [2423], [2385], [2322], [2437]). Notice of Intent to Request Redaction Deadline Due By 9/18/2023. Statement of Redaction Request Due By 10/2/2023. Redacted Transcript Submission Due By 10/12/2023. Transcript access will be restricted through 12/11/2023. (Ramos, Jonathan)
09/26/23	2516	Memorandum Opinion and Order, Signed on 9/26/2023, Sustaining the Debtor's Sixteenth Omnibus Objection. (related document(s)[2372]) (Anderson, Deanna)
10/05/23	2541	Order signed on 10/5/2023 on Debtor's Sixteenth Omnibus Objection to Claims (Related Doc # [2372]). (Anderson, Deanna)
10/17/23	2585	Certificate of Mailing of Claims Agent for Memorandum Opinion and Order Sustaining the Debtors Sixteenth Omnibus Objection (related document(s)[2516]) filed by Epiq Corporate Restructuring, LLC.(Garabato, Sid)
10/10/23	2563	Notice of Appeal (related document(s)[2541], [2516]) filed by Jordan Merson on behalf of Claimant 90610, Claimant 90599, Claimant 90600. (Merson, Jordan)

Dated: New York, New York
October 24, 2023

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