

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

In re:

THE CHRISTIAN BROTHERS' INSTITUTE, *et al.*,
Debtors.

Chapter 11

Case No. 11-22820 (RDD)

(Jointly Administered)

**ORDER APPROVING APPLICATION OF OFFICIAL
COMMITTEE OF UNSECURED CREDITORS FOR ORDER (I)
AUTHORIZING AND APPROVING THE EMPLOYMENT OF WILLIAM L.
BETTINELLI AS ABUSE CLAIMS REVIEWER AND (II) APPROVING
PROCEDURES FOR PRELIMINARY REVIEW OF ABUSE CLAIMS**

Upon consideration of the *Application of Official Committee of Unsecured Creditors for Order (i) Authorizing and Approving the Employment of William L. Bettinelli as Abuse Claims Reviewer and (ii) Approving Procedures for Preliminary Review of Abuse Claims* [Docket No. 578], by notice of presentment dated September 16, 2013 (the "Application"),¹ filed by the Official Committee of Unsecured Creditors appointed in the above-captioned cases (the "Committee"), and upon the *Declaration of William L. Bettinelli* (the "Bettinelli Declaration") in support of the Application; and there being due and sufficient notice of the Application; and there being no objections to the requested relief; and no additional notice of or a hearing on the Application being required under the circumstances; and the Court being satisfied based on the representations made in the Application and in the Bettinelli Declaration that William L. Bettinelli neither holds nor represents an interest adverse to the Debtors' estates with respect to the matters upon which he is to be engaged, that he is a disinterested person as that term is defined under section 101(14) of the Bankruptcy Code and that his

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Application.

employment by the Committee is necessary; and the Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334(b); and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Application is in the best interests of the Committee, the Debtors and other parties in interest, including the holders of abuse claims; and after due deliberation and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Application is GRANTED as set forth herein.
2. In accordance with sections 328, 504, and 1103 of the Bankruptcy Code, Bankruptcy Rules 2014 and 2016 and Local Bankruptcy Rules 2014-1 and 2016-1, the Committee is authorized to employ and retain William L. Bettinelli as the Abuse Claims Reviewer on the terms set forth in the Application and the Bettinelli Declaration.
3. Mr. Bettinelli shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with the Debtors' chapter 11 cases in compliance with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, and any other applicable procedures and orders of this Court, including General Order M-389 and the *Order Granting Debtors' Motion to Establish Procedures for Monthly Compensation and Reimbursement of Expenses of Professionals* [Docket No. 64] (the "Interim Compensation Order"), and such other orders as this Court may direct. Allocation of any compensation and reimbursement awarded to Mr. Bettinelli shall be made as set forth in the next paragraph.

4. Prior to confirmation of the Plan, Mr. Bettinelli may make periodic applications for compensation and cost reimbursement to be paid by the Debtors in accordance with the Interim Compensation Order. Pursuant to the Plan, any payments by the Debtors on account of Mr. Bettinelli's pre-confirmation fees and expenses shall apply against the Debtors' payments that the Debtors must pay to the Trust upon the Effective Date of the Plan. After the Effective Date, the Trust shall pay (a) any pre-Effective Date fees and expenses incurred but unpaid prior to the Effective Date and (b) fees and expenses incurred after the Effective Date shall be obligations of the Trust.

5. Mr. Bettinelli is authorized to render professional services to the Committee as described in the Application.

6. The Committee and Mr. Bettinelli are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. The Application's request for approval of procedures for preliminary review of abuse claims is granted.

9. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: White Plains, New York
November 7, 2013

/s/Robert D. Drain

UNITED STATES BANKRUPTCY JUDGE