



U.S. Department of Justice

Office of the United States Trustee

Eastern District of Pennsylvania

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January 11, 2023

Notice of Formation of Official Retiree Committee

In re The City of Chester, Pennsylvania
United States Bankruptcy Court, Eastern District of Pennsylvania
Case No. 22-13032

On November 10, 2022, the State appointed Receiver for the City of Chester filed a chapter 9 petition on behalf of the City of Chester, Pennsylvania in the United States Bankruptcy Court for the Eastern District of Pennsylvania. The case has been assigned to Bankruptcy Judge Honorable Ashely M. Chan and is proceeding under case number 22-13032. On January 4, 2023, the Bankruptcy Court entered an Order (Docket No. 174) directing the United States Trustee to appoint an Official Committee of Retired Employees (“Retiree Committee”) to represent the retired employees of the City of Chester (“Retirees”). The Retiree Committee will represent the interests and act on behalf of all Retirees. Individual Retirees selected as members will represent the interests of all Retirees without regard to any differences in the types of claims they might hold against the City. Additional information about the rights and duties of the Retiree Committee and its members is set forth below.

The Retiree Committee will represent the interests of, and act on behalf of, all retirees entitled to receive retirement benefits from the City of Chester, including but not limited to the City of Chester Paid Fireman’s Pension Plan, City of Chester Police Pension Plan, and City of Chester Officers & Employees Pension Plan.

If you wish to be considered for membership on the Retiree Committee, please complete the enclosed Questionnaire and return it to the Office of the United States Trustee so that it is received no later than January 26, 2023 at 4:00 P.M. Return your completed and signed form, by (1) by email to ustp.chesterretirees@usdoj.gov; or (2) by fax at the above fax number to the attention of James Gannone; or (3) mail to the above address to the attention of James Gannone. Timely return of the Questionnaire does not guarantee appointment to the Retiree Committee, but only that you will be considered. If you do not wish to serve on the Retiree Committee, you do not need to return the Questionnaire.

The United States Trustee urges you to consider serving on the Retiree Committee. Under the Bankruptcy Code, the Retiree Committee has the right to demand that the debtor consult with the Retiree Committee before making major decisions or changes to retiree benefits. The Retiree Committee may also take a variety of actions under 11 U.S.C. Sections 1103 and 1129(a)(13) in order to carry out the purposes for which the Retiree Committee is appointed. The Retiree Committee is authorized to select and employ an attorney and other necessary professionals, subject to court approval. Fees of professionals employed by the Retiree Committee may be paid from available assets, if any.

Respectfully,

Andrew R. Vara
United States Trustee

/s/George M. Conway
George M. Conway
John H. Schanne
Trial Attorneys

Attachments

Official Retiree Committee--Additional Information

Powers and Duties of Retiree Committee. Members of the Retiree Committee appointed under section 1102(a) of the Bankruptcy Code will be fiduciaries representing all Retirees without regard to any differences in the types of claims that individual Retirees or the members might hold against the City. Section 1103 of the Bankruptcy Code provides, among other things, that the Retiree Committee may consult with the City and participate in the formulation of a plan for the adjustment of the City's debts. The Retiree Committee may also perform such other services as are in the interests of the Retirees which it represents.

Employment of Professionals and Reimbursement of Expenses. Section 1103 of the Bankruptcy Code provides that the Retiree Committee may employ one or more attorneys, accountants or other professionals to represent or perform services for the Retiree Committee. The decision to employ particular professionals should occur at a scheduled meeting of the Retiree Committee where a majority of the members of the Retiree Committee is present. Furthermore, Retiree Committee members may be entitled to reimbursement of their actual and necessary expenses associated with their service on the Retiree Committee.

Other Matters. The Retiree Committee may elect a chairperson and may adopt bylaws. As a party in interest, the Retiree Committee may be heard on any issue in the bankruptcy case. Federal Bankruptcy Rule 2002(i) requires that the Retiree Committee (or its authorized agent) receive all notices concerning motions and hearings in the bankruptcy case.

Privacy Act Statement. 11 U.S.C. § 1102 authorizes the collection of this information. The information will be used by the United States Trustee to determine your qualifications for appointment to the Retiree Committee. Disclosure of this information may be to the appropriate federal, state, local, regulatory, tribal, or foreign law enforcement agency when the information indicates a violation or potential violation of law. Other disclosures may be made for routine purposes. For a discussion of the types of routine disclosures that may be made, you may consult the Executive Office for United States Trustee's systems of records notice, UST-001, "Bankruptcy Case Files and Associated Records." See 71 Fed. Reg. 59,818 et seq. (Oct. 11, 2006). A copy of the notice may be obtained at the following link: http://www.justice.gov/ust/eo/rules_regulations/index.htm. Your disclosure of information is voluntary; however, failure to provide the requested information may result in the rejection of your request to be appointed to the Retiree Committee.



IN RE THE CITY OF CHESTER, PENNSYLVANIA (the “CITY”)
Case No. 22-13032 (Bankr. E.D. Pa.)

QUESTIONNAIRE FOR OFFICIAL COMMITTEE OF RETIRED EMPLOYEES
(“RETIREE COMMITTEE”)

PLEASE RETURN YOUR COMPLETED AND SIGNED FORM SO THAT IT IS RECEIVED NO LATER THAN JANUARY 26, 2023 AT 4:00 P.M. (ET). TO RETURN YOUR COMPLETED AND SIGNED FORM, YOU MUST EITHER: (1) SUBMIT A DIGITAL COPY BY EMAIL TO ustp.chesterretirees@usdoj.gov; OR (2) SUBMIT THE ORIGINAL BY FAX OR MAIL TO THE ABOVE NUMBER OR ADDRESS.

PLEASE TYPE OR PRINT CLEARLY. ATTACH ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER ANY QUESTION:

I am willing to serve on a Retiree Committee. Yes _____ No _____

1. Name: _____
2. Address: _____
3. Phone number(s) (please indicate preferred number): _____

4. E-mail: _____
5. Date of retirement from the City: _____
6. Number of years worked for the City before retirement: _____
7. Position immediately before retirement: _____

8. Was this a management or a non-management position? _____

9. All other positions you held while employed by the City and the approximate dates when each such position was held: _____

10. Were you a member of any union(s) while employed by the City? Yes ___ No ___

If yes, what union(s)? _____

Do you now or did you ever hold a leadership position with a union? Yes ___ No ___

If yes, please identify each union, the approximate period during which you held or have held a leadership position, and explain each leadership role with each union: _____

Are you being sponsored or have you been designated for membership on the Retiree Committee by a union? Yes ___ No ___

If yes, what union(s)? _____

11. Are you currently represented by any union(s) in connection with your rights to receive pension benefits, retiree health insurance benefits, and/or life insurance benefits?

Yes ___ No ___

If yes, what union(s)? _____

12. Are you a member of any retiree association(s) arising from your former employment by the City? Yes ___ No ___

If yes, what association(s)? _____

Do you now or did you ever hold a leadership position with such retiree association?

Yes ___ No ___

If yes, please identify each association, the approximate period during which you held or have held a leadership position, and explain each leadership role with each association:

Are you being sponsored or have you been designated for membership on the Retiree Committee by an association? Yes ___ No ___

If yes, what association? _____

13. Have you ever served on the Board of Trustees of any Retirement System?
Yes ___ No ___

If yes, please identify the Retirement System, the approximate period during which you served or have served as trustee, and any leadership positions as a trustee: _____

14. Are you currently receiving retiree health insurance benefits due to your former employment with the City? Yes ___ No ___

If yes, what is the approximate monthly value of the retiree health insurance benefits you receive?

15. Are you currently receiving pension benefits due to your former employment with the City? Yes ___ No ___

If yes, what is the approximately monthly amount of the pension benefits you receive?

16. Are you currently eligible to receive life insurance benefits due to your employment with the City? Yes ___ No ___

If yes, what is the amount of the benefit under your life insurance policy that you expect your designated beneficiary to receive? _____

17. Have you ever had any work experience in the pension benefit, employee benefit or retiree benefit area? Yes ___ No ___

If yes, please describe: _____

18. If appointed to the Retiree Committee, would you be physically able and available to travel to attend meetings? Yes ___ No ___

If no, please explain: _____

If appointed to the Retiree Committee, would your schedule permit you to actively participate on the committee by attending regularly scheduled meetings (either by telephone or in person)? Yes ___ No ___

19. Have you or your attorney entered into a settlement agreement with the City regarding resolution of your retiree claim? Yes ___ No ___

20. Do you have any other claims, causes of action, or lawsuits against the City? Yes ___ No ___

If yes, please state the nature and amount of those claims, causes of action, or lawsuits you have against the City: _____

21. Do you have any claims against any union(s) related to your employment with the City? Yes ___ No ___

If yes, please state the nature and amount of such claims: _____

22. Is any member of your household currently employed by the City? Yes ___ No ___

If yes, please identify that person and describe the nature of the person's employment: _____

23. If you have been contacted by a professional person(s) (for example, an attorney, accountant, or financial advisor) about the formation of the Retiree Committee, please provide that individual's name and/or contact information:

24. If you have given a proxy to a third party to represent you in connection with your claim, please attach a copy of the written proxy. If a professional person has arranged for someone to hold a proxy on your behalf, please identify both the professional person and the individual holding the proxy: _____

25. Please provide any additional information or background as to why you should be appointed to the Retiree Committee, including any specific skills that would be valuable to the Retiree Committee: _____

SIGNATURE: _____

Print Name: _____

Date: _____

THIS IS NOT A PROOF OF CLAIM FORM. PROOFS OF CLAIM ARE FILED WITH THE CLERK OF THE BANKRUPTCY COURT OR AS OTHERWISE DIRECTED BY ORDER OF THE BANKRUPTCY COURT, AND NOT WITH THE UNITED STATES TRUSTEE.

Please be advised that once a committee is formed, the United States Trustee will file a notice of appointment in the Bankruptcy Court setting forth only the name of the retiree appointed, and will NOT include the retiree's name, address, and telephone number.

Privacy Act Statement. 11 U.S.C. § 1102 authorizes the collection of this information. The information will be used by the United States Trustee to determine your qualifications for appointment to the Retiree Committee. Other disclosures may be made for routine purposes. For a discussion of the types of routine disclosures that may be made, you may consult the Executive Office for United States Trustee's systems of records notice, UST-001, "Bankruptcy Case Files and Associated Records." *See* 71 Fed. Reg. 59,818 et seq. (Oct. 11, 2006). A copy of the notice may be obtained at the following link: http://www.justice.gov/ust/eo/rules_regulations/index.htm. Your disclosure of information is voluntary; however, failure to provide the requested information may result in the rejection of your application to be appointed to the Committee.