UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

In re: NEWPORT OVERLOOK ASSOCIATION, INC.,[1] Debtor.	Chapter 11 Case No.: 1:25-bk-11000

DEBTOR'S FIRST DAY MOTION FOR EMERGENCY DETERMINATION FOR ENTRY OF AN ORDER (I) AUTHORIZING DEBTOR TO SUPPRESS CERTAIN PERSONALLY IDENTIFIABLE INFORMATION FOR INDIVIDUAL CREDITORS, INTERVAL OWNERS, AND PARTIES IN INTEREST AND (II) LIMITING DEBTOR'S NOTICING OBLIGATIONS

Newport Overlook Association, Inc. ("Debtor" or "Association") files *Debtor's Motion for Expedited Determination for Entry of an Order (I) Authorizing Debtor to Suppress Certain Personally Identifiable Information for Individual Creditors, Interval Owners and Parties in Interest and (II) Limiting Debtor's Noticing Obligations* (the "Motion") seeking entry of an order substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"). In support of this Motion, Debtor relies upon the *Declaration of Amy Houle Caruso in Support of Debtor's Chapter 11 Petition and First Day Relief* (the "First Day Declaration")[2] filed on the date hereof, and respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

[1] The last four digits of Debtor's tax identification number are 6560. Debtor's corporate headquarters is located at 150 Bay View Drive, Jamestown, RI 02835.

[2] Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the First Day Declaration.

3. The statutory predicates for the relief sought herein are sections 105(a), 107 and 1108 of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), Rule 1007(d) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Rule 1007-1 of the Local Rules of the United States Bankruptcy Court for the District of Rhode Island.

BACKGROUND

4. On December 17, 2025 (the "Petition Date"), Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the "Chapter 11 Case").

5. Debtor is a not-for-profit corporation organized under the laws of the State of Rhode Island pursuant to the Articles of Incorporation filed with the Office of the Secretary of State of the State of Rhode Island on April 25, 2019 as filing number 201991094030, as amended pursuant to Restated Articles of Incorporation filed with the Office of the Secretary of State of the State of Rhode Island on April 26, 2019 as filing number 201991196680 (collectively, the "Articles of Incorporation"). Pursuant to the Articles of Incorporation, the purposes of the Association are "*[t]o own the common areas and operate the timeshare resort known as Newport Overlook, 150 Bay View Dr., Jamestown, RI and any other purpose lawful under RI general laws.*"

6. Debtor was originally formed pursuant to a Declaration, dated April 1, 1982, and recorded on June 16, 1982 (as amended from time to time, the "Declaration"), in Volume 78, at Page 84 et seq., in the Land Evidence Records of the Town of Jamestown, Rhode Island (the "Land Records Office"). The Declaration established a condominium form of ownership for the property owned thereby, which was then submitted to an interval or timeshare form of ownership pursuant to that certain Interval Ownership Plan Declaration of Covenants and Restrictions, dated and recorded March 21, 1983, in Volume 79 at Page 677 in the Land Records Office (as amended, the "Interval Declaration").

7. The By-laws of the Association (the "By-laws") provide that the Association was formed to generally promote the welfare of its members; to provide a forum for the exchange of ideas relative to policies; to promote and operate in accordance with the plan of Interval Ownership (defined below) as set forth in the Interval Declaration; and to do all acts and things necessary or appropriate to the ordinary and necessary operation and maintenance of the property governed by the Association (the "Property").

8. The Property governed by the Association is located at 150 Bay Drive, Jamestown, Rhode Island and is commonly known as *Newport Overlook*. The Property consists of 3 buildings containing a total of 19 two-bedroom units (the "Units") and their concomitant common areas, including a pool. Each Unit consists of 52 interval weeks ("Intervals"), so there is a total of 988 Intervals at the Property. Owners of Interval are members in the Association (the "Association Members"). Pursuant to the Interval Declaration, the Association Members own each of their Intervals (as well as a concomitant share of the common areas) as tenants in common with all other Association Members.

9. Debtor owns 19 Intervals at the Property and a concomitant share of the common elements at the Property (the "Association Interest"). The Association Interest comprises 1.92% of the total Intervals at the Property. Debtor is a tenant in common with all other interval owners.

10. PTVO Owners Association, Inc. ("PTVO") owns 241 Intervals at the Property, which is 24.39% of the total Intervals. WorldMark, the Club owns 231 Intervals at the Property, which is approximately 23.38% of the total Interval. Eastern Resorts Company, LLC owns 102 Intervals at the Property, which is 10.32% of the total Intervals. The remaining 395 intervals (39.98% of the total Intervals) are owned by parties to corresponding contracts ("Interval Owners"), with each interval having its own separate corresponding contract.

11. Vacation Resort Management, Inc. f/k/a Wyndham Vacation Management, Inc. (the "Property Manager") provides management services to the Property for Debtor, pursuant to that certain Amended & Restated Management Agreement between the Property Manager and Debtor and Taylors Point Condominium Association, dated as of June 10, 2016 (the "Management Agreement").

12. The Debtor is operating its business and managing its affairs as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

13. For a detailed description of Debtor and its operations, Debtor respectfully refers the Court and parties in interest to its First Day Declaration.

RELIEF REQUESTED

14. Debtor requests entry of an order, substantially in the form of the Proposed Order, (a) authorizing, but not directing, Debtor to suppress personal identifiable information for its individual creditors, Interval Owners, and parties in interest; and (b) limiting Debtor's noticing obligations in certain respects

15. Debtor respectfully requests the Court consider this matter on an emergency basis pursuant to Local Rule 9013-2(d) for the reasons set forth herein and given the urgent nature of the consideration of this Motion with other First Day motions.

AUTHORITY FOR RELIEF

A. Cause Exists to Authorize Debtor to Suppress Certain Personal Identifiable Information for Debtor's Individual Creditors, Interval Owners, and Parties in Interest

16. Section 107(c) of the Bankruptcy Code provides that the Court "for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful

injury to the individual[:] … [a]ny means of identification … contained in a paper filed, or to be filed in a case under" the Bankruptcy Code. 11 U.S.C. § 107(c)(1)(A).

17. Debtor respectfully submits that it is appropriate to authorize Debtor to suppress from any paper filed with the Court in the Chapter 11 Case, the residential addresses and email addresses of Debtor's individual creditors, employees, and parties in interest, because such information could be used by third parties, among other things, to perpetrate identify theft or other crimes. Debtor proposes to provide an unredacted version of the Creditor Matrix and any other relevant filings to (i) the Court (*e.g.*, the Clerk's Office through Debtor's noticing, claims, and Claims Agent[3]), (ii) the U.S. Trustee, (iii) counsel to any official committee of unsecured creditors appointed in the Chapter 11 Case (if any), and (iv) other parties in interest upon reasonable request and subject to the entry into a form of confidentiality agreement acceptable to the Debtor.

18. Specifically, in addition to the standard constituencies of creditors and parties in interest that may include individuals, Debtor is also owned by hundreds of individual Interval Owners, vastly increasing the number of parties that are "individuals" involved in this case. Debtor estimates that, while it does not have any employees or other creditors that are individuals, the Interval Owners include approximately 700 individuals and families. Although Debtor seeks to suppress the addresses of Interval Owners from filings on the public record, including on the creditor matrix and certificates of service of court papers that will be filed by (the "Claims Agent"), Claims Agent will maintain a list of the "suppressed individuals" so that Debtor can track and confirm service of court paper details, which will also be made available to the Court and U.S. Trustee upon request.

[3] Debtor seeks to employ Omni Agent Solutions, Inc. as "Claims Agent."

19. The separate maintenance by Claims Agent of a list containing the service details for court papers served upon "suppressed individuals" will protect their personal information and facilitate an efficient manner to document service. Namely, it would be burdensome, wasteful and expensive for Claims Agent to file a certificate of service attaching hundreds of pages that simply state "name and address of individual on file" or list an ID number associated with every Interval Owner. Rather, subject to the Court's approval of the relief requested herein, Debtor proposes that Claims Agent verify service to "suppressed individuals" by referencing the Court's Order on this Motion and, separately, maintaining a list with the relevant service detail should the Court, U.S. Trustee, or another party in interest require confirmation of service.

20. For example, Claims Agent may document service by including the following or substantially similar statement on a certificate of service:

> Pursuant to the Court's Order entered on October ___, 2025, at Doc. No. ___, Claims Agent served the [named] court papers upon [number] individuals and will separately maintain the service details in order to protect against the disclosure of said individuals' personal information on the public record.

21. Courts in various jurisdictions have approved relief similar to the relief requested herein with respect to the non-disclosure, redaction, restriction of access to, or suppression of personally identifiable information for individuals, whether they are creditors or other parties-in-interest. *See, e.g., In re Red Lobster Management LLC*, Case No. 24-02486-GER (Bankr. M.D. Fla. May 25, 2024) (authorizing debtors to suppress the personally identifiable information of individual parties in interest); *In re Genesis Global Holdco, LLC*, 652 B.R. 618, 637 (Bankr. S.D.N.Y. 2023) (stating that "[t]he publication of names alone has been found to heighten the risk of identity theft and other harm" and noting that home addresses can easily be found on the internet through the use of an individual's name); *In re Bird Global, Inc., et al.*, Case No. 23-20514 (CLC)

(Bankr. S.D. Fla. Dec. 22, 2023) (authorizing debtors to redact email addresses and home addresses of individual creditors and equity holders); *In re AeroTech Miami, Inc. d/b/a iAero Tech, et al.*, Case No. 23-17503 (RAM) (Bankr. S.D. Fla. Sept. 22, 2023) (authorizing debtors to redact the residential and email addresses of the individual creditors); *In re Anna Holdings, Inc.*, Case No. 19-12551 (CSS) (Bankr. D. Del. Dec. 3, 2019); (authorizing debtors to redact personally identifiable information of all individual creditors and interest holders).

B. Cause Exists to Grant the Noticing and Service Limitations

22. Debtor also requests establishment of certain noticing procedures set forth below (the "Notice Procedures") in order to provide an orderly and efficient process for notice to parties in interest while limiting the expense and administrative burden on Debtor's estate. Specifically, Debtor requests relief to limit notice to the Association Members other than with respect to pleadings and papers that directly impact their rights (the "Pertinent Owner Pleadings"). Bankruptcy Rule 2002(a) provides that, unless otherwise ordered by the Court, notice of certain matters must be given to, among others, all Debtor's creditors, equity security holders, and other parties in interest. The Bankruptcy Rules further provide that "[t]he Court may designate the matters about which, the entity to whom, and the form and manner in which notice must be sent." Fed. R. Bankr. P. 2002(m); *see also* Fed. R. Bankr. P. 9007 ("[W]hen notice is to be given, the court shall designate: (1) the deadline for giving it; (2) the entities to whom it must be given; and (3) the form and manner of giving it.").

23. In addition, section 105(a) of the Bankruptcy Code grants bankruptcy courts broad authority and discretion to enforce the provisions of the Bankruptcy Code either under specific statutory fiat or under equitable common law principles. Specifically, 11 U.S.C. § 105(a) provides:

> The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title. No provision of this title providing for the raising of an issue by a party

> in interest shall be construed to preclude the court from, sua sponte, taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules, or to prevent an abuse of process.

24. Section 102(1) of the Bankruptcy Code provides for an action to occur "after notice and a hearing," such action may occur "after such notice as is appropriate in the particular circumstances, and such opportunity for a hearing as is appropriate in the particular circumstances …." 11 U.S.C. § 102(1)(A). Local Rule 2002-1(a) likewise provides, "an entity and a notice provider may agree that when the notice provider is directed by the Court to give a notice to that entity, the notice provider shall give the notice to the entity in the manner agreed to and at the address or addresses provided by the entity to the notice provider."

25. Finally, and perhaps most importantly, Bankruptcy Rule 1001 requires the Bankruptcy Rules to be "construed … to secure the just, speedy, and inexpensive determination of every case and proceeding." Fed. R. Bankr. P. 1001.

26. The Chapter 11 Case is complex, will likely be fast-paced, and will involve approximately 700 Interval Owners—each of whom owns an undivided interest in the Property. The costs and burdens associated with copying and mailing or otherwise serving all documents filed with the Court to all Interval Owners will impose an extraordinary and expensive administrative and economic burden on Debtor's estate, the Court, and the parties in interest. Indeed, constant mass mailings will be extraordinarily costly to Debtor's estate and will require Debtor to divert valuable resources to comply with all administrative requirements—every dollar spent on mailings is a dollar less going to creditors and interest holders. Additionally, hard copy mailing is not available for all parties in interest, so Debtor requests to serve such parties, through the Claims Agent, via electronic mail to ensure service on such parties.

27. Limited notice procedures are routinely established by bankruptcy courts in complex chapter 11 cases with large creditor bodies to reduce the expense of the administration of the estate. *See In re Red Lobster Management LLC*, No. 6:24-bk-02486-GER (Bankr. M.D. Fla. May 24, 2024) [Doc. No. 193]; *In re David's Bridal, LLC*, Case No. 23-13131 (CMG) (Bankr. D.N.J. April 17, 2023) [Doc. Nos. 20 and 59]; *In re Bed Bath & Beyond Inc., et al*., Case No. 23-13359 (VFP) (Bankr. D.N.J. April 23, 2023) [Doc. Nos. 7 and 98]; *In re Aearo Tech. LLC*, No. 22-02890-JJG-11 (Bankr. S.D. Ind. Sept. 30, 2022) [Doc. Nos. 18, 152, and 607]; *In re Celsius Network LLC*, Case No. 22-10964 (MG) (Bankr. S.D.N.Y. Aug. 17, 2022) [Doc. Nos. 15, 63, and 528]; *In re Voyager Digital Holdings, Inc*., Case No. 22-10943 (MEW) (Bankr. S.D.N.Y. Aug. 4, 2022) [Doc. Nos. 12, 60, and 240]; *In re BPZ Resources, Inc.*, Case No. 15-60016 (Bankr. S.D. Tex. Mar. 10, 2015) [Doc. No. 28]; *In re Buccaneer Res., LLC*, No. 14-60041 (Bankr. S.D. Tex. June 2, 2014) [Doc. No. 15]; *In re Autoseis, Inc*., No. 14-20130 (Bankr. S.D. Tex. Mar. 28, 2014) [Doc. No. 70]; *In re ATP Oil & Gas Corp*., No. 12-36187 (Bankr. S.D. Tex. Aug. 17, 2012) [Doc. No. 132]; and *In re Seahawk Drilling, Inc.*, No. 11-20089 (Bankr. S.D. Tex. Feb. 14, 2011) [Doc. No. 49].

28. Accordingly, Debtor requests that the Court authorize Debtor to implement the following Notice Procedures:

a. The Master Service List. Debtor shall create and maintain a master service list (the "Master Service List") that will include the following parties or their counsel: (i) Debtor and its counsel; (ii) the office of the United States Trustee for Region 1; (iii) the holders of the 20 largest claims against Debtor, including any member of, and counsel for, any official committee of unsecured creditors appointed in the Chapter 11 Case, if any, from and after its appointment; (iv) the Office of the United States Attorney for the District of Rhode Island; (v) the Internal Revenue Service; (vi) the Secretary of State for the State of Rhode Island; (vii) all statutory committees appointed in the case; (viii) all parties requesting notice under Bankruptcy Rule 2002; and (ix) all parties on whom the Court otherwise orders notice.

The initial Master Service List is attached hereto as **Exhibit B**. Debtor or the Claims Agent will update the Master Service List to include those persons or parties that have made written request to be included therein every month through the pendency of this Chapter 11 Case. Any such updated Master Service List will be posted on the Case Website.[4]

Upon completion of noticing any particular matter, the Claims Agent shall file with the Court either an affidavit or certification of service and an attached list of parties receiving notice and the manner in which notice was provided.

b. The Association Members. All Pertinent Owner Pleadings will be served on the Association Members via email. If any emails are returned to the Claims Agent as undeliverable, and to the extent that any of the Association Members do not have personal email addresses in order to effectuate service electronically, Debtor, through the Claims Agent, will provide service of the Pertinent Owner Pleadings to those affected parties by first class U.S. Mail.

c. Service by Email. Except as otherwise provided herein, all pleadings and other documents, other than a summons and complaint in an adversary proceeding, shall be served by email on the parties identified in the Master Service List in accordance with the Notice Procedures. Separate service by email or otherwise shall not be required on any party whose attorney has filed a notice of appearance on its behalf by using the Court's case management/electronic case filing (CM/ECF) system ("ECF Party"). All documents served by email shall include access to an attached file containing the entire document, including, as may be applicable, the proposed form(s) of orders and any exhibits, attachments, and other relevant materials, in ".pdf" format, readable by Adobe Acrobat or an equivalent program.

Notwithstanding the foregoing, if a document cannot be attached to an email (because of its size, technical difficulties, or otherwise), the serving party may, in its sole discretion, (i) serve the entire Document by U.S. Mail or overnight delivery, including the proposed form(s) of orders and any exhibits, attachments, and other relevant materials, or (ii) email the party being served and include a notation that the document cannot be attached

[4] As used herein, the term "Case Website" shall mean the website maintained by the Claims Agent at https://omniagentsolutions.com/Newport.

and will be mailed only if specifically requested. Service by email shall be effective as of the date the document is sent by email to the address provided by a party. When a party serves documents by email, such party shall not be required to serve a paper copy of documents on interested parties by fax or regular mail. Except as otherwise provided herein, email service shall satisfy the Court's rules for service.

d. Alternative Service Methods. If a party entitled to notice of a pleading or document does not have an email address or if the email address of a party is not available, that party shall be served by first-class U.S. Mail or overnight mail, (*i.e.*, Federal Express or similar service, and such service being referred to as an "Courier Service") (the choice being in the serving party's sole discretion).

Parties filing pleadings and other documents with the Clerk of the Court shall serve the parties on the Master Service List by first-class U.S. Mail or Courier Service. Parties may, alternatively, serve all pleadings or other documents by email or facsimile upon parties listed on the Master Service List if the Master Service List includes the party's email or facsimile information. For the avoidance of doubt, Debtor shall not be obligated to serve any pleading or other document filed by another party unless specifically ordered by the Court.

The proceedings with respect to which notice would be limited to the Master Service List shall include all matters covered by Bankruptcy Rule 2002, with the exception of the following, as applicable: (i) notice of the first meeting of creditors pursuant to Bankruptcy Code section 341; (ii) the time fixed for filing proofs of claim pursuant to Bankruptcy Rule 3003(c); (iii) the time fixed for filing objections to, and the hearings to consider, approval of a disclosure statement and confirmation of a plan of reorganization; and (iv) notice and transmittal of ballots for accepting or rejection a plan of reorganization. Notice of the foregoing matters would be given to all parties-in-interest listed on the Debtor's creditor matrix (the "Creditor Matrix") by first-class U.S. Mail, email, or facsimile.

Additionally, with respect to parties not listed on the Master Service List but whose rights may be directly affected by a particular filing (an "Affected Party"), Debtor will serve that filing on the Affected Party by first-class U.S. Mail, email, or facsimile.

e. First Day Notice Parties. Debtor will serve all First Day Filings[5] and any subsequent orders or filings in conjunction therewith, on the Master Service List and any Affected Parties (collectively, the "First Day Notice Parties") via electronic mail, as available, and via U.S. Mail following the hearings held thereon. For the avoidance of doubt, the Association Members are not considered to be First Day Notice Parties; *provided however* that the Association Members shall service of the Notice of Chapter 11 Bankruptcy Case and the Proof of Claim form. Service by Debtor on First Day Notice Parties shall not alter any of the Notice Procedures herein for all subsequent filings and shall not require any party responding to any First Day Filings to provide notice to First Day Notice Parties.

29. Upon entry of the Proposed Order, service and notice in accordance with the Notice Procedures set forth above shall be considered adequate in all respects under the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules. Nevertheless, any party at any time may apply for reconsideration of the order of the Court implementing these Noticing Procedures, which the Court may amend or supplement at any time.

30. As noted above, the Notice Procedures are of vital importance to Debtor's estate, as they enable Debtor to keep administrative costs associated with the Chapter 11 Case minimal for the benefit of Debtor's stakeholders. The primary purpose of the Notice Procedures is to avoid the requirement for Debtor to serve each of the Association Members with all of the pleadings and documents filed in the Chapter 11 Case, which would otherwise be administratively burdensome, unnecessarily expensive, and of little value to the Association Members.

31. Importantly, the Association Members will not be prejudiced by the limitations proposed herein. As noted in the First Day Declaration, the Association Members are all aware of the Chapter 11 Case commencement, because Debtor called a special meeting of all owners to vote to approve the filing of the Chapter 11 Case in the first instance. Moreover, aside from the

[5] The term "First Day Filings" shall mean all filings described in the Part H of the First Day Declaration.

anticipated sale of the Property, the Association Members' interests will not be impacted by the administration of the Chapter 11 Case, which they have already approved. Additionally, in order for Debtor to consummate any such sale of the Property, it must obtain the consent of each Association Member and/or initiate an action under section 363(h) of the Bankruptcy Code to sell any non-consenting Association Members' interests. Either way, all Association Members will be aware of the actions during the Chapter 11 Case that may affect their interests and limiting notice with respect to routine and administrative filings and pleadings will have no impact on their rights. Finally, to the extent that any Association Member wishes to participate in the Chapter 11 Case, he or she may file a 2002 Notice Request and become part of the Master Service List.

WHEREFORE, Debtor respectfully requests the Court grant this Motion and enter an Order, substantially in the form of the Proposed Order attached hereto as **Exhibit A** (i) authorizing, but not directing, Debtor to suppress personally identifiable information of its individual creditors, the Interval Owners and other parties in interest and reflect service upon them as indicated herein; and (ii) granting such other and further relief as the Court deems just and proper.

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Dated: December 17, 2025

/s/Richard J. Land

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Proposed Special Counsel to Debtor
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NOTICE

Within fourteen (14) days after service, if served electronically, as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail or other excepted means specified, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

In re: NEWPORT OVERLOOK ASSOCIATION, INC., Debtor.	Chapter 11 Case No.: 1:25-bk-11000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the within document was filed electronically with the above-captioned Court, and notices of electronic filing were sent to the following persons on December 17, 2025 through the electronic filing system.

Office of the United States Trustee
5 Post Office Square, Suite 1000
Boston, Massachusetts 02109-3934
USTP.Region01@ust.doj.gov
Sandra.Nicholls@usdoj.gov

Internal Revenue Service
Insolvency Unit – 4th Floor
380 Westminster Street
Providence, RI 02903

RI Division of Taxation
Bankruptcy Unit – Collection Section
One Capitol Hill
Providence, RI 02908

Department of Treasury Internal Revenue Service
Ogden, UT 84201-0012

Town of Jamestown
Tax Collector
Jean M Gabriele
93 Narragansett Avenue,
P.O. Box 377
Jamestown, RI 02835

Dated: December 17, 2025

/s/ Richard J. Land

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Proposed Counsel to Debtor
and Debtor in Possession

EXHIBIT A

(Proposed Order)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

In re: NEWPORT OVERLOOK ASSOCIATION, INC., Debtor.	Chapter 11 Case No.: 1:25-bk-11000

ORDER GRANTING DEBTOR'S MOTION FOR EMERGENCY DETERMINATION FOR ENTRY OF AN ORDER (I) AUTHORIZING DEBTOR TO SUPPRESS CERTAIN PERSONALLY IDENTIFIABLE INFORMATION FOR INDIVIDUAL CREDITORS, INTERVAL OWNERS, AND PARTIES IN INTEREST AND (II) LIMITING DEBTOR'S NOTICING OBLIGATIONS

THIS CASE came before the Court for hearing (the "Hearing") on _____, 2025, upon the *Debtor's Motion for Emergency Determination for Motion for Entry of an Order (I) Authorizing Debtor to Suppress Certain Personally Identifiable Information for Individual Creditors, Interval Owners, and Parties in Interest an (II) Limiting Debtor's Noticing Obligations* (Doc. No. ____) (the "Motion")[1] filed by Newport Overlook Association, Inc. ("Debtor"). Having reviewed the Motion and the First Day Declaration, and having considered the representations of the parties present at the Hearing, the Court finds: (i) the relief requested in the Motion is in the best interests of Debtor, its estate, its creditors, and other parties in interest; and (ii) notice of the Motion and the Hearing were appropriate under the circumstances and no other notice need be provided the Court finds good and sufficient cause exists to grant the relief requested. Accordingly, it is

ORDERED:

1. The Motion (Doc. No. __) is **GRANTED**.

[1] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

2. Debtor is authorized to suppress the residential addresses and email addresses of Debtor's individual creditors, the Interval Owners, and other parties in interest, from any paper filed with the Court in the Chapter 11 Case, including certificates of service; *provided that* the Claims Agent shall maintain a list of the suppressed individuals so that Debtor can track and confirm service of court paper details, which shall also be made available to the Court and U.S. Trustee upon request.

3. The Claims Agent may document service by Debtor upon its individual creditors, Interval Owners, and interested parties by including the following or substantially similar statement on a certificate of service:

> Pursuant to the Court's Order entered on October ____, 2025, at Doc. No. ____, Claims Agent served the [named] court papers upon [number] individuals and will separately maintain the service details in order to protect against the disclosure of said individuals' personal information on the public record.

4. The following Notice Procedures shall govern all aspects of the Chapter 11 Case:

a. The Master Service List. Debtor shall create and maintain a master service list (the "Master Service List") that will include the following parties or their counsel: (i) Debtor and its counsel; (ii) the office of the United States Trustee for Region 1; (iii) the holders of the 20 largest claims against Debtor, including any member of, and counsel for, any official committee of unsecured creditors appointed in the Chapter 11 Case, if any, from and after its appointment; (iv) the Office of the United States Attorney for the District of Rhode Island; (v) the Internal Revenue Service; (vi) the Secretary of State for the State of Rhode Island; (vii) all statutory committees appointed in the case; (viii) all parties requesting notice under Bankruptcy Rule 2002; and (ix) all parties on whom the Court otherwise orders notice.

The initial Master Service List is attached to the Motion as **Exhibit B**. Debtor or the Claims Agent will update the Master Service List to include those persons or parties that have made written requests to be included

therein every month through the pendency of this Chapter 11 Case. Any such updated Master Service List will be posted on the Case Website.[1]

Upon completion of noticing any particular matter, the Claims Agent shall file with the Court either an affidavit or certification of service and an attached list of parties receiving notice and the manner in which notice was provided.

b. The Association Members. All Pertinent Owner Pleadings will be served on the Association Members via email. If any emails are returned to the Claims Agent as undeliverable, and to the extent that any of the Association Members do not have personal email addresses in order to effectuate service electronically, Debtor, through the Claims Agent, will provide service of the Pertinent Owner Pleadings to those affected parties by first class U.S. Mail.

c. Service by Email. Except as otherwise provided herein, all pleadings and other documents, other than a summons and complaint in an adversary proceeding, shall be served by email on the parties identified in the Master Service List in accordance with the Notice Procedures. Separate service by email or otherwise shall not be required on any party whose attorney has filed a notice of appearance on its behalf by using the Court's case management/electronic case filing (CM/ECF) system ("ECF Party"). All documents served by email shall include access to an attached file containing the entire document, including, as may be applicable, the proposed form(s) of orders and any exhibits, attachments, and other relevant materials, in ".pdf" format, readable by Adobe Acrobat or an equivalent program.

Notwithstanding the foregoing, if a document cannot be attached to an email (because of its size, technical difficulties, or otherwise), the serving party may, in its sole discretion, (i) serve the entire Document by U.S. Mail or overnight delivery, including the proposed form(s) of orders and any exhibits, attachments, and other relevant materials, or (ii) email the party being served and include a notation that the document cannot be attached and will be mailed only if specifically requested. Service by email shall be effective as of the date the document is sent by email to the address provided by a party. When a party serves documents by email, such party shall not

[1] As used herein, the term "Case Website" shall mean the website maintained by the Claims Agent at https://omniagentsolutions.com/Newport.

be required to serve a paper copy of documents on interested parties by fax or regular mail. Except as otherwise provided herein, email service shall satisfy the Court's rules for service.

d. Alternative Service Methods. If a party entitled to notice of a pleading or document does not have an email address or if the email address of a party is not available, that party shall be served by first-class U.S. Mail or overnight mail, (*i.e.*, Federal Express or similar service, and such service being referred to as an "Courier Service") (the choice being in the serving party's sole discretion).

Parties filing pleadings and other documents with the Clerk of the Court shall serve the parties on the Master Service List by first-class U.S. Mail or Courier Service. Parties may, alternatively, serve all pleadings or other documents by email or facsimile upon parties listed on the Master Service List if the Master Service List includes the party's email or facsimile information. For the avoidance of doubt, Debtor shall not be obligated to serve any pleading or other document filed by another party unless specifically ordered by the Court.

The proceedings with respect to which notice would be limited to the Master Service List shall include all matters covered by Bankruptcy Rule 2002, with the exception of the following, as applicable: (i) notice of the first meeting of creditors pursuant to Bankruptcy Code section 341; (ii) the time fixed for filing proofs of claim pursuant to Bankruptcy Rule 3003(c); (iii) the time fixed for filing objections to, and the hearings to consider, approval of a disclosure statement and confirmation of a plan of reorganization; and (iv) notice and transmittal of ballots for accepting or rejection a plan of reorganization. Notice of the foregoing matters would be given to all parties-in-interest listed on the Debtor's creditor matrix (the "Creditor Matrix") by first-class U.S. Mail, email, or facsimile.

Additionally, with respect to parties not listed on the Master Service List but whose rights may be directly affected by a particular filing (an "Affected Party"), Debtor will serve that filing on the Affected Party by first-class U.S. Mail, email, or facsimile.

e. First Day Notice Parties. Debtor will serve all First Day Filings[1] and any subsequent orders or filings in conjunction therewith, on the Master Service

[1] The term "First Day Filings" shall mean all filings described in the Part H of the First Day Declaration.

f. List and any Affected Parties (collectively, the "First Day Notice Parties") via electronic mail, as available, and via U.S. Mail following the hearings held thereon. For the avoidance of doubt, the Association Members are not considered to be First Day Notice Parties; *provided however* that the Association Members shall service of the Notice of Chapter 11 Bankruptcy Case and the Proof of Claim form. Service by Debtor on First Day Notice Parties shall not alter any of the Notice Procedures herein for all subsequent filings and shall not require any party responding to any First Day Filings to provide notice to First Day Notice Parties.

5. Debtor shall serve a printed copy of this Order upon all parties on the Master Service List on the date this Order is entered or as soon thereafter as is practicable.

6. To the extent the Notice Procedures set forth in this Order conflict with the Bankruptcy Code, Bankruptcy Rules, or Local Rules, or any other order entered by this Court, the Notice Procedures shall supersede such other conflicting authority. Notice obtained in compliance with the terms of this Order shall be deemed effective for all purposes.

7. Debtor is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

8. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

EXHIBIT B

(Initial Master Service List)

schId	Creditor	SchAddr1	SchAddr2	SchAddr3	SchAddr4	SchEmail	MSL	SchN	SchDesc1
709	Internal Revenue Service	Providence Field Office	Insolvency Unit	380 Westminster St, 4th Fl	Providence, RI 02903		X		Tax
710	RI Division of Taxation	Bankruptcy Unit,	1 Capitol Hill	Providence, RI 02908			X		Tax
711	US Dept of Treasury - IRS	Ogden, UT 84201-0012					X		Tax
712	Town of Jamestown	Attn: Jean M Gabriele, Tax Collector	93 Narragansett Ave	P.O. Box 377	Jamestown, RI 02835		X		Tax
714	K&L Gates LLP	Attn: Jeffrey T Kucera	SE Financial Ctr, Ste 3900	200 S Biscayne Blvd	Miami, FL 33131	jeffrey.kucera@klgates.com	X		Debtor's Counsel
715	K&L Gates LLP	Attn: Daniel M Eliades, Peter J	1 Newark Ctr, 10th Fl	Newark, NJ 07102		daniel.eliades@klgates.com	X		Debtor's Counsel
717	K&L Gates LLP	Attn: Jonathan N	300 S Tryon St, Ste 1000	Charlotte, NC 28202		jon.edel@klgates.com	X		Debtor's Counsel
718	Office of the US Trustee	5 Post Office Sq, Ste 1000	Boston, MA 02109-3934			USTP.Region01@ust.doj.gov; Sandra.Nicholls@usdoj.gov	X		Governmental Authority
719	US Attorney	for the Dist of Rhode Island	50 Kennedy Plz, 8th Fl	Providence, RI 02903			X		Governmental Authority
720	Internal Revenue Service	Attn: Centralized	2970 Market St	Mail Stop 5-Q30.133	Philadelphia, PA 19104-5016		X		Taxing Authority
721	Secretary of State	for the State of Rhode Island	82 Smith St	Providence, RI 02903			X		Governmental Authority
723	HHS	P.O. Box 732634	Dallas, TX 75373-2634				X		3rd Party Labor
724	GEM Plumbing	1 Wellington Rd	Lincoln, RI 02865				X		Plumbing work

		P.O. Box	Albany, NY					
725	Verizon	15124	12212-5124			X		Telephone
	All Island	2829 E Main	Portsmouth, RI					
768	Landscape	Rd	02871			X		Landscape
	Cape Cod	880 Attaucks	Hyannis, MA					3rd Party
769	Commercial	Ln	02601			X		Labor
		P.O. Box	Detroit, MI					
770	Cox Business	78000, Dept	48278-1104			X		Internet
	WM National	P.O. Box	Atlanta, GA					
771	Service	740023	30374-0023			X		Trash
								Debtor's
716	K&L Gates LLP				peter.dauria@klgates.com	X	X	Counsel