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*Proposed Counsel for the Debtor
and Debtor in Possession*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re:

THE ROMAN CATHOLIC BISHOP OF
OAKLAND, a California corporation sole,

Debtor.

Case No. 23-40523

Chapter 11

**DEBTOR'S APPLICATION FOR ORDER
APPROVING DESIGNATION OF
RESPONSIBLE INDIVIDUAL PURSUANT
TO B.L.R. 4002-1**

[No Hearing Required]



1 The Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor
2 in possession (the “Debtor” or “RCBO”) in the above-captioned chapter 11 bankruptcy case (the “Chapter
3 11 Case” or the “Bankruptcy Case”), hereby files this application (the “Application”), pursuant to
4 Bankruptcy Local Rule 4002-1, for entry of an order designating the natural person with primary
5 responsibility for the duties and obligations of the Debtor in the Bankruptcy Case. The Debtor’s proposed
6 order is attached hereto as **Exhibit A**. In support of this Application, the Debtor respectfully represents
7 as follows:

8 1. On May 8, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under
9 chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). The Debtor is the seat of the
10 Roman Catholic Church in Alameda and Contra Costa Counties, serving an estimated 550,000 Catholics.
11 The Debtor is incorporated under California law as a corporation sole.

12 2. The Debtor continues to operate its ministry and manage its properties as a debtor in
13 possession under sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory
14 committee has been appointed in this Chapter 11 Case.

15 3. The current Bishop of the Debtor is The Most Reverend Michael C. Barber, SJ (the
16 “Bishop”), who was appointed in 2013.

17 4. Additional information regarding the Debtor, its mission and operations, and the events
18 and circumstances preceding the Petition Date is set forth in the *Declaration of Charles Moore, Managing*
19 *Director of Alvarez & Marsal North America, LLC, Proposed Restructuring Advisor to the Roman*
20 *Catholic Bishop of Oakland, in Support of Chapter 11 Petition and First Day Pleadings* (the “First Day
21 Declaration”) filed on the Petition Date.

22 5. Bankruptcy Local Rule 4002-1 requires appointment of a natural person to be responsible
23 for the duties and obligations of the debtor-in-possession under the Bankruptcy Code, as the “Responsible
24 Individual.” As the incumbent Bishop of the Debtor, responsible for the management and operations of
25 the Debtor, the Bishop is the appropriate person to be designated as the Responsible Individual. His
26 address and telephone number are as follows:

1 Bishop Michael C. Barber, SJ
2 2121 Harrison St. Suite 100
3 Oakland, CA 94612
4 Tel: (510) 893-4711

5 WHEREFORE, the Debtor requests that the Court enter an order appointing Bishop Michael C.
6 Barber as the natural person responsible for the duties and obligations of the Debtor herein, in accordance
7 with Bankruptcy Local Rule 4002-1.

8 DATED: May 8, 2023

FOLEY & LARDNER LLP

9 Jeffrey R. Blease
10 Thomas F. Carlucci
11 Shane J. Moses
12 Emil P. Khatchatourian
13 Ann Marie Uetz
14 Matthew D. Lee

15 */s/ Thomas F. Carlucci*

16 _____
17 THOMAS F. CARLUCCI

18 *Proposed Counsel for the Debtor*
19 *and Debtor in Possession*

Exhibit A

1 **FOLEY & LARDNER LLP**

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16 *Proposed Counsel for the Debtor
and Debtor in Possession*

17 **UNITED STATES BANKRUPTCY COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA**

19 **OAKLAND DIVISION**

20 In re:

21 THE ROMAN CATHOLIC BISHOP OF
22 OAKLAND, a California corporation sole,

23 Debtor.

24 Case No. 23-40523

25 Chapter 11

26 **[PROPOSED] ORDER APPROVING
27 DESIGNATION OF RESPONSIBLE
28 INDIVIDUAL PURSUANT TO B.L.R. 4002-1**

[No Hearing Required]

1 Upon the *Debtor's Application For Order Approving Designation of Responsible Individual*
2 *Pursuant to B.L.R. 4002-1* dated May 8, 2023, (the "Application") filed by the Roman Catholic Bishop of
3 Oakland, a California corporation sole, and the debtor and debtor in possession (the "Debtor" or the
4 "Diocese") in the above-captioned chapter 11 bankruptcy case (the "Chapter 11 Case" or the "Bankruptcy
5 Case"), pursuant to Bankruptcy Local Rule 4002-1, for entry of an order designating the natural person
6 with primary responsibility for the duties and obligations of the Debtor in the Bankruptcy Case (the
7 "Responsible Individual"); this Court having reviewed and considered the Application upon the record in
8 this Bankruptcy Case; and after due deliberation and good cause appearing therefor:

9 **IT IS HEREBY ORDERED THAT:**

- 10 1. The Application is granted as provided herein.
- 11 2. The Debtor's designation of Bishop Michael C. Barber, SJ as the Responsible Individual
12 in the above-captioned Bankruptcy Case pursuant to Bankruptcy Local Rule 4002-1 is hereby approved.
- 13 3. The contact information for the Responsible Individual is:
- 14 Bishop Michael C. Barber, SJ
15 2121 Harrison St. Suite 100
16 Oakland, CA 94612
17 Tel: (510) 893-4711
- 18 4. This Court retains jurisdiction with respect to all matters arising from or related to the
19 implementation of or interpretation of this Order.

20 *** END OF ORDER ***

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COURT SERVICE LIST

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All ECF Recipients.