

May 08, 2023
EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



1 **FOLEY & LARDNER LLP**
Jeffrey R. Blease (CA Bar. No. 134933)
2 Tel: (617) 226-3155; jblease@foley.com
Thomas F. Carlucci (CA Bar No. 135767)
3 Tel: (415) 984-9824; tcarlucchi@foley.com
Shane J. Moses (CA Bar No. 250533)
4 Tel: (415) 438-6404; smoses@foley.com
Emil P. Khatchatourian (CA Bar No. 265290)
5 Tel: (312) 832-5156; ekhatchatourian@foley.com
Ann Marie Uetz (pro hac vice application pending)
6 Tel: (313) 234-7114; auetz@foley.com
Matthew D. Lee (pro hac vice application pending)
7 Tel: (608) 258-4203; mdlee@foley.com
555 California Street, Suite 1700
8 San Francisco, CA 94104-1520

The following constitutes the order of the Court.
Signed: May 8, 2023

William J. Lafferty, III
U.S. Bankruptcy Judge

9 *Proposed Counsel for the Debtor*
10 *and Debtor in Possession*

11 **UNITED STATES BANKRUPTCY COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **OAKLAND DIVISION**

14 In re:

15 THE ROMAN CATHOLIC BISHOP OF
16 OAKLAND, a California corporation sole,
17 Debtor.

Case No. 23-40523 WJL
Chapter 11

**ORDER SHORTENING TIME FOR AND
CONSOLIDATING NOTICE OF HEARING
ON FIRST DAY MOTIONS**

Hearing Scheduled:

Date: May 9, 2023
Time: 1:30 pm
Place: 1300 Clay St, Ctrm 220 / Zoom, Oakland,
CA 94612

20 Upon the *Application For Order Shortening Time For and Consolidating Notice of Hearing on*
21 *First Day Motions* dated May 8, 2023, (the "Application") filed by The Roman Catholic Bishop of
22 Oakland, a California corporation sole, and the debtor and debtor in possession (the "Debtor" or "RCBO")
23 in the above-captioned chapter 11 bankruptcy case (the "Chapter 11 Case" or the "Bankruptcy Case"), for
24 entry of an order (a) pursuant to Bankruptcy Local Rule ("B.L.R.") 9006-1 shortening time for hearing
25 on, and (b) authorizing a single combined notice of hearing on the Debtor's First Day Motions (as defined
26 in the Application); this Court having reviewed and considered the Application and upon the record in
27 this Bankruptcy Case; and after due deliberation and good cause appearing therefor:



1 **IT IS HEREBY ORDERED THAT:**

2 1. The Application is granted as provided herein.

3 2. The following motions filed by the Debtor (the “First Day Motions”) are hereby set for
4 hearing on May 9, 2023 at 1:30 p.m. (the “First Day Hearing”):

5 a. *Debtor’s Motion For Interim and Final Orders Authorizing the Debtor to*
6 *(I) (A) Continue Existing Cash Management System, (B) Honor Certain*
7 *Prepetition Obligations Related to the Use Thereof, (C) Continue*
8 *Intercompany Arrangements, (D) Maintain Existing Bank Accounts and*
9 *Business Forms, and (E) Continue Use of Existing Credit Card Accounts;*
and (II) Waive Certain Requirements of 11 U.S.C. § 345(b) (the “Cash
Management Motion”);

10 b. *Debtor’s Motion For Interim and Final Orders Authorizing the Debtor to*
11 *(I) Pay Prepetition Employee Wages, Salaries, Benefits and Other Related*
12 *Items, (II) Reimburse Prepetition Employee Business Expenses, (III)*
Continue Employee Benefit Programs, and (IV) Pay All Costs and Expenses
Incident to the Foregoing (the “Wages and Benefits Motion”);

13 c. *Debtor’s Motion For Interim and Final Orders Authorizing the Debtors to*
14 *(I) Continue Existing Insurance Coverage and Satisfy Obligations Related*
15 *Thereto, and (II) Renew, Amend, Supplement, Extend or Purchase*
Insurance Policies in the Ordinary Course of Business (the “Insurance
Motion”);

16 d. *Debtor’s Motion For an Order Establishing Adequate Assurance*
17 *Procedures With Respect to the Debtor’s Utility Providers (the “Utilities*
Motion”);

18 e. *Debtor’s Motion for Interim and Final Orders Authorizing the Debtor to (I)*
19 *Pay Certain Prepetition Invoices for Abuse Survivors’ Assistance and Safe*
20 *Environment Programs, and (II) Continue its Prepetition Practice of*
Paying For Abuse Survivors’ Assistance and Safe Environment Programs
(the “Abuse Survivor Assistance Motion”);

21 f. *Debtor’s Motion for an Order Authorizing and Approving Special Noticing*
22 *and Confidentiality Procedures (the “Notice and Confidentiality Motion”);*
and

23 g. *Debtor’s Application for Entry of an Order (I) Authorizing and Approving*
24 *the Appointment of Kurtzman Carson Consultants LLC as Claims and*
Noticing Agent, and III) Granting Related Relief (the “KCC Application”).

25 3. The First Day Hearing shall be conducted in person, in the courtroom, however, counsel
26 and interested parties may appear by Zoom or by telephone without prior Court approval, pursuant to the
27 presiding Judge’s Practices and Procedures for In-Person Hearings published on the Court’s website.
28

1 4. Time for notice is shortened to the extent that notice of the First Day Hearing shall be
2 sufficient provided that, not later than May 8, 2023, the Debtor (i) files with the Court a notice of hearing
3 on the First Day Motions (the "Notice of Hearing"), (ii) serves by email, facsimile, ECF/NEF electronic
4 notice, or overnight delivery, a copy of the Notice of Hearing and each First Day Motion together with all
5 supporting papers, on (a) the Office of the United States Trustee for Region 17, (b) all creditors on the list
6 of the Debtor's 20 largest unsecured creditors, (c) the Debtor's secured creditor, The Roman Catholic
7 Cemeteries of the Diocese of Oakland, and (d) those persons who have formally appeared and requested
8 service in this case pursuant to Fed. R. Bankr. P. 2002, (iii) serves by email, facsimile, ECF/NEF electronic
9 notice, or overnight delivery, a copy of the Notice of Hearing and the Cash Management Motion on the
10 Banks (as that term is defined in the Cash Management Motion), (iv) serves by email, facsimile, ECF/NEF
11 electronic notice, or overnight delivery, a copy of the Notice of Hearing and the Utilities Motion on the
12 Utility Providers (as that term is defined in the Utilities Motion), and (v) serves by email, facsimile,
13 ECF/NEF electronic notice, or overnight delivery, a copy of the Notice of Hearing and the Insurance
14 Motion on the Insurance Carriers (as that term is defined in the Insurance Motion).

15 5. Opposition, if any, to any First Day Motion may be brought at the First Day Hearing.

16 6. The Debtor is authorized to file and serve a combined, omnibus Notice of Hearing on all
17 First Day Motions.

18 7. 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 ***
21
22
23
24
25
26
27
28

COURT SERVICE LIST

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

All ECF Recipients.