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8 *Special Insurance Counsel for*
9 *the Debtor*

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

13 In re:
14 THE ROMAN CATHOLIC BISHOP OF
15 OAKLAND, a California corporation sole,
16
17 Debtor.

18 CHAPTER 11
19 CASE No: 23-40523 WJL
20 HON. WILLIAM J. LAFFERTY

21 **TENTH MONTHLY FEE STATEMENT OF**
22 **BREALL & BREALL, LLP, AS SPECIAL**
23 **INSURANCE COUNSEL TO THE**
24 **DEBTOR, FOR ALLOWANCE AND**
25 **PAYMENT OF COMPENSATION AND**
26 **REIMBURSEMENT OF EXPENSES FOR**
27 **THE PERIOD OF JUNE 1, 2024 THROUGH**
28 **JUNE 30, 2024**

29 THE ROMAN CATHOLIC BISHOP OF
30 OAKLAND,
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32 PLAINTIFF,
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34 v.
35 AMERICAN HOME ASSURANCE CO., a
36 New York corporation; LEXINGTON
37 INSURANCE CO., a Delaware corporation,
38
39 DEFENDANTS.

40 ADVERSARY CASE No. 23-04037
41
42 Objection Deadline: August 12, 2024
43 4:00 p.m. (Pacific Time)
44
45 [No Hearing Requested]

1	Name of Applicant:	Breall & Breall, LLP
2	Authorized to Provide Professional Services to:	Debtor
3	Date of Retention:	Effective as of August 1, 2023 by Order
4		entered June 15, 2023 [Dkt No. 434]
5	Period for Which Compensation and	June 1, 2024 – June 30, 2024
6	Reimbursement is Sought:	
7	Amount of Compensation Sought as Actual,	\$4,800.00
8	Reasonable and Necessary ¹ :	
9	20% Holdback	\$960.00
10	Amount of Expense Reimbursement Sought as	\$0
11	Actual, Reasonable and Necessary ² :	
12	Total of Compensation (Net of Holdback) and	\$3,840.00
13	Expense Reimbursement Sought:	

14 **PRELIMINARY STATEMENT**

15 On May 8, 2023 (the “Petition Date”), The Roman Catholic Bishop of Oakland, a California
16 corporation sole, and the debtor and debtor in possession (the “Debtor” or “RCBO”)³ commenced the
17 above-captioned chapter 11 bankruptcy case (the “Chapter 11 Case” or the “Bankruptcy Case”). The
18 Debtor continues to operate its ministry and manage its properties as a debtor in possession under
19 sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory committee has
20 been appointed in this Chapter 11 Case.

21 On August 17, 2023, the Debtor filed the *Debtor’s Application to Employ Breall & Breall LLP*
22 *as Special Insurance Counsel Pursuant to 11 U.S.C. §§ 327(a), 330, 331 & 1107, and Rules 2014 and*
23 *2016 of the Federal Rules of Bankruptcy Procedure* [Dkt. No. 376] (the “Retention Application”). The
24 Court approved the Retention Application on September 8, 2023, entering the *Order Approving*

25 ¹ Breall & Breall, LLP has agreed not to bill the Debtor for the time it takes its attorneys to travel to or from the Bay Area and
such amounts are not included in this Monthly Fee Statement

26 ² Breall & Breall, LLP has agreed not to bill the Debtor for the expenses for its attorneys to travel to or from the Bay Area, in
connection with this Chapter 11 Case, and such amounts are not included in this Monthly Fee Statement.

27 ³ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Compensation
28 Procedures Order.

1 Debtor's Application to Employ Breall & Breall LLP as Special Insurance Counsel Pursuant to 11
2 U.S.C. §§ 327(a), 330, 331 & 1107, and Rules 2014 and 2016 of the Federal Rules of Bankruptcy
3 Procedure [Dkt. No. 434] (the "Breall Retention Order").

4 On May 23, 2023, the Office of the United States Trustee filed its notice of appointment of an
5 Official Committee of Unsecured Creditors [Dkt. No. 58].

6 On May 26, 2023, the Debtor filed the Debtor's Motion for an Order Establishing Procedures
7 for Interim Compensation and Reimbursement of Expenses of Professionals [Dkt. No. 70] (the
8 "Compensation Procedures Motion"). The Court granted the Compensation Procedures Motion on June
9 23, 2023, entering the Order Authorizing Procedures for Interim Compensation and Reimbursement of
10 Expenses of Professionals [Dkt. No. 170] (the "Compensation Procedures Order").

11 Breall & Breall, LLP ("Breall" or "Applicant"), as special insurance counsel to the Debtor,
12 hereby submits its initial monthly fee statement (the "Monthly Fee Statement") for allowance of
13 payment of compensation for professional services rendered and for reimbursement of actual and
14 necessary expenses incurred for the period commencing May 1, 2024 through and including May 31,
15 2024 (the "Fee Period") pursuant to the Compensation Procedures Order.

16 By this Monthly Fee Statement, Breall seeks (i) a monthly interim allowance of compensation in
17 the amount of \$4,800.00 and actual and necessary expenses in the amount of \$0 for a total allowance of
18 \$4,800.00 and (ii) payment of \$3,840.00 (80% of the allowed fees pursuant to the
19 Compensation Procedures Order) and reimbursement of \$0 (100% of the allowed expenses pursuant to
20 the Compensation Procedures Order) for a total payment of \$3,840.00 for the Fee Period.

21 **SERVICES RENDERED AND EXPENSES INCURRED DURING THE FEE PERIOD**

22 Attached as **Exhibit 1** is the name of each of Breall's professionals who performed services for
23 the Debtor in connection with this Chapter 11 Case during the Fee Period covered by this Monthly Fee
24 Statement and the hourly rate and total fees for each professional during the Fee Period.

25 Attached as **Exhibit 2** is a summary of hours by category during the Fee Period.

26 Attached as **Exhibit 3** is a summary of expenses included in this Monthly Fee Statement
27 incurred during the Fee Period.

1 Attached as **Exhibit 4** are the detailed time entries for Breall’s professionals during the Fee
2 Period.

3 **NOTICE AND OBJECTION PROCEDURES**

4 In accordance with the Compensation Procedures Order, each Notice Party shall have until the
5 tenth (10th) day (or the next business day if such day is not a business day) following service of this
6 Monthly Fee Statement (the “Objection Deadline”) to serve an objection to the Monthly Fee Statement
7 on Foley and each of the other Notice Parties.

8 Upon the expiration of the Objection Deadline, the Applicant shall file a certificate of no
9 objection with the Court, after which the Debtor is authorized and directed to pay the Applicant an
10 amount equal to 80% of the fees and 100% of the expenses requested in this Monthly Fee Statement.

11 If an objection is properly filed, the Debtor shall be authorized and directed to pay the Applicant
12 80% of the fees and 100% of the expenses not subject to an objection.

13 **BREALL & BREALL, LLP**

14 DATED: July 30, 2024

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16 By: /s/ Joseph M. Breall
17 Joseph M. Breall
18 *Special Insurance Counsel for Debtor,*
19 *The Roman Catholic Bishop of Oakland*
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EXHIBIT 1

**Compensation by Professional
June 1, 2024 – June 30, 2024**

Name of Professional Individual	Initials	Position of the Professional, Year of Obtaining License to Practice	Hourly Billing Rate	Total Hours Billed	Total Compensation
Joseph M. Breall	JMB	Partner, 1986	\$750.00	6.40	\$4,800.00
TOTAL					\$4,800.00

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EXHIBIT 2

**Compensation by Category
June 1, 2024 – June 30, 2024**

Category	Hours Billed this Fee Period	Total for Fee Statement
Discovery	.1	\$750.00
Scheduling and Status Conference	.80	\$600.00
Retention/Billing/Fee Applications for Debtor Professionals	4.60	\$3,450.00
TOTAL	640	\$4,800.00

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EXHIBIT 3

**Expense by Category
June 1, 2024 – June 30, 2024**

Cost/Expense	Amount Billed
	\$0
TOTAL	\$0

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EXHIBIT 4
Time
June 1, 2024 – June 30, 2024

Breall & Breall, LLP
3625 California Street
San Francisco, CA 94118
Tax ID 94-3339033

The Roman Catholic Bishop of Oakland

July 29, 2024
 Invoice No:14796

In Reference To: The Roman Catholic Bishop of Oakland vs .American Home Assurance Co.
Case No.: 23-40523 WJL
 Chapter 11

Professional Services

			<u>Hrs/Rate</u>		<u>Amount</u>
<u>Discovery</u>					
6/4/2024	JMB	Preparation of policy limits demand letter	1.00 750.00/hr		750.00
SUBTOTAL:			[1.00		750.00]
<u>Retention/Billing/Fee Applications for Debtor Professionals</u>					
6/4/2024	JMB	Preparation of pleadings begin preparation of Second Interim Fee Application.	3.00 750.00/hr		2,250.00
	JMB	Preparation of pleadings begin preparation of Declaration in support of Second Interim Fee Application.	1.00 750.00/hr		750.00
6/13/2024	JMB	Review email from fee examiner regarding Breall Second interim fee application	0.10 750.00/hr		75.00
	JMB	Exchange of email with fee examiner regarding Breall Second interim fee application	0.20 750.00/hr		150.00
	JMB	Send e-mail to fee examiner regarding Breall Second interim fee application	0.10 750.00/hr		75.00
	JMB	Review initial e-mail from fee examiner regarding interim fee applications	0.20 750.00/hr		150.00
SUBTOTAL:			[4.60		3,450.00]
<u>Scheduling and Status Conference</u>					
6/25/2024	JMB	Prepare e-mail to opposing counsel regarding joint status conference statement.	0.10 750.00/hr		75.00

		<u>Hrs/Rate</u>	<u>Amount</u>
6/26/2024	JMB Review and analyze RCBO's draft Status Conference statement in companion case.	0.40 750.00/hr	300.00
6/27/2024	JMB Telephone call with opposing Attorney regarding stipulation to join status conference statement filed in companion case.	0.30 750.00/hr	225.00
SUBTOTAL:		[0.80	600.00]
		6.40	\$4,800.00

Timekeeper Summary

Name	Hours	Rate	Amount
Joseph M. Breall (JMB)	6.40	750.00	\$4,800.00