



**BIELLI & KLAUDER, LLC**

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The following constitutes the order of the Court.  
Signed: August 5, 2024

*Fee Examiner*

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

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

In re:

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

Chapter 11

Case No. 23-40523 (WJL)

(Jointly Administered)

Re: Docket No. **1209**

**ORDER AUTHORIZING THE RETENTION AND EMPLOYMENT OF  
BIELLI & KLAUDER, LLC AS COUNSEL TO THE FEE EXAMINER,  
NUNC PRO TUNC TO THE APPOINTMENT DATE**

Upon the application (the "Application")<sup>1</sup> of David M. Klauder, the appointed fee examiner (the "Fee Examiner") in the above-captioned chapter 11 case of The Roman Catholic Bishop of Oakland (the "Debtor"), for entry of an order, pursuant to section 327(a), 330, 331 and 1107 of Title 11 of the United States Bankruptcy Code and rules 2014 and 2016 of the Federal Rules of Bankruptcy Procedure, authorizing the retention and employment of Bielli & Klauder, LLC ("Bielli & Klauder") as counsel to the Fee Examiner, effective as of the Appointment Date, as more fully described in the Application, and upon consideration of the Bielli Declaration and the Fee Examiner Declaration; and it appearing that the relief requested is in the best interests of

<sup>1</sup> Capitalized terms used but not defined herein shall have meaning given to them in the Application.



1 the Fee Examiner, the Debtor, its estate, its creditors and other parties in interest; and this Court  
2 having jurisdiction to consider the Application and the relief requested therein pursuant to 28  
3 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January  
4 31, 2012 (Preska, C.J.); and consideration of the Application and the relief requested therein  
5 being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this  
6 Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Application  
7 having been provided under the particular circumstance, and it appearing that no other or further  
8 notice need be provided; and this Court finding that Bielli & Klauder is a “disinterested person,”  
9 as defined in section 101(14) of the Bankruptcy Code and as required by section 327(a) of the  
10 Bankruptcy Code because (a) Bielli & Klauder has no connection with the Debtor, any creditors,  
11 or other parties in interest, their respective attorneys and accountants, or the United States  
12 Trustee or any of its employees, except as set forth in the Bielli Declaration, (b) Bielli & Klauder  
13 is not a creditor, equity security holder, or insider of the Debtor, (c) none of Bielli & Klauder’s  
14 attorneys or employees are or were a director, officer or employee of the Debtor, and (d) Bielli &  
15 Klauder does not hold and has neither represented or represents an interest materially adverse to  
16 the interest of the Debtor’s estate or of any class of creditors or equity security holders by reason  
17 of any direct or indirect relationship to, connection with, or interest in, the Debtor or for any  
18 other reason; and after due deliberation and sufficient cause appearing therefor, it is hereby  
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22 **ORDERED THAT:**

- 23 1. The Application is granted and approved.
- 24 2. In accordance with section 327(a) of Bankruptcy Code, the Fee Examiner  
25 is authorized to retain and employ Bielli & Klauder as his counsel on the terms set forth in the  
26 Application and the Fee Examiner Order, effective to the Appointment Date. If there is any  
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1 conflict between the Application and the Fee Examiner Order regarding the terms of  
2 employment, the Fee Examiner Order shall control. The Court is not approving terms and  
3 conditions of employment under 11 U.S.C. § 328(a).  
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5 3. Bielli & Klauder shall file monthly fee applications in accordance with the  
6 procedures and standards set forth in sections 330 and 331 of the Bankruptcy Code, such Federal  
7 Rules of Bankruptcy Procedure and local rules as may be applicable from time to time, and such  
8 procedures as may be fixed by order of this Court, as well as the *United States Bankruptcy Court*  
9 *Northern District of California Guidelines for Compensation and Expense Reimbursement of*  
10 *Professionals and Trustees, effective February 19, 2014, the U.S. Trustee Guidelines for*  
11 *Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11*  
12 *U.S.C. § 330 by Attorneys in Large Chapter 11 Cases, effective November 1, 2013 and the Order*  
13 *Authorizing Procedures for Interim Compensation and Reimbursement of Expenses of*  
14 *Professionals* [Docket No. 170] (the “Interim Compensation Procedures Order”). Bielli &  
15 Klauder shall also file a final fee application at the time its engagement or this case is concluded.  
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17 4. Bielli & Klauder and the Fee Examiner shall be paid a combined monthly  
18 flat fee of \$25,000.00 (the “Flat Fee”) per month commencing June 1, 2024. The Flat Fee will  
19 cover the compensation and expenses for Bielli & Klauder, the Fee Examiner and Legal  
20 Decoder, as set forth in the Application. There shall be no payment in excess of the Flat Fee to  
21 Bielli & Klauder, the Fee Examiner and Legal Decoder without further order of this Court.  
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23 5. The Fee Examiner and Bielli & Klauder are authorized to take all actions  
24 they deem necessary and appropriate to effectuate the relief granted pursuant to this Order in  
25 accordance with the Application, the Bielli Declaration and the Fee Examiner Declaration.  
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6. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

7. The Court shall retain jurisdiction over any and all matters arising from or related to the interpretation or implementation of this Order.

\*\* END OF ORDER \*\*

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**SERVICE LIST**

All ECF Recipients.