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The following constitutes the order of the Court.
Signed: August 29, 2024

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

9 *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 WJL

Chapter 11

**ORDER GRANTING INTERIM FEE
APPLICATIONS OF FOLEY & LARDNER
LLP; ALVAREZ & MARSAL NORTH
AMERICA, LLC; BREALL & BREALL LLP;
LOWENSTEIN SANDLER LLP; KELLER
BENVENUTTI KIM LLP; BURNS BAIR
LLP; STOUT RISIUS ROSS, LLC;
BERKELEY RESEARCH GROUP;
MEDIATION OFFICES OF JEFFREY
KRIVIS; AND SONTCHI, LLC**

Judge: Hon. William J. Lafferty

Date: August 21, 2024
Time: 10:30 a.m.
Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612



1 This matter came before this Court for hearing on August 21, 2024, at 10:30 a.m., on:

- 2 (i) the *Third Interim Fee Application of Foley & Lardner LLP, as General Bankruptcy*
3 *Counsel to the Debtor, for Allowance and Payment of Compensation and Reimbursement*
4 *of Expenses for the Period of January 1, 2024 Through April 30, 2024* [Docket No. 1188]
5 (the “Foley Application”), filed by Foley & Lardner LLP (“Foley”), as general bankruptcy
6 counsel to The Roman Catholic Bishop of Oakland, a California corporation sole, and the
7 debtor and debtor in possession (the “Debtor” or “RCBO”) in the above-captioned chapter
8 11 bankruptcy case (the “Chapter 11 Case” or the “Bankruptcy Case”);
- 9 (ii) the *Third Interim Fee Application of Alvarez & Marsal North America, LLC for Allowance*
10 *and Payment of Compensation and Reimbursement of Expenses for the Period of January*
11 *1, 2024 Through April 30, 2024* [Docket No. 1192] (the “A&M Application”), filed by
12 Alvarez & Marsal North America, LLC (“A&M”) as restructuring advisor to the Debtor;
- 13 (iii) the *Second Interim Fee Application as Special Counsel for the Debtor, for Allowance and*
14 *Payment of Compensation and Reimbursement of Expenses for the Period of January 1,*
15 *2024 Through April 30, 2024* [Docket No. 1185] (the “Breall Application”), filed by Breall
16 & Breall, LLP (“Breall & Breall”) as special insurance counsel for the Debtor;
- 17 (iv) the *Third Interim Fee Application of Lowenstein Sandler LLP as Counsel to the Official*
18 *Committee of Unsecured Creditors for Allowance and Payment of Compensation and*
19 *Reimbursement of Expenses for the Period from January 1, 2024 through and Including*
20 *April 30, 2024* [Docket No. 1187] (the “Lowenstein Application”), filed by Lowenstein
21 Sandler LLP (“Lowenstein”), as general bankruptcy counsel to the Official Committee of
22 Unsecured Creditors (the “Committee”);
- 23 (v) the *Third Interim Fee Application of Keller Benvenuti Kim LLP as Counsel to the Official*
24 *Committee of Unsecured Creditors for Allowance and Payment of Compensation and*
25 *Reimbursement of Expenses for the Period of January 1, 2024 Through April 30, 2024*
26 [Docket No. 1178] (the “KBK Application”) filed by Keller Benvenuti Kim LLP
27 (“KBK”), as local counsel to the Committee;
- 28 (vi) the *Second Interim Fee Application of Burns Bair LLP as Special Insurance Counsel to the*
Official Committee of Unsecured Creditors for Allowance and Payment of Compensation
and Reimbursement of Expenses for the Period of January 1, 2024 Through April 30, 2024
[Docket No. 1182] (the “Burns Bair Application”), filed by Burns Bair LLP (“Burns Bair”),
as special insurance counsel to the Committee;
- (vii) the *Second Interim Fee Application of Stout Risius Ross, LLC as Expert Consultant on*
Valuation of Sexual Abuse Claims to the Official Committee of Unsecured Creditors for
Allowance and Payment of Fees for the Period from January 1, 2024 Through April 30,
2024 [Docket No. 1194] (the “Stout Application”), filed by Stout Risius Ross, LLC
 (“Stout”), as valuation consultant to the Committee;
- (viii) the *Second Interim Fee Application of Berkeley Research Group for Allowance and*
Payment of Interim Compensation and Reimbursement of Expenses for the Period January
1, 2024 Through April 30, 2024 [Docket No. 1197] (the “BRG Application”), filed by
Berkeley Research Group, LLC (“BRG”), as financial advisor to the Committee;
- (ix) the *First Interim Fee Application of Mediation Offices of Jeffrey Krivis, as Mediator, for*
Allowance and Payment of Compensation and Reimbursement of Expenses for the Period
of January 1, 2024 Through April 30, 2024 [Docket No. 1200] (the “Krivis Application”),
filed by Mediation Office of Jeffrey Krivis (“Krivis”), as Court Appointed Mediator; and

1 (x) the *First Interim Fee Application of Sontchi, LLC, as Mediator, for Allowance and*
2 *Payment of Compensation of Expenses for the Period of January 12, 2024 Through April*
3 *30, 2024* [Docket No. 1203] (the “Sontchi Application”), filed by Sontchi, LLC
4 (“Sontchi”), as Court Appointed Mediator.

5 The Foley Application, A&M Application, Breall Application, Lowenstein Application, KBK
6 Application, Burns Bair Application, Stout Application, BRG Application, the Krivis Application and the
7 Sontchi Application are collectively referred to herein as the “Applications,” and Foley, A&M, Breall &
8 Breall, Lowenstein, KBK, Burns Bair, Stout, BRG, Krivis and Sontchi as the “Applicants.”

9 The Court has reviewed and considered the Applications, the declarations in support of each of the
10 Applications, the notice of hearing on the Applications, the *Fee Examiner’s Consolidated Final Report*
11 *Pertaining to the Second or Third Interim Fee Applications of Certain Retained Professionals* [Docket
12 No. 1292] (the “Fee Examiner Report”) filed by David M. Klauder (the “Fee Examiner”) in response to
13 the Applications, and all other papers filed in opposition to or support of the Applications, and the
14 statements of counsel at the hearing on the Applications.

15 As set forth in the Fee Examiner Report, certain of the Applicants agreed to voluntary reductions
16 in order to resolve the potential objections raised by the Fee Examiner, in the amounts of \$20,335.50 for
17 Foley, \$1,500.00 for Breall & Breall, \$1,281.92 for Lowenstein, \$1,042.50 for KBK, \$2,008.88 for BRG,
18 and \$112.00 for Burns Bair (collectively the “Voluntary Reductions”).

19 The Court finding that it has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334,
20 that this is a core proceeding under 28 U.S.C. §§ 157 and 1334(b), and that venue is proper before this
21 Court under 28 U.S.C. §§ 1408 and 1409; and the good cause appearing; now, therefore,

22 **IT IS HEREBY ORDERED** as follows:

- 23 1) The Applications are GRANTED as set forth in this Order.
24 2) Each of the Applicants is allowed interim compensation and reimbursement of fees on the

25 Applications as follows:

- 26 (a) **Foley & Lardner LLP**: The Foley Application requests fees in the amount of
27 \$2,010,082.50, and expenses in the amount of \$28,809.16, for a total requested amount of
28 \$2,038,891.66 (the “Foley Requested Amount”). Foley is hereby allowed compensation
for fees and reimbursement of expenses on the Foley Application in the Foley Requested

ORDER APPROVING INTERIM FEE APPLICATIONS

1 Amount, less the Voluntary Reduction of \$20,355.50, for a final allowed amount of
2 **\$2,018,536.16** (the "Foley Allowed Amount"), on an interim basis pursuant to
3 11 U.S.C. §331.

4 (b) **Alvarez & Marsal North America, LLC**: The A&M Application requests fees in
5 the amount of \$773,117.50, and expenses in the amount of \$3,350.88, for a total requested
6 amount of \$776,468.38 (the "A&M Requested Amount"). A&M is hereby allowed
7 compensation for fees and reimbursement of expenses on the A&M Application in the
8 A&M Requested Amount of **\$776,468.38** (the "A&M Allowed Amount"), on an interim
9 basis pursuant to 11 U.S.C. §331.

10 (c) **Breall & Breall LLP**: The Breall Application requests fees in the amount of
11 \$33,750.00, and no expenses, for a total requested amount of \$33,750.00 (the "Breall
12 Requested Amount"). Breall & Breall is hereby allowed compensation for fees and
13 reimbursement of expenses on the Breall Application in the Breall Requested Amount, less
14 the Voluntary Reduction of \$1,500.00, for a final allowed amount of **\$32,250.00** (the
15 "Breall Allowed Amount"), on an interim basis pursuant to 11 U.S.C. §331.

16 (d) **Lowenstein Sandler LLP**: The Lowenstein Application requests fees in the
17 amount of \$1,268,990.50, and expenses in the amount of \$54,680.39, for a total requested
18 amount of \$1,323,670.89 (the "Lowenstein Requested Amount"). Lowenstein is hereby
19 allowed compensation for fees and reimbursement of expenses on the Lowenstein
20 Application in the Lowenstein Requested Amount, less the Voluntary Reduction of
21 \$1,281.92, for a final allowed amount of **\$1,322,388.97** (the "Lowenstein Allowed
22 Amount"), on an interim basis pursuant to 11 U.S.C. §331.

23 (e) **Keller Benvenuti Kim LLP**: The KBK Application requests fees in the amount
24 of \$100,245.00, and expenses in the amount of \$7,455.50, for a total requested amount of
25 \$107,700.50 (the "KBK Requested Amount"). KBK is hereby allowed compensation for
26 fees and reimbursement of expenses on the KBK Application in the KBK Requested
27 Amount, less the Voluntary Reduction of \$1,042.50, for a final allowed amount of
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1 **\$106,658.00** (the “KBK Allowed Amount”), on an interim basis pursuant to 11 U.S.C.
2 §331.

3 (f) **Burns Bair LLP**: The Burns Bair Application requests fees in the amount of
4 \$346,624.00, and expenses in the amount of \$16,940.53, for a total requested amount of
5 \$363,564.53 (the “Burns Bair Requested Amount”). Burns Bair is hereby allowed
6 compensation for fees and reimbursement of expenses on the Burns Bair Application in
7 the Burns Bair Requested Amount, less the Voluntary Reduction of \$112.00, for a final
8 allowed amount of **\$363,452.53** (the “Burns Bair Allowed Amount”), on an interim basis
9 pursuant to 11 U.S.C. §331.

10 (g) **Stout Risius Ross, LLC**: The Stout Application requests fees in the amount of
11 \$146,765.00, and expenses in the amount of \$1,470.87, for a total requested amount of
12 \$148,235.87 (the “Stout Requested Amount”). Stout is hereby allowed compensation for
13 fees and reimbursement of expenses on the Stout Application in the Stout Requested
14 Amount of **\$148,235.87** (the “Stout Allowed Amount”), on an interim basis pursuant to 11
15 U.S.C. §331.

16 (h) **Berkeley Research Group, LLC**: The BRG Application requests fees in the
17 amount of \$748,768.50, and expenses in the amount of \$12,981.81, for a total requested
18 amount of \$761,750.31 (the “BRG Requested Amount”). BRG is hereby allowed
19 compensation for fees and reimbursement of expenses on the BRG Application in the BRG
20 Requested Amount, less the Voluntary Reduction of \$2,008.88, for a final allowed amount
21 of **\$759,741.53** (the “BRG Allowed Amount”), on an interim basis pursuant to 11 U.S.C.
22 §331.

23 (i) **Mediation Office of Jeffrey Krivis**: The Krivis Application requests fees in the
24 amount of \$67,750.00, and expenses in the amount of \$1,702.63, for a total requested
25 amount of \$69,452.63 (the “Krivis Requested Amount”). Krivis is hereby allowed
26 compensation for fees and reimbursement of expenses on the Krivis Application in the
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1 Krivis Requested Amount of **\$69,452.63** (the "Krivis Allowed Amount"), on an interim
2 basis pursuant to 11 U.S.C. §331.

3 (j) **Sontchi, LLC**: The Sontchi Application requests fees in the amount of
4 \$146,687.50, and expenses in the amount of \$17,992.57, for a total requested amount of
5 \$164,680.07 (the "Sontchi Requested Amount"). Sontchi is hereby allowed compensation
6 for fees and reimbursement of expenses on the Sontchi Application in the Sontchi
7 Requested Amount of **\$164,680.07** (the "Sontchi Allowed Amount"), on an interim basis
8 pursuant to 11 U.S.C. §331.

9 3) The Debtor is authorized to pay each Applicant the Allowed Amount set forth above, less
10 payments already received by such Applicant pursuant to the Court's *Order Authorizing Procedures for*
11 *Interim Compensation and Reimbursement of Expenses of Professionals* [Docket No. 170].

12 4) This Court shall retain jurisdiction with respect to all matters arising from or related to the
13 implementation, interpretation, or enforcement of this Order.

14 *** END OF ORDER ***

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