

MAY 02, 2024
EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



1 **FOLEY & LARDNER LLP**
2 Jeffrey R. Blease (CA Bar No. 134933)
3 Tel: (617) 226-3155; jblease@foley.com
4 Thomas F. Carlucci (CA Bar No. 135767)
5 Tel: (415) 984-9824; tcarlucchi@foley.com
6 Shane J. Moses (CA Bar No. 250533)
7 Tel: (415) 438-6404; smoses@foley.com
8 Emil P. Khatchatourian (CA Bar No. 265290)
9 Tel: (312) 832-5156; ekhatchatourian@foley.com
10 Ann Marie Uetz (admitted *pro hac vice*)
11 Tel: (313) 234-7114; auetz@foley.com
12 Matthew D. Lee (admitted *pro hac vice*)
13 Tel: (608) 258-4203; mdlee@foley.com
14 555 California Street, Suite 1700
15 San Francisco, CA 94104-1520

The following constitutes the order of the Court.
Signed: May 2, 2024

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

9 *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

**SUPPLEMENTAL ORDER INCREASING
THE MONTHLY CAPS AUTHORIZED
UNDER THE COURT'S PRIOR ORDER (I)
AUTHORIZING THE RETENTION AND
PAYMENT, EFFECTIVE AS OF THE
PETITION DATE, OF PROFESSIONALS
UTILIZED BY THE DEBTOR IN THE
ORDINARY COURSE OF BUSINESS AND
(II) GRANTING RELATED RELIEF**

Judge: Hon. William J. Lafferty

1 This Court has considered the *Debtor's Motion for a Supplemental Order Increasing the Monthly*
2 *Caps Authorized Under the Court's Previous Order (I) Authorizing the Retention and Payment, Effective*
3 *as of the Petition Date, of Professionals Utilized by the Debtor in the Ordinary Course of Business and*
4 *(II) Granting Related Relief* [Docket No. 1031] (the "Motion"),¹ the Bongiovanni Declaration in support
5 thereof, all other filings in support of the Motion, and the statements of counsel at the hearing on the
6 Motion. This Court has found (i) this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157
7 and 1334, (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409 and (iii) notice of
8 the Motion and the hearing was sufficient under the circumstances. After due deliberation, the Court
9 having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate
10 and its creditors, and good and sufficient cause having been shown;

11 **IT IS HEREBY ORDERED THAT:**

- 12 1. The Motion is GRANTED as set forth herein.
- 13 2. The limit on monthly compensation permitted to be paid to each individual Ordinary
14 Course Professional is increased to \$75,000 per month (calculated on a three-month rolling average).
- 15 3. The limit on total monthly compensation permitted to be paid across all Ordinary Course
16 Professionals is increased to \$200,000 per month (calculated on a three-month rolling average).
- 17 4. The Debtor is permitted to seek further authorization from this Court to increase the
18 monthly caps in the future if warranted.
- 19 5. Neither Entry of this Order nor entry of the OCP Order affects the Debtor's right to dispute
20 any invoice submitted by an Ordinary Course Professional.
- 21 6. Other than the changes in monthly compensation limits approved herein, the OCP Order
22 [Docket No. 263] otherwise remains in full force and effect.
- 23 7. The Debtor is hereby authorized to take such actions and to execute such documents as
24 may be necessary to implement the relief granted by this Order.

25 ///

26
27
28 ¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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

8. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the interpretation, implementation and/or enforcement of this Order.

END OF ORDER

COURT SERVICE LIST

All ECF Recipients.

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

SUPPLEMENTAL ORDER AUTHORIZING INCREASING MONTHLY CAPS

-4-