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*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

**NOTICE OF FILING OF REVISED FORMS
OF CLASS 4 AND CLASS 5 BALLOTS AND
NOTICE OF CONFIRMATION HEARING**

Judge: Hon. William J. Lafferty

Date: January 16, 2025

Time: 1:30 p.m.

Place: United States Bankruptcy Court

1300 Clay Street

Courtroom 220

Oakland, CA 94612



1 The Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor
2 in possession (the “Debtor” or “RCBO”) in the above-captioned chapter 11 bankruptcy case (the “Chapter
3 11 Case” or the “Bankruptcy Case”), hereby files this notice (the “Notice”) of filing of (a) forms of Ballots
4 for Class 4 and Class 5 Claims, which have been further revised in light of comments received from
5 counsel for the United States Trustee (the “UST”); and (b) revised form of Confirmation Hearing Notice,
6 reflecting revisions from the form attached as Exhibit 8 to the *Debtor’s Motion for Order (I) Approving
7 Disclosure Statement; and (II) Establishing Procedures for Plan Solicitation, Notice, and Balloting*
8 [Docket No. 1453] (the “Motion”).¹

9 Attached hereto as **Exhibit A** and **Exhibit B** are the Debtor’s revised forms of Ballot for Class 4
10 Claims (Abuse Claims) and Class 5 Claims (Unknown Abuse Claims). Attached hereto as **Exhibit C** and
11 **Exhibit D** are cumulative redlines of the Debtor’s revised forms of Ballot for Class 4 and Class 5 against
12 the forms filed as Exhibit 3 and Exhibit 4 to the Motion.²

13 Attached hereto as **Exhibit E** is the Debtor’s revised form of Confirmation Hearing Notice.
14 Attached hereto as **Exhibit F** is a redline of the Debtor’s revised form of Confirmation Hearing Notice
15 against the forms filed as Exhibit 8 to the Motion.

16 DATED: January 10, 2025

FOLEY & LARDNER LLP

Thomas F. Carlucci
Shane J. Moses
Emil P. Khatchaturian
Ann Marie Uetz
Matthew D. Lee
Geoffrey S. Goodman
Mark C. Moore

/s/ Shane J. Moses

SHANE J. MOSES

*Counsel for the Debtor
and Debtor in Possession*

25 ¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion, Disclosure Statement,
26 or the Plan, as applicable.

27 ² This redline is cumulative of the changes reflected in the exhibits to Debtor’s *Notice of Filing of (1) Redlines Debtor’s
28 Amended Plan of Reorganization and Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization, and (2)
Revised Forms of Proposed Order and Ballots* [Docket No. 1596], filed on January 3, 2025.

NOTICE OF FILING OF REDLINES OF REVISED FORMS OF BALLOTS
AND NOTICE OF CONFIRMATION HEARING

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EXHIBIT A
Revised Form of Ballot for Class 4 (Abuse Claims)

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4 In re:

5 THE ROMAN CATHOLIC BISHOP OF
6 OAKLAND, a California corporation sole,

7 Debtor.

Case No. 23-40523 WJL

Chapter 11

8 **BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF**
9 **REORGANIZATION**

10 ***CLASS 4– Abuse Claims***

11 **THE VOTING DEADLINE TO ACCEPT OR REJECT**
12 **THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,**
13 **ON [•] [•], 2025 (the “Voting Deadline”)**

14 This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 (as may be amended from time to time, the “Plan”), for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Chapter 11 Case.¹

15 **Please use this Ballot to cast your vote to accept or reject the Plan if you are, as of [•]**
16 **[•], 2024 (the “Voting Record Date”), a holder of a Claim against the Debtor based on sexual**
17 **abuse that arose before the May 8, 2023, filing of the Debtor’s Bankruptcy Case.**

18 In addition, the Plan provides that if the Plan is confirmed, certain release, injunction,
19 exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the
20 Effective Date of the Plan. **These include the “Releases by Holders of Abuse Claims” set forth in**
21 **Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “Third-Party Release”). The**
22 **Third-Party Release provides for release by consenting claimants of claims against certain non-**
23 **debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.**

24 In accordance with the terms of the Plan, **by casting this Ballot to vote either to accept or**
25 **reject the Plan you will be deemed to grant the Third-Party Release unless you “opt out” of the**
26 **Third-Party Release by checking the box in Item 4 below.**

27 The Bankruptcy Court has approved an *Amended Disclosure Statement for Debtor’s Amended*
28 *Plan of Reorganization* dated and filed on January 3, 2025 (the “Disclosure Statement”) with respect to
the Plan. A copy of the Disclosure Statement, along with the Plan, was included in the package of
materials you received with this Ballot (the “Solicitation Package”). The Disclosure Statement provides
information to assist you in deciding how to vote on the Plan. If you do not have the Solicitation
Package, you may obtain a copy free of charge from the website for the Chapter 11 Case at

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.
Case: 23-40523 Doc# 1623-1 Filed: 01/10/25 Entered: 01/10/25 16:35:25 Page 2
of 8

1 <https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on file with the
2 Office of the Clerk of the Court for review during normal business hours (a fee may be charged).

3 **You should review the Disclosure Statement and the Plan in their entirety before you vote.**
4 **You may wish to seek independent legal advice concerning the Plan and the classification and**
5 **treatment of your Claim under the Plan. Your claim has been placed in Class 4 (Abuse Claims)**
6 **under the Plan. If you hold claims in more than one class under the Plan, you will receive a Ballot**
7 **for each class in which you are entitled to vote.**

8 The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of
9 the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if
10 the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number
11 of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the
12 applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not
13 obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and
14 equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan
15 and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

16 **If your Ballot is not received on or before [•] [•], 2025 at 5:00 P.M. (PT) and such**
17 **deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.**
18 **To have your vote counted, please complete, sign, and date this ballot and return it so that it is**
19 **received no later than the Voting Deadline, as follows:**

20 **SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY**

21 **YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED**
22 **ENVELOPE)**
23 **OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

24 **The Roman Catholic Bishop of Oakland**
25 **Ballot Processing c/o Verita**
26 **222 N. Pacific Coast Highway, 3rd Floor**
27 **El Segundo, CA 90245**

28 **OR**

ELECTRONIC ONLINE SUBMISSION

Alternatively, parties may submit a Ballot via electronic online transmission solely through the
customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website,
<https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting
Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper
ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your
customized E-Ballot:

Unique E-Ballot ID#: _____

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2 PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE
3 COMPLETING THIS BALLOT.

4 PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE
5 ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE
6 INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE
7 LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN
8 CAST.

9 **PLEASE COMPLETE THE FOLLOWING:**

10 **Item 1. Certification of Claim.** For purposes of voting to accept or reject the Joint Plan, the undersigned
11 certifies that as of the Voting Record Date, the undersigned holds a Claim in Class 4 (Abuse Claims)
12 against the Debtor.

13 **Item 2. Vote to Accept or Reject the Plan.** Please vote below either to accept or to reject the Plan with
14 respect to your Claim in Class 4. Any Ballot not marked either to accept or reject the Plan, or marked both
15 to accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan.
16 The undersigned, the holder of Claim in Class 4 (Abuse Claims) set forth in Item 1, votes as follows
17 (check *only* one box below):

18 ACCEPTS THE PLAN

19 REJECTS THE PLAN

20 **Item 3. Election Regarding Immediate Payment.** Under section 9.7 of the Plan, Holders of Class 4
21 Claims (also called Abuse Claims) have the option of electing to receive an Immediate Payment (as
22 defined in section 1.1.65 of the Plan) within 30 days of the Effective Date in the amount of \$50,000. If
23 you elect to receive an Immediate Payment, all recovery on your Abuse Claim is limited to the Immediate
24 Payment, and you will not be able to seek any additional recovery on account of the Abuse Claim from
25 any other party, including Non-Settling Insurers. Correspondingly, if you elect the Immediate Payment,
26 your Abuse Claim will not be scored or subject to Claim objections.

27 If you wish to elect to receive the Immediate Payment, you may do so by checking the box below.
28 Alternatively, you may elect to receive the Immediate Payment at any time prior to the Effective Date of
the Plan. **Before making the election below, you should carefully read Sections I.C. and VII.F of the
Disclosure Statement.** If you do not make an election prior to the Effective Date of the Plan, you will be
considered to have not elected the Immediate Payment, and will be paid as a Trust Claimant.

The undersigned, the holder of the Claim in Class 4 (Abuse Claims) set forth in Item 1, elects as follows
(check *only* one box below):

I elect to receive an Immediate Payment as the sole distribution I will receive under
the Plan.

I DO NOT elect to receive an Immediate Payment.

1 **Item 4. Opt-Out of Third-Party Release.** The checkbox below is for purposes of indicating
2 whether you decline to grant the Third-Party Release as provided in Section 13.9 of the Plan, and described
3 in Article II and Article III.F., III.G., and III.I. of the Disclosure Statement. **If you do not wish to grant
4 the releases in Section 13.9 of the Plan, then you need to check the box below.**

5 By checking this box, the undersigned Holder of a Claim in Class 4 (Abuse Claims):

6 Elects **not** to grant the Third-Party Release contained in Section 13.9 of the Plan.

7 **YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE
8 THIRD-PARTY RELEASE. If you return this Ballot without checking the box to opt-out, you will
9 be deemed to consent to the Third-Party Release.**

10 As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman
11 Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the
12 number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party
13 Release. **Opting out of the Third-Party Release may therefore reduce the amount available for
14 distribution to Abuse Claimants.** More information on RCWC’s contribution is provided in the
15 Disclosure Statement.

16 Please also be advised that the debtor release contained in section 13.8 of the plan is separate from and
17 independent of the Third-Party Release. If you object to the debtor release, you must file a separate
18 objection with the bankruptcy court in accordance with the procedures described in the disclosure
19 statement order.

20 **Item 5. Acknowledgments.** By signing this Ballot, the undersigned acknowledges receipt of a
21 copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and
22 acknowledges that the solicitation is being made pursuant to the terms and conditions set forth therein.
23 The undersigned claimant certifies that as of the Voting Record Date he or she is the holder of the Claim
24 identified in Item 1 above (or is the authorized signatory of such holder). The undersigned understands
25 that an otherwise properly completed, executed, and returned Ballot failing to indicate either acceptance
26 or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

27 _____
Print Name of Creditor

28 _____
Signature

Name and Title of Signatory (if different than creditor)

Street Address

E-mail Address

Telephone Number

Date Completed

1 **VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT**

- 2 1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan.
3 The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto.
4 **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE**
5 **COMPLETING THE BALLOT.**
- 6 2. Item 1. Confirm that Item 1 is correct.
- 7 3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of
8 the Plan (not both). If you hold multiple claims in Class 4, the Debtor will aggregate those claims for
9 voting purposes as one (1) claim. You must vote your entire Class 4 Claim to accept or reject the Plan.
10 You may not split your vote.
- 11 4. Item 3. Indicate whether you wish to elect the Immediate Payment by checking the appropriate box.
- 12 5. Item 4. Review the information provided and indicate whether you opt out of providing the releases
13 in Section 13.9 of the Plan. If you wish to opt out, check the box in Item 4 on the Ballot. If you wish
14 to not opt out, leave the box unchecked.
- 15 6. Item 5. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing
16 all the information requested in Item 5.
- 17 7. **SIGN THE BALLOT.**
- 18 8. The Debtor will not count any executed ballot received that either (a) does not indicate either an
19 acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.
- 20 9. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**
- 21 10. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with
22 such person or entity and the capacity in which you are signing and, if requested, submit satisfactory
23 evidence of your authority to do so (e.g., a power of attorney).
- 24 11. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.
- 25 12. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not
26 entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and
27 void and deemed withdrawn without any requirement of affirmative action by or notice to you.

28 **IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A
RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT
OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED
MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT
AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL
RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT,
PROVIDE LEGAL ADVICE.**

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

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Schedule 1 to Class 4 Ballot: Third-Party Release From Plan

Releases by Holders of Abuse Claims. As of the Effective Date, except for the rights that remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order, pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate and implement the reorganization of the Debtor, as an integral component of the Plan, and except as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent permitted under applicable law, as such law may be extended subsequent to the Effective Date, all Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse Claims that are Disputed Claims) that timely return a Ballot but do not affirmatively opt out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the Released Parties and their respective property and successors and assigns of and from all Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from or related in any way to such Abuse Claims.

Injunction Related to Releases. As of the Effective Date, and except as set forth in Articles VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against any Released Party or its property or successors or assigns on account of or based on the subject matter of such Claims, whether directly or indirectly, derivatively or otherwise: (a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or other proceeding

1 **(including any judicial, arbitral, administrative or other proceeding) in any forum; (b) enforcing,**
2 **attaching (including, without limitation, any prejudgment attachment), collecting, or in any way**
3 **seeking to recover any judgment, award, decree, or other order; (c) creating, perfecting or in any**
4 **way enforcing in any matter, directly or indirectly, any lien or encumbrance; and/or (d) setting off,**
5 **seeking reimbursement or contributions from, or subrogation against, or otherwise recouping in**
6 **any manner, directly or indirectly, any amount against any liability or obligation that is discharged**
7 **under Section 13.3 of the Plan or released under Section 13.9 of the Plan.**

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EXHIBIT B
Revised Form of Ballot for Class 5 (Unknown Abuse Claims)

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4 In re:

5 THE ROMAN CATHOLIC BISHOP OF
6 OAKLAND, a California corporation sole,

7 Debtor.

Case No. 23-40523 WJL

Chapter 11

8 **BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF**
9 **REORGANIZATION**

10 *CLASS 5 – Unknown Abuse Claims*

11 **THE VOTING DEADLINE TO ACCEPT OR REJECT**
12 **THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,**
13 **ON [•] [•], 2025 (the “Voting Deadline”)**

14 This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 (as may be amended from time to time, the “Plan”), for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Bankruptcy Case.¹

15 **Please use this Ballot to cast your vote to accept or reject the Plan on behalf of Holders of**
16 **Unknown Abuse Claims (as defined in the Plan) against the Debtor based on sexual abuse that**
17 **arose before the May 8, 2023, filing of the Debtor’s Bankruptcy Case.**

18 In addition, the Plan provides that if the Plan is confirmed, certain release, injunction,
19 exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the
20 Effective Date of the Plan. **These include the “Releases by Holders of Abuse Claims” set forth in**
21 **Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “Third-Party Release”). The**
22 **Third-Party Release provides for release by consenting claimants of claims against certain non-**
23 **debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.**

24 In accordance with the terms of the Plan, **by casting this Ballot to vote either to accept or**
25 **reject the Plan you will be deemed to grant the Third-Party Release unless you “opt out” of the**
26 **Third-Party Release by checking the box in Item 3 below.**

27 The Bankruptcy Court has approved an *Amended Disclosure Statement for Debtor’s Amended*
28 *Plan of Reorganization* dated and filed on January 3, 2025 (the “Disclosure Statement”) with respect to
the Plan. A copy of the Disclosure Statement, along with the Plan, was included in the package of
materials you received with this Ballot (the “Solicitation Package”). The Disclosure Statement provides
information to assist you in deciding how to vote on the Plan. If you do not have the Solicitation
Package, you may obtain a copy free of charge from the website for the Chapter 11 Case at

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.
Case: 23-40523 Doc# 1623-2 Filed: 01/10/25 Entered: 01/10/25 16:35:25 Page 2
of 8

1 <https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on file with the
2 Office of the Clerk of the Court for review during normal business hours (a fee may be charged).

3 **You should review the Disclosure Statement and the Plan in their entirety before you vote.**
4 **You may wish to seek independent legal advice concerning the Plan and the classification and**
5 **treatment of the Unknown Abuse Claims under the Plan.**

6 The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of
7 the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if
8 the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number
9 of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the
10 applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not
11 obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and
12 equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan
13 and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

14 **If your Ballot is not received on or before [•] [•], 2025 at 5:00 P.M. (PT) and such**
15 **deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.**
16 **To have your vote counted, please complete, sign, and date this ballot and return it so that it is**
17 **received no later than the Voting Deadline, as follows:**

18 **SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY**

19 **YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED**
20 **ENVELOPE)**
21 **OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

22 **The Roman Catholic Bishop of Oakland**
23 **Ballot Processing c/o Verita**
24 **222 N. Pacific Coast Highway, 3rd Floor**
25 **El Segundo, CA 90245**

26 **OR**

27 **ELECTRONIC ONLINE SUBMISSION**

28 **Alternatively, parties may submit a Ballot via electronic online transmission solely through the**
29 **customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website,**
30 **<https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting**
31 **Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper**
32 **ballot.**

33 **IMPORTANT NOTE: You will need the following information to retrieve and submit your**
34 **customized E-Ballot:**

35 **Unique E-Ballot ID#:**

1
2 PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE
3 COMPLETING THIS BALLOT.

4 PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE
5 ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE
6 INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE
7 LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN
8 CAST.

9 **PLEASE COMPLETE THE FOLLOWING:**

10 **Item 1. Certification of Claim.** For purposes of voting to accept or reject the Joint Plan, the undersigned
11 certifies that as of the Voting Record Date, the undersigned is the duly appointed Unknown Abuse Claims
12 Representative in this Bankruptcy Case for holders Claim in Class 5 (Unknown Abuse Claims) against
13 the Debtor. For voting purposes only, you will vote a single Class 5 Claim valued at \$1.00. This amount
14 shall have no effect on the amount of any distribution a Class 5 Claim may receive and is solely for
15 purposes of tabulating votes.

16 **Item 2. Vote to Accept or Reject the Plan.** Please vote below either to accept or to reject the Plan with
17 respect to the Class 5 Claims. Any Ballot not marked either to accept or reject the Plan, or marked both to
18 accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan. The
19 undersigned, the Unknown Abuse Claims Representative on behalf of Class 5 Unknown Abuse Claims
20 votes as follows (check *only* one box below):

21 ACCEPTS THE PLAN

22 REJECTS THE PLAN

23 **Item 3. Opt-Out of Third-Party Release.** The checkbox below is for purposes of indicating
24 whether you decline on behalf of the Holders of Unknown Abuse Claims to grant the Third-Party Release
25 as provided in Section 13.9 of the Plan, and described in Article II and Article III.F., III.G., and III.I. of
26 the Disclosure Statement. **If you do not wish to grant the releases in Section 13.9 of the Plan, then you
27 need to check the box below.**

28 By checking this box, the undersigned Unknown Abuse Claims Representative:

Elects **not** to grant the Third-Party Release contained in Section 13.9 of the Plan.

**YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE
THIRD-PARTY RELEASE. If you return this Ballot without checking the box to opt-out, Holders
of Unknown Abuse Claims will be deemed to consent to the Third-Party Release.**

As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The
Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on
the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party
Release. **Opting out of the Third-Party Release may therefore reduce the amount available for
distribution to Abuse Claimants.** More information on RCWC’s contribution is provided in the
Disclosure Statement.

1 **Item 4. Acknowledgments.** By signing this Ballot, the undersigned acknowledges receipt of a
2 copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and
3 acknowledges that the solicitation is being made pursuant to the terms and conditions set forth herein. The
4 undersigned claimant certifies that as of the Voting Record Date he or she is the duly appointed Unknown
5 Abuse Claims Representative. The undersigned understands that an otherwise properly completed,
6 executed, and timely returned Ballot failing to indicate either acceptance or rejection of the Plan, or
7 indicating both acceptance and rejection of the Plan, will not be counted.

8 _____
9 Print Name of Creditor

10 _____
11 Signature

12 _____
13 Name and Title of Signatory (if different than creditor)

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15 Street Address

16 _____
17 E-mail Address

18 _____
19 Telephone Number

20 _____
21 Date Completed

1 **VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT**

- 2 1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan.
3 The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto.
4 **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE**
5 **COMPLETING THE BALLOT.**
- 6 2. Item 1. Confirm that the information in Item 1 of the Ballot is correct.
- 7 3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of
8 the Plan (not both).
- 9 4. Item 3. Review the information provided and indicate whether you opt out of providing the releases
10 in Section 13.9 of the Plan. If you wish to opt out, check the box in Item 4 on the Ballot. If you wish
11 to not opt out, leave the box unchecked.
- 12 5. Item 4. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing
13 all the information requested in Item 5.
- 14 6. **SIGN THE BALLOT.**
- 15 7. The Debtor will not count any executed ballot received that either (a) does not indicate either an
16 acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.
- 17 8. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**
- 18 9. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with
19 such person or entity and the capacity in which you are signing.
- 20 10. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.
- 21 11. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not
22 entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and
23 void and deemed withdrawn without any requirement of affirmative action by or notice to you.

24 **IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A**
25 **RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT**
26 **OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED**
27 **MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT**
28 **AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL**
RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT,
PROVIDE LEGAL ADVICE.

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

1 Schedule 1 to Class 5 Ballot: Third-Party Release From Plan

2

3 *Releases by Holders of Abuse Claims.* As of the Effective Date, except for the rights that

4 remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order,

5 pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the

6 adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate

7 and implement the reorganization of the Debtor, as an integral component of the Plan, and except

8 as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent

9 permitted under applicable law, as such law may be extended subsequent to the Effective Date, all

10 Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse

11 Claims that are Disputed Claims) that timely return a Ballot but do not affirmatively opt out of the

12 Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively,

13 absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the

14 Released Parties and their respective property and successors and assigns of and from all Abuse

15 Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown,

16 asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising,

17 in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of

18 liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from

19 or related in any way to such Abuse Claims.

20

21 *Injunction Related to Releases.* As of the Effective Date, and except as set forth in Articles

22 VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor

23 (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 hereof

24 are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever

25 stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against

26 any Released Party or its property or successors or assigns on account of or based on the subject

27 matter of such Claims, whether directly or indirectly, derivatively or otherwise: (a) commencing,

28 conducting or continuing in any manner, directly or indirectly, any suit, action or other proceeding

(including any judicial, arbitral, administrative or other proceeding) in any forum; (b) enforcing,

1 **attaching (including, without limitation, any prejudgment attachment), collecting, or in any way**
2 **seeking to recover any judgment, award, decree, or other order; (c) creating, perfecting or in any**
3 **way enforcing in any matter, directly or indirectly, any lien or encumbrance; and/or (d) setting off,**
4 **seeking reimbursement or contributions from, or subrogation against, or otherwise recouping in**
5 **any manner, directly or indirectly, any amount against any liability or obligation that is discharged**
6 **under Section 13.3 of the Plan or released under Section 13.9 of the Plan.**

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EXHIBIT C

Cumulative Redline of Revised Form of Ballot for Class 4

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4 In re:

5 THE ROMAN CATHOLIC BISHOP OF
6 OAKLAND, a California corporation sole,

7 Debtor.

Case No. 23-40523 WJL

Chapter 11

8 **BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF**
9 **REORGANIZATION**

10 ***CLASS 4– Abuse Claims***

11 **THE VOTING DEADLINE TO ACCEPT OR REJECT**
12 **THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,**
13 **ON [•] [•], 2025 (the “Voting Deadline”)**

14 This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Debtor’s*
15 *Amended Plan of Reorganization* ~~for The Roman Catholic Bishop of Oakland~~ dated and filed on
16 ~~November 8~~ January 3, 2024 ~~2025~~ (as may be amended from time to time, the “Plan”), for the Roman
17 Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Chapter 11 Case.¹

18 **Please use this Ballot to cast your vote to accept or reject the Plan if you are, as of [•]**
19 **[•], 2024 (the “Voting Record Date”), a holder of a Claim against the Debtor based on sexual**
20 **abuse that arose before the May 8, 2023, filing of the Debtor’s Bankruptcy Case.**

21 In addition, the Plan provides that if the Plan is confirmed, certain release, injunction,
22 exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the
23 Effective Date of the Plan. These include the “**Releases by Holders of Abuse Claims**” set forth in
24 **Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “Third-Party Third-Party**
25 **Release”). The Third-Party Release provides for release by consenting claimants of claims against**
26 **certain non-debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.**

27 In accordance with the terms of the Plan, **by casting this Ballot to vote either to accept or**
28 **reject the Plan you will be deemed to grant the Third-Party Third-Party Release unless** you “opt
out” of the Third-Party Third-Party Release by checking the box in Item 4 below.

The Bankruptcy Court has approved ~~an~~ Amended Disclosure Statement for Debtor’s Amended
Plan of Reorganization dated and filed on ~~November 8~~ January 3, 2024 ~~2025~~ (the “Disclosure
Statement”) with respect to the Plan. A copy of the Disclosure Statement, along with the Plan, was
included in the package of materials you received with this Ballot (the “Solicitation Package”). The
Disclosure Statement provides information to assist you in deciding how to vote on the Plan. If you do
not have the Solicitation Package, you may obtain a copy free of charge from the website for the Chapter
11 Case at <https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.

1 file with the Office of the Clerk of the Court for review during normal business hours (a fee may be
2 charged).

3 **You should review the Disclosure Statement and the Plan in their entirety before you vote.**
4 **You may wish to seek independent legal advice concerning the Plan and the classification and**
5 **treatment of your Claim under the Plan. Your claim has been placed in Class 4 (Abuse Claims)**
6 **under the Plan. If you hold claims in more than one class under the Plan, you will receive a Ballot**
7 **for each class in which you are entitled to vote.**

8 The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of
9 the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if
10 the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number
11 of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the
12 applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not
13 obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and
14 equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan
15 and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

16 **If your Ballot is not received on or before [•] [•], 2025 at 5:00 P.M. (PT) and such**
17 **deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.**
18 **To have your vote counted, please complete, sign, and date this ballot and return it so that it is**
19 **received no later than the Voting Deadline, as follows:**

20 **SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY**

21 **YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED**
22 **ENVELOPE)**
23 **OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

24 **The Roman Catholic Bishop of Oakland**
25 **Ballot Processing c/o Verita**
26 **222 N. Pacific Coast Highway, 3rd Floor**
27 **El Segundo, CA 90245**

28 **OR**

ELECTRONIC ONLINE SUBMISSION

Alternatively, parties may submit a Ballot via electronic online transmission solely through the
customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website,
<https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting
Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper
ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your
customized E-Ballot:

Unique E-Ballot ID#: _____

1
2 PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE
3 COMPLETING THIS BALLOT.

4 PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE
5 ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE
6 INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE
7 LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN
8 CAST.

9 **PLEASE COMPLETE THE FOLLOWING:**

10 **Item 1. Certification of Claim.** For purposes of voting to accept or reject the Joint Plan, the undersigned
11 certifies that as of the Voting Record Date, the undersigned holds a Claim in Class 4 (Abuse Claims)
12 against the Debtor.

13 **Item 2. Vote to Accept or Reject the Plan.** Please vote below either to accept or to reject the Plan with
14 respect to your Claim in Class 4. Any Ballot not marked either to accept or reject the Plan, or marked both
15 to accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan.
16 The undersigned, the holder of Claim in Class 4 (Abuse Claims) set forth in Item 1, votes as follows
17 (check *only* one box below):

18 ACCEPTS THE PLAN

19 REJECTS THE PLAN

20 **Item 3. Election Regarding Immediate Payment.** Under section 9.7 of the Plan, Holders of Class 4
21 Claims (also called Abuse Claims) have the option of electing to receive an Immediate Payment (as
22 defined in section 1.1.65 of the Plan) within 30 days of the Effective Date in the amount of \$50,000. If
23 you elect to receive an Immediate Payment, all recovery on your Abuse Claim is limited to the Immediate
24 Payment, and you will not be able to seek any additional recovery on account of the Abuse Claim from
25 any other party, including Non-Settling Insurers. Correspondingly, if you elect the Immediate Payment,
26 your Abuse Claim will not be scored or subject to Claim objections.

27 If you wish to elect to receive the Immediate Payment, you may do so by checking the box below.
28 Alternatively, you may elect to receive the Immediate Payment at any time prior to the Effective Date of
the Plan. **Before making the election below, you should carefully read Sections I.C. and VII.F of the
Disclosure Statement.** If you do not make an election prior to the Effective Date of the Plan, you will be
considered to have not elected the Immediate Payment, and will be paid as a Trust Claimant.

The undersigned, the holder of the Claim in Class 4 (Abuse Claims) set forth in Item 1, elects as follows
(check *only* one box below):

I elect to receive an Immediate Payment as the sole distribution I will receive under
the Plan.

I DO NOT elect to receive an Immediate Payment.

1 **Item 4. Opt-Out of Third-Party ~~Releases~~Release.** The checkbox below is for purposes of
2 indicating whether you decline to grant the Third-Party ~~Releases~~Release as provided in Section 13.9 of
3 the Plan, and described in Article II and Article III.F., III.G., and III.I. of the Disclosure Statement. **If you
do not wish to grant the releases in Section 13.9 of the Plan, then you need to check the box below.**

4 By checking this box, the undersigned Holder of a Claim in Class 4 (Abuse Claims):

5 Elects **not** to grant the ~~Third-Party~~Third-Party Release contained in Section 13.9 of the
6 Plan.

7 **YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE
8 ~~THIRD-PARTY~~THIRD-PARTY RELEASE. If you return this Ballot without checking the box to
opt-out, you will be deemed to consent to the Third-Party Release.**

9 As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman
10 Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the
11 number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party
12 Release. **Opting out of the Third-Party Release may therefore reduce the amount available for
distribution to Abuse Claimants.** More information on ~~the RCWC~~RCWC’s contribution is provided in
the Disclosure Statement.

13 Please also be advised that the debtor release contained in section 13.8 of the plan is separate from and
14 independent of the ~~third-party release~~Third-Party Release. If you object to the debtor release, you must
15 file a separate objection with the bankruptcy court in accordance with the procedures described in the
disclosure statement order.

16 **Item 5. Acknowledgments.** By signing this Ballot, the undersigned acknowledges receipt of a
17 copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and
18 acknowledges that the solicitation is being made pursuant to the terms and conditions set forth therein.
19 The undersigned claimant certifies that as of the Voting Record Date he or she is the holder of the Claim
20 identified in Item 1 above (or is the authorized signatory of such holder). The undersigned understands
21 that an otherwise properly completed, executed, and returned Ballot failing to indicate either acceptance
22 or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

21 _____
Print Name of Creditor

22 _____
Signature

23 _____
Name and Title of Signatory (if different that creditor)

24 _____
Street Address

25 _____
E-mail Address

26 _____
Telephone Number

27 _____
Date Completed

1 **VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT**

- 2 1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan.
3 The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto.
4 **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE**
5 **COMPLETING THE BALLOT.**
- 6 2. Item 1. Confirm that Item 1 is correct.
- 7 3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of
8 the Plan (not both). If you hold multiple claims in Class 4, the Debtor will aggregate those claims for
9 voting purposes as one (1) claim. You must vote your entire Class 4 Claim to accept or reject the Plan.
10 You may not split your vote.
- 11 4. Item 3. Indicate whether you wish to elect the Immediate Payment by checking the appropriate box.
- 12 5. Item 4. Review the information provided and indicate whether you opt out of providing the releases
13 in Section 13.9 of the Plan ~~by returning the accompanying Opt-Out Release Form.~~ If you wish to opt
14 out, check the box in Item 4 on the Ballot. If you wish to not opt out, leave the box unchecked.
- 15 6. Item 5. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing
16 all the information requested in Item 5.
- 17 7. **SIGN THE BALLOT.**
- 18 8. The Debtor will not count any executed ballot received that either (a) does not indicate either an
19 acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.
- 20 9. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**
- 21 10. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with
22 such person or entity and the capacity in which you are signing and, if requested, submit satisfactory
23 evidence of your authority to do so (e.g., a power of attorney).
- 24 11. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.
- 25 12. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not
26 entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and
27 void and deemed withdrawn without any requirement of affirmative action by or notice to you.

28 **IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A
RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT
OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED
MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT
AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL
RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT,
PROVIDE LEGAL ADVICE.**

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

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Schedule 1 to Class 4 Ballot: Third-Party Release From Plan

Releases by Holders of Abuse Claims. As of the Effective Date, except for the rights that remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order, pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate and implement the reorganization of the Debtor, as an integral component of the Plan, and except as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent permitted under applicable law, as such law may be extended subsequent to the Effective Date, all Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse Claims that are Disputed Claims) that ~~have~~timely return a Ballot but do not affirmatively ~~opted~~opt out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the Released Parties and their respective property and successors and assigns of and from all Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from or related in any way to such Abuse Claims.

Injunction Related to Releases. As of the Effective Date, and except as set forth in Articles VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 ~~of the Plan~~hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against any Released Party or its property or successors or assigns on account of or based on the subject matter of such Claims, whether directly or indirectly, derivatively or otherwise:
(a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or

1 other proceeding (including any judicial, arbitral, administrative or other proceeding) in any
2 forum; (b) enforcing, attaching (including, without limitation, any prejudgment attachment),
3 collecting, or in any way seeking to recover any judgment, award, decree, or other order;
4 (c) creating, perfecting or in any way enforcing in any matter, directly or indirectly, any lien or
5 encumbrance; and/or (d) setting off, seeking reimbursement or contributions from, or subrogation
6 against, or otherwise recouping in any manner, directly or indirectly, any amount against any
7 liability or obligation that is discharged under Section 13.3 of the Plan or released under
8 Section 13.9 of the Plan.

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EXHIBIT D
Cumulative Redline of Revised Form of Ballot for Class 5

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4 In re:

Case No. 23-40523 WJL

5 THE ROMAN CATHOLIC BISHOP OF
6 OAKLAND, a California corporation sole,

Chapter 11

Debtor.

7 **BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF**
8 **REORGANIZATION**

9 *CLASS 5 – Unknown Abuse Claims*

10 **THE VOTING DEADLINE TO ACCEPT OR REJECT**
11 **THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,**
12 **ON [•] [•], 2025 (the “Voting Deadline”)**

13 This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Chapter*
14 *11 Debtor's Amended Plan of Reorganization for The Roman Catholic Bishop of Oakland dated*
15 *November 8, 2024* dated and filed on *January 3, 2025* (as may be amended from time to time, the “Plan”),
16 for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Bankruptcy Case.¹

17 **Please use this Ballot to cast your vote to accept or reject the Plan on behalf of Holders of**
18 **Unknown Abuse Claims (as defined in the Plan) against the Debtor based on sexual abuse that**
19 **arose before the May 8, 2023, filing of the Debtor's Bankruptcy Case.**

20 In addition, the Plan provides that if the Plan is confirmed, certain release, injunction,
21 exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the
22 Effective Date of the Plan. These include the “Releases by Holders of Abuse Claims” set forth in
23 Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “~~Third-Party~~ Third-Party
24 Release”). The Third-Party Release provides for release by consenting claimants of claims against
25 certain non-debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.

26 In accordance with the terms of the Plan, by casting this Ballot to vote either to accept or
27 reject the Plan you will be deemed to grant the ~~Third-Party~~ Third-Party Release unless you “opt
28 out” of the ~~Third-Party~~ Third-Party Release by checking the box in Item 3 below.

29 The Bankruptcy Court has approved ~~an Amended~~ Disclosure Statement for Debtor's Amended
30 Plan of Reorganization dated and filed on November 8/January 3, 2024/2025 (the “Disclosure
31 Statement”) with respect to the Plan. A copy of the Disclosure Statement, along with the Plan, was
32 included in the package of materials you received with this Ballot (the “Solicitation Package”). The
33 Disclosure Statement provides information to assist you in deciding how to vote on the Plan. If you do
34 not have the Solicitation Package, you may obtain a copy free of charge from the website for the Chapter
35 11 Case at <https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.

1 file with the Office of the Clerk of the Court for review during normal business hours (a fee may be
2 charged).

3 **You should review the Disclosure Statement and the Plan in their entirety before you vote.**
4 **You may wish to seek independent legal advice concerning the Plan and the classification and
5 treatment of the Unknown Abuse Claims under the Plan.**

6 The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of
7 the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if
8 the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number
9 of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the
10 applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not
11 obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and
12 equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan
13 and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

14 **If your Ballot is not received on or before [•] [•], 2025 at 5:00 P.M. (PT) and such
15 deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.
16 To have your vote counted, please complete, sign, and date this ballot and return it so that it is
17 received no later than the Voting Deadline, as follows:**

18 **SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY**

19 **YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED
20 ENVELOPE)
21 OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

22 **The Roman Catholic Bishop of Oakland
23 Ballot Processing c/o Verita
24 222 N. Pacific Coast Highway, 3rd Floor
25 El Segundo, CA 90245**

26 **OR**

27 **ELECTRONIC ONLINE SUBMISSION**

28 **Alternatively, parties may submit a Ballot via electronic online transmission solely through the
customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website,
<https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting
Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper
ballot.**

**IMPORTANT NOTE: You will need the following information to retrieve and submit your
customized E-Ballot:**

Unique E-Ballot ID#:

1
2 PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE
3 COMPLETING THIS BALLOT.

4 PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE
5 ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE
6 INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE
7 LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN
8 CAST.

9 **PLEASE COMPLETE THE FOLLOWING:**

10 **Item 1. Certification of Claim.** For purposes of voting to accept or reject the Joint Plan, the undersigned
11 certifies that as of the Voting Record Date, the undersigned is the duly appointed Unknown Abuse Claims
12 Representative in this Bankruptcy Case for holders Claim in Class 5 (Unknown Abuse Claims) against
13 the Debtor. For voting purposes only, you will vote a single Class 5 Claim valued at \$1.00. This amount
14 shall have no effect on the amount of any distribution a Class 5 Claim may receive and is solely for
15 purposes of tabulating votes.

16 **Item 2. Vote to Accept or Reject the Plan.** Please vote below either to accept or to reject the Plan with
17 respect to the Class 5 Claims. Any Ballot not marked either to accept or reject the Plan, or marked both to
18 accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan. The
19 undersigned, the Unknown Abuse Claims Representative on behalf of Class 5 Unknown Abuse Claims
20 votes as follows (check *only* one box below):

21 ACCEPTS THE PLAN

22 REJECTS THE PLAN

23 **Item 3. Opt-Out of Third-Party ~~Releases~~Release.** The checkbox below is for purposes of
24 indicating whether you decline on behalf of the Holders of Unknown Abuse Claims to grant the Third-
25 Party ~~Releases~~Release as provided in Section 13.9 of the Plan, and described in Article II and Article
26 III.F., III.G., and III.I. of the Disclosure Statement. **If you do not wish to grant the releases in Section
27 13.9 of the Plan, then you need to check the box below.**

28 By checking this box, the undersigned Unknown Abuse Claims Representative:

Elects **not** to grant the ~~Third-Party~~Third-Party Release contained in Section 13.9 of the
Plan.

**YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE
THIRD-PARTYTHIRD-PARTY RELEASE. If you return this Ballot without checking the box to
opt-out, Holders of Unknown Abuse Claims will be deemed to consent to the Third-Party Release.**

As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The
Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on
the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party
Release. **Opting out of the Third-Party Release may therefore reduce the amount available for
distribution to Abuse Claimants.** More information on ~~the RCWC~~RCWC’s contribution is provided in
the Disclosure Statement.

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Item 4. Acknowledgments. By signing this Ballot, the undersigned acknowledges receipt of a copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth herein. The undersigned claimant certifies that as of the Voting Record Date he or she is the duly appointed Unknown Abuse Claims Representative. The undersigned understands that an otherwise properly completed, executed, and timely returned Ballot failing to indicate either acceptance or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

Print Name of Creditor

Signature

Name and Title of Signatory (if different than creditor)

Street Address

E-mail Address

Telephone Number

Date Completed

1 **VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT**

2 1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan.
3 The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto.
4 **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THE BALLOT.**

5 2. Item 1. Confirm that the information in Item 1 of the Ballot is correct.

6 3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of
7 the Plan (not both).

8 ~~4. Item 3. Indicate whether you wish to elect the Immediate Payment by checking the appropriate box.~~

9 ~~4. 5-Item 43. Review the information provided and indicate whether you opt out of providing the releases~~
10 ~~in Section 13.9 of the Plan by returning the accompanying Opt-Out Release Form. If you wish to opt~~
11 ~~out, check the box in Item 4 on the Ballot. If you wish to not opt out, leave the box unchecked.~~

12 ~~5. 6-Item 54. Review the certifications and acknowledgements in Item 5. Complete the Ballot by~~
13 ~~providing all the information requested in Item 5.~~

14 ~~6. 7-SIGN THE BALLOT.~~

15 ~~7. 8-The Debtor will not count any executed ballot received that either (a) does not indicate either an~~
16 ~~acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.~~

17 ~~8. 9-BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.~~

18 ~~9. 10-If you are completing this Ballot on behalf of another person or entity, indicate your relationship~~
19 ~~with such person or entity and the capacity in which you are signing.~~

20 ~~10. 11-The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.~~

21 ~~11. 12-In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not~~
22 ~~entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and~~
23 ~~void and deemed withdrawn without any requirement of affirmative action by or notice to you.~~

24 **IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A**
25 **RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT**
26 **OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED**
27 **MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT**
28 **AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL**
RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT,
PROVIDE LEGAL ADVICE.

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

1 Schedule 1 to Class 5 Ballot: Third-Party Release From Plan

2
3 *Releases by Holders of Abuse Claims.* As of the Effective Date, except for the rights that
4 remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order,
5 pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the
6 adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate
7 and implement the reorganization of the Debtor, as an integral component of the Plan, and except
8 as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent
9 permitted under applicable law, as such law may be extended subsequent to the Effective Date, all
10 Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse
11 Claims that are Disputed Claims) that ~~have~~timely return a Ballot but do not affirmatively ~~opted~~opt
12 out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly,
13 conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and
14 all of the Released Parties and their respective property and successors and assigns of and from all
15 Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or
16 unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or
17 hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or
18 alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or
19 otherwise, arising from or related in any way to such Abuse Claims.

20
21 *Injunction Related to Releases.* As of the Effective Date, and except as set forth in Articles
22 VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor
23 (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 ~~of the~~
24 ~~Plan~~hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and
25 forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions
26 against any Released Party or its property or successors or assigns on account of or based on the
27 subject matter of such Claims, whether directly or indirectly, derivatively or otherwise:
28 (a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or

1 forum; (b) enforcing, attaching (including, without limitation, any prejudgment attachment),
2 collecting, or in any way seeking to recover any judgment, award, decree, or other order;
3 (c) creating, perfecting or in any way enforcing in any matter, directly or indirectly, any lien or
4 encumbrance; and/or (d) setting off, seeking reimbursement or contributions from, or subrogation
5 against, or otherwise recouping in any manner, directly or indirectly, any amount against any
6 liability or obligation that is discharged under Section 13.3 of the Plan or released under
7 Section 13.9 of the Plan.

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Summary report:	
Litera Compare for Word 11.7.0.54 Document comparison done on 1/10/2025 3:19:04 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: nd://4906-3219-6620/1/RCBO - Revised Forms of Ballots for 1-3-2025 Filing.docx	
Modified DMS: nd://4908-3678-6701/1/RCBO - AMENDED Revised Forms of Ballots (drafted January 8, 2025).docx	
Changes:	
<u>Add</u>	66
Delete	60
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	126

EXHIBIT E

Revised Form of Confirmation Hearing Notice

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1 **FOLEY & LARDNER LLP**

2 Thomas F. Carlucci (CA Bar No. 135767)

3 Tel: (415) 984-9824; tcarlucci@foley.com

4 Shane J. Moses (CA Bar No. 250533)

5 Tel: (415) 438-6404; smoses@foley.com

6 Emil P. Khatchatourian (CA Bar No. 265290)

7 Tel: (312) 832-5156; ekhatchatourian@foley.com

8 Ann Marie Uetz (admitted *pro hac vice*)

9 Tel: (313) 234-7114; auetz@foley.com

10 Matthew D. Lee (admitted *pro hac vice*)

11 Tel: (608) 258-4203; mdlee@foley.com

12 Geoffrey S. Goodman (*pro hac vice* requested)

13 Tel: (312) 832-4515; ggoodman@foley.com

14 Mark C. Moore (admitted *pro hac vice*)

15 Tel: (214) 999-4150; mmoore@foley.com

16 555 California Street, Suite 1700

17 San Francisco, CA 94104-1520

18 *Counsel for the Debtor
and Debtor in Possession*

19 **UNITED STATES BANKRUPTCY COURT**

20 **NORTHERN DISTRICT OF CALIFORNIA**

21 **OAKLAND DIVISION**

22 In re:

23 THE ROMAN CATHOLIC BISHOP OF
24 OAKLAND, a California corporation sole,

25 Debtor.

26 Case No. 23-40523 WJL

27 Chapter 11

28 **NOTICE OF (A) HEARING TO CONSIDER
CONFIRMATION OF CHAPTER 11 PLAN
OF REORGANIZATION; (B) DEADLINES
FOR VOTING TO ACCEPT OR REJECT
PLAN AND FILING ANY OBJECTIONS TO
PLAN; AND (C) RELATED MATTERS**

Judge: Hon. William J. Lafferty

Date: [TBD]

Time: [TBD]

Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612

29 **TO: THE COURT, ALL HOLDERS OF CLAIMS, AND PARTIES-IN-INTEREST**

1 **PLEASE TAKE NOTICE THAT:**

2 **Approval of Disclosure Statement.** On [•] [•], 2025, the United States Bankruptcy Court
3 for the Northern District of California (the “Bankruptcy Court”) entered an order [Docket. No [•]] (the
4 “Disclosure Statement Order”) approving the *Amended Disclosure Statement for Debtor’s Amended Plan*
5 *of Reorganization* dated and filed on January 3, 2025 [Docket No. 1595] (the “Disclosure Statement”) in
6 connection with the *Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 [Docket
7 No. 1594] (together with the Plan Supplement and Exhibits thereto, as they may be amended, the “Plan”).¹
8 The Disclosure Statement Order authorizes the Debtor to solicit votes to accept or reject the Plan pursuant
9 to chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”).

10 If you wish to review the Plan, Disclosure Statement, and/or Disclosure Statement Order (the “Plan
11 Documents”), you may receive a copy of the Plan Documents free of charge from Kurtzman Carson
12 Consultants, LLC dba Verita Global, the balloting agent retained by the Debtor in this Chapter 11 Case
13 (“Verita”), by: (a) accessing the Chapter 11 case website at <https://veritaglobal.net/rcbo>; (b) writing to
14 The Roman Catholic Bishop of Oakland Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd
15 Floor El Segundo, CA 90245; (c) emailing at: RCBOInfo@veritaglobal.com; and/or (d) calling the case
16 hotline at (866) 662-2072. Please be advised that Verita is authorized to answer questions and provide
17 additional copies of solicitation materials but may **not** advise you as to whether you should object to the
18 Plan, or provide any other legal advice. You may also obtain copies of any pleadings filed in this Chapter
19 11 Case for a fee via PACER at: <https://ecf.canb.uscourts.gov/bankruptcy>.

20 **INFORMATION REGARDING CONFIRMATION HEARING**

21 **Confirmation Hearing.** A hearing to consider confirmation of the Plan (the “Confirmation
22 Hearing”), shall commence at [•] a.m. (prevailing Pacific time) on [•] [•], 2025 at the United
23 States Bankruptcy Court, 1300 Clay Street, Oakland, California, before the Honorable William J. Lafferty,
24 United States Bankruptcy Judge. The Confirmation Hearing may be adjourned or continued from time to
25 time without further notice except as announced in open court or filed on the Court’s docket. The Debtor
26 may modify the Plan, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance
27 with the terms of the Plan without further notice.

28 The Hearing will be held in person in the courtroom, provided that (1) parties in interest may
attend by Zoom Webinar/AT&T Teleconference; (2) additional information is available on Judge
Lafferty’s Procedures page on the Court’s website, which is <http://www.canb.uscourts.gov>; and (3)
information on how to attend the hearing by Zoom Webinar/AT&T Teleconference will be included
with each calendar posted under Judge Lafferty’s calendar on the court’s website.

29 **INFORMATION REGARDING VOTING TO CONFIRM OR REJECT PLAN**

30 **Record Date for Voting Purposes.** Only holders of Claims in Class 3 (General Unsecured
31 Claims), Class 4 (Abuse Claims), Class 5 (Unknown Abuse Claims), Class 6 (Non-Abuse Litigation
32 Claims), and Class 8 (OPF Claim), each as described in the Disclosure Statement and Plan, as of [•]
33 [•], 2024 (the “Voting Record Date”) are entitled to vote on the Plan.

34 **Voting Procedures.** If you are entitled to vote on the Plan, you will receive a Solicitation Package
35 which shall include a copy of (i) the Disclosure Statement Order, (ii) this Notice, (iii) the Disclosure
36 Statement, attached to which is the Plan, and (iv) a ballot (the “Ballot”). If you are a Holder of a Claim in
37 Class 4 or Class 5, your Ballot will also include a section whereby you may elect to opt out of certain
38 releases provided under the Plan. Please review the Ballot for specific instructions as to how to vote.
Failure to follow the voting instructions may disqualify your vote.

¹ All capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan and Disclosure Statement, as applicable.

1 **Voting Deadline.** The deadline to vote on the Plan is [•] [•], 2025 at 5:00 p.m. (prevailing
2 Pacific time) (the “Voting Deadline”). If you are entitled to vote on the Plan, your ballot must be sent by
3 first class mail, overnight mail or hand delivery to **The Roman Catholic Bishop of Oakland Ballot
4 Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245**, or submitted
5 via electronic online transmission solely through the customized online balloting portal (the “E-Balloting
6 Portal”) on the case website, <https://veritaglobal.net/rcbo> and must be **actually received** by the Voting
7 Deadline. **Otherwise your vote will not be counted.** **Ballots submitted by facsimile or email will not
8 be counted.**

9 **Creditors and Parties in Interest Not Entitled to Vote.** Only Holders of Claims in Classes 3, 4, 5,
6, and 8 are entitled to vote on the Plan. Holders of Administrative Claims, Priority Tax Claims, Professional
7 Fee Claims, and U.S. Trustee Fee Claims (the “Unclassified Claims”), and Holders of Claims in Class 1
8 (RCC Secured Claim), Class 2 (Priority Unsecured Claims, other than Unclassified Claims), Class 7A
9 (Contribution Claims Related to Class 4 Claims), and Class 7B (Contribution Claims Related to Class 5
10 Claims) are not entitled to vote on the Plan. Such holders will receive a Notice of Non-Voting Status instead
11 of a Ballot. If you have timely filed a Proof of Claim and disagree with the Debtor’s classification of,
12 objection to, or request for estimation of your Claim and believe you should be entitled to vote on the Plan,
13 then you must serve counsel for the Debtor and file with the Court a motion (a “Rule 3018 Motion”) for an
14 order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) temporarily
15 allowing your claim in a different amount or in a different class for purposes of voting to
16 accept or reject the Plan. All Rule 3018 Motions must be filed **on or before [•] [•], 2025**. As to
17 any creditor filing a Rule 3018 Motion, such creditor’s Ballot will not be counted unless/until otherwise
18 ordered by the Court. Creditors may contact the Debtor’s counsel at the contact information listed herein
19 to receive an appropriate Ballot for any claim for which a proof of claim has been timely filed and a Rule
20 3018 Motion has been granted. **Rule 3018 Motions that are not timely filed and served in the manner
21 set forth above will not be considered.**

22 **OBJECTIONS TO CONFIRMATION OF THE PLAN**

23 Objections to confirmation of the Plan, if any, must (a) be in writing; (b) conform to the Bankruptcy
24 Rules and the Local Rules; (c) state the basis for the objection, and the specific grounds therefor; and (d) be
25 filed with the Court and served so as to be actually received not later than [•] [•], 2025, by (i) counsel
26 to the Debtor, Foley & Lardner, LLC, 555 California Street, Ste. 1700, San Francisco, CA 94104, Attn: Ann
27 Marie Uetz (auetz@foley.com), Matthew Lee (mdlee@foley.com), and Shane Moses (smoses@foley.com);
28 (ii) the Office of the United States Trustee for the Northern District of California, Office of the United States
Trustee, 450 Golden Gate Avenue, Room 05-0153, San Francisco, California 94102, Attn: Jason Blumberg
(jason.blumberg@usdoj.gov), (iii) counsel to the Official Committee of Unsecured Creditors, Keller
Benvenuti Kim LLP, 425 Market Street, 26th Floor San Francisco, California 94105, Attn: Gabrielle L.
Albert (galbert@kbkllp.com) and Lowenstein Sandler LLP, One Lowenstein Drive Roseland, New Jersey
07068, Attn: Jeffrey D. Prol (jprol@lowenstein.com) and Brent Weisenberg
(bweisenberg@lowenstein.com); and (iv) those persons who have formally appeared and requested service
in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure. **Any objections not timely
filed and served in accordance with the provisions set forth above may not be considered by the Court.
Failure to file and serve a timely objection may result waiver of any objection.**

29 **PLAN RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS**

30 The Plan proposes certain releases, injunctions, and exculpations in furtherance of the Plan,
31 **including releases by Holders of Claims in Class 4 (Abuse Claims), and Class 5 (Unknown Abuse
32 Claims) of Claims against certain non-debtor entities.** The Plan provides the Debtor (including its
33 Churches), other related entities including the Roman Catholic Welfare Corporation of Oakland
34 (“RCWC”) and Adventus (together with RCWC, the “Contributing Non-Debtor Catholic Entities”), and
35 Settling Insurers (as defined in the Plan), shall receive the benefit of certain releases, exculpation, and
36 injunctions, which are summarized below, and set forth in more detail in the Disclosure Statement and in
37 the Plan.

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Exculpation. Section 13.6 of the Plan provides that the (a) the Exit Facility Lender, (b) the Debtor, including the Churches, (c) the Reorganized Debtor, including the Churches, (d) the Committee, (e) the Committee’s members, (f) each Contributing Non-Debtor Catholic Entity, (g) the College of Consulters of the Diocese of Oakland and each of its members, (h) The Diocese of Oakland Finance Council and each of its members, (i) the Presbyteral Council of the Diocese of Oakland and each of its members, (j) the Meditators, (k) the Unknown Abuse Claims Representative, and (l) for each of the foregoing, their respective officers, directors, agents, employees, equity holders, attorneys, financial advisors, accountants, representatives, and other duly authorized employed Professionals in this Chapter 11 Case, will be released from certain of their acts and omissions that occurred from the Petition Date though Effective Date, or in preparation of the Chapter 11 Case. None of these parties will be exculpated for (i) any express contractual obligation owing by any such Person or Entity, (ii) willful misconduct or gross negligence, and (iii) with respect to Professionals, liability arising from claims of professional negligence which shall be governed by the standard of care otherwise applicable to professional negligence claims under applicable non-bankruptcy law. Nor shall these parties be exculpated with respect to their respective obligations or covenants arising under the Plan.

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Releases. The Plan states certain parties, including the Contributing Non-Debtor Catholic Entities, will be granted releases and a channeling injunction regarding all Abuse Claims to the extent such releases are granted by the Holders of those Claims in accordance with the terms of the Plan the (“Third-Party Release”). **If the Plan is confirmed, Holders of Class 4 or Class 5 Claims will not be able to recover directly from or pursue further litigation against such parties to the extent such Holders granted them releases in accordance with the terms of the Plan and recoveries on account of Class 4 and Class 5 Claims will be limited by the terms of the Plan.**

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Injunctions. The Plan provides for certain injunctions, including a channeling injunction which will channel certain Claims, including all Abuse Claims against the Debtor or any released claims against Contributing Non-Debtor Catholic Entities, into the Survivors’ Trust. This means that any Holder of a Claim that is channeled will no longer be permitted to pursue their Claim except as set forth in the Plan.

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If you are the Holder of an Abuse Claim in either Class 4 or are the Unknown Abuse Claims Representative on behalf of Class 5, you have the ability to opt out of providing the Third-Party Release of Contributing Non-Debtor Catholic Entities by affirmatively withholding consent or “opting out” of such Third-Party Release by checking the box on your Ballot indicating your decision to opt out of providing the Third-Party Release. Opting out of the Third-Party Release for Contributing Non-Debtor Catholic Entities does not change the proposed treatment for any Holder of an Abuse Claim except to the extent opting out results in a reduction of the amount such Contributing Non-Debtor Catholic Entity contributes to the Survivors’ Trust. As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants.** More information on RCWC’s contribution to the Survivors’ Trust and the Third-Party Release is provided in the Disclosure Statement.

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You may be deemed to grant Third-Party Release of Non-Debtor Catholic Entities under the Plan. Holders of Class 4 or Class 5 Claims are deemed under the Plan to have consented to the Third-Party Release pursuant to Section 13.9 of the Plan if: 1) they return a ballot voting for or against the Plan, and 2) they do not check the box indicating their election to opt out of the third-party release in favor of Contributing Non-Debtor Catholic Entities. Holders of Class 4 or Class 5 Claims that do not return a ballot will not be deemed to consent to the Third-Party Release.

1
2 **Opt-Out Deadline. The deadline for Holders of Class 4 or Class 5 Claims to submit a Ballot**
3 **indicating an election to opt out of the Third-Party Release is the Voting Deadline.**

4 If the Plan is confirmed by the Bankruptcy Court and the Effective Date occurs, all Holders of
5 Claims against the Debtor, including all Holders of Abuse Claims, will be bound the by the terms of the
6 Plan and the transactions contemplated thereby, including the release provisions contained therein
(including Holders of Claims who do not submit Ballots to accept or reject the Plan or who are not entitled
to vote on the Plan, but excluding Holders of Abuse Claims who are entitled to, and affirmatively do, opt
out of the release and channeling injunction provisions contained in the Plan).

7
8 DATED: January [], 2025

FOLEY & LARDNER LLP

Thomas F. Carlucci

Shane J. Moses

Emil P. Khatchatourian

Ann Marie Uetz

Matthew D. Lee

Geoffrey S. Goodman

Mark C. Moore

/s/ Shane J. Moses

Shane J. Moses

*Counsel for the Debtor
and Debtor in Possession*

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EXHIBIT F

Redline of Revised Form of Confirmation Hearing Notice

1 **FOLEY & LARDNER LLP**

2 Thomas F. Carlucci (CA Bar No. 135767)

3 Tel: (415) 984-9824; tcarlucci@foley.com

4 Shane J. Moses (CA Bar No. 250533)

5 Tel: (415) 438-6404; smoses@foley.com

6 [Emil P. Khatchatourian \(CA Bar No. 265290\)](#)

7 [Tel: \(312\) 832-5156; ekhatchatourian@foley.com](#)

8 Ann Marie Uetz (admitted *pro hac vice*)

9 Tel: (313) 234-7114; auetz@foley.com

10 Matthew D. Lee (admitted *pro hac vice*)

11 Tel: (608) 258-4203; mdlee@foley.com

12 [Geoffrey S. Goodman \(pro hac vice requested\)](#)

13 [Tel: \(312\) 832-4515; ggoodman@foley.com](#)

14 Mark C. Moore (admitted *pro hac vice*)

15 [Tel: \(214\) 999-4150; mmoore@foley.com](#)

16 ~~[Tel: \(214\) 999-4150; mmoore@foley.com](#)~~

17 555 California Street, Suite 1700

18 San Francisco, CA 94104-1520

19 *Counsel for the Debtor*
20 *and Debtor in Possession*

21 **UNITED STATES BANKRUPTCY COURT**

22 **NORTHERN DISTRICT OF CALIFORNIA**

23 **OAKLAND DIVISION**

24 In re:

25 THE ROMAN CATHOLIC BISHOP OF
26 OAKLAND, a California corporation sole,

27 Debtor.

28 Case No. 23-40523 WJL

Chapter 11

**NOTICE OF (A) HEARING TO CONSIDER
CONFIRMATION OF CHAPTER 11 PLAN
OF REORGANIZATION; (B) DEADLINES
FOR VOTING TO ACCEPT OR REJECT
PLAN AND FILING ANY OBJECTIONS TO
PLAN; AND (C) RELATED MATTERS**

Judge: Hon. William J. Lafferty

Date: [TBD]

Time: [TBD]

Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612

29 **TO: THE COURT, ALL HOLDERS OF CLAIMS, AND PARTIES-IN-INTEREST**

1 **PLEASE TAKE NOTICE THAT:**

2 **Approval of Disclosure Statement.** On [•] [•], ~~2024~~2025, the United States Bankruptcy
3 Court for the Northern District of California (the “Bankruptcy Court”) entered an order [Docket. No [•
4]] (the “Disclosure Statement Order”) approving the Amended Disclosure Statement for Debtor’s
5 Amended Plan of Reorganization dated and filed on ~~November 8~~January 3, ~~2024~~2025 [Docket No.
6 ~~1445~~1595] (the “Disclosure Statement”) in connection with the Debtor’s Amended Plan of
7 Reorganization dated and filed on ~~November 8~~January 3, ~~2024~~2025 [Docket No. ~~1444~~1594] (together
8 with the Plan Supplement and Exhibits thereto, as they may be amended, the “Plan).¹ The Disclosure
9 Statement Order authorizes the Debtor to solicit votes to accept or reject the Plan pursuant to chapter 11
10 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”).

11 If you wish to review the Plan, Disclosure Statement, and/or Disclosure Statement Order (the “Plan
12 Documents”), you may receive a copy of the Plan Documents free of charge from Kurtzman Carson
13 Consultants, LLC dba Verita Global, the balloting agent retained by the Debtor in this Chapter 11 Case
14 (“Verita”), by: (a) accessing the Chapter 11 case website at <https://veritaglobal.net/rcbo>; (b) writing to
15 The Roman Catholic Bishop of Oakland Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd
16 Floor El Segundo, CA 90245; (c) emailing at: RCBOInfo@veritaglobal.com; and/or (d) calling the case
17 hotline at (866) 662-2072. Please be advised that Verita is authorized to answer questions and provide
18 additional copies of solicitation materials but may **not** advise you as to whether you should object to the
19 Plan, or provide any other legal advice. You may also obtain copies of any pleadings filed in this Chapter
20 11 Case for a fee via PACER at: <https://ecf.canb.uscourts.gov/bankruptcy>.

21 **INFORMATION REGARDING CONFIRMATION HEARING**

22 **Confirmation Hearing.** A hearing to consider confirmation of the Plan (the “Confirmation
23 Hearing”), shall commence at [•] a.m. (prevailing Pacific time) on [•] [•], 2025 at the United
24 States Bankruptcy Court, 1300 Clay Street, Oakland, California, before the Honorable William J. Lafferty,
25 United States Bankruptcy Judge. The Confirmation Hearing may be adjourned or continued from time to
26 time without further notice except as announced in open court or filed on the Court’s docket. The Debtor
27 may modify the Plan, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance
28 with the terms of the Plan without further notice.

The Hearing will be held in person in the courtroom, provided that (1) parties in interest may attend by Zoom Webinar/AT&T Teleconference; (2) additional information is available on Judge Lafferty’s Procedures page on the Court’s website, which is <http://www.canb.uscourts.gov>; and (3) information on how to attend the hearing by Zoom Webinar/AT&T Teleconference will be included with each calendar posted under Judge Lafferty’s calendar on the court’s website.

21 **INFORMATION REGARDING VOTING TO CONFIRM OR REJECT PLAN**

22 **Record Date for Voting Purposes.** Only holders of Claims in Class 3 (General Unsecured
23 Claims), Class 4 (Abuse Claims), Class 5 (Unknown Abuse Claims), Class 6 (Non-Abuse Litigation
24 Claims), and Class 8 (OPF Claim), each as described in the Disclosure Statement and Plan, as of [•]
25 [•], 2024 (the “Voting Record Date”) are entitled to vote on the Plan.

26 **Voting Procedures.** If you are entitled to vote on the Plan, you will receive a Solicitation Package
27 which shall include a copy of (i) the Disclosure Statement Order, (ii) this Notice, (iii) the Disclosure
28 Statement, attached to which is the Plan, and (iv) a ballot (the “Ballot”). If you are a Holder of a Claim in
Class 4 or Class 5, ~~you will also receive an Opt-Out Release Form (the “Opt-Out Release Form”) for~~

¹ All capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan and Disclosure Statement, as applicable.

1 ~~purposes of indicating whether~~ your Ballot will also include a section whereby you may elect to opt out of
2 certain releases provided under the Plan. Please review the Ballot for specific instructions as to how to
vote. **Failure to follow the voting instructions may disqualify your vote.**

3 **Voting Deadline.** The deadline to vote on the Plan is [•] [•], 2025 at 5:00 p.m. (prevailing
4 Pacific time) (the “Voting Deadline”). ~~You~~ If you are entitled to vote on the Plan, your ballot must be
5 sent by first class mail, overnight mail or hand delivery to **The Roman Catholic Bishop of Oakland
Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245**, or
6 submitted via electronic online transmission solely through the customized online balloting portal (the “E-
Balloting Portal”) on the case website, <https://veritaglobal.net/rcbo> and must be **actually received** by the
7 Voting Deadline. **Otherwise your vote will not be counted.** Ballots submitted by facsimile or email
will not be counted.

8 **Creditors and Parties in Interest Not Entitled to Vote.** Only Holders of Claims in Classes 3, 4, 5,
9 6, and 8 are entitled to vote on the Plan. Holders of Administrative Claims, Priority Tax Claims, Professional
10 Fee Claims, and U.S. Trustee Fee Claims (the “Unclassified Claims”), and Holders of Claims in Class 1
11 (RCC Secured Claim), Class 2 (Priority Unsecured Claims, other than Unclassified Claims), Class 7A
12 (Contribution Claims Related to Class 4 Claims), and Class 7B (Contribution Claims Related to Class 5
13 Claims) are not entitled to vote on the Plan. Such holders will receive a Notice of Non-Voting Status instead
14 of a Ballot. If you have timely filed a Proof of Claim and disagree with the Debtor’s classification of,
15 objection to, or request for estimation of your Claim and believe you should be entitled to vote on the Plan,
16 then you must serve counsel for the Debtor and file with the Court a motion (a “Rule 3018 Motion”) for an
17 order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) temporarily
18 allowing your claim in a different amount or in a different class for purposes of voting to
19 accept or reject the Plan. All Rule 3018 Motions must be filed **on or before** [•] [•], 2025. As to
20 any creditor filing a Rule 3018 Motion, such creditor’s Ballot will not be counted unless/until otherwise
21 ordered by the Court. Creditors may contact the Debtor’s counsel at the contact information listed herein
22 to receive an appropriate Ballot for any claim for which a proof of claim has been timely filed and a Rule
23 3018 Motion has been granted. **Rule 3018 Motions that are not timely filed and served in the manner
24 set forth above will not be considered.**

OBJECTIONS TO CONFIRMATION OF THE PLAN

18 Objections to confirmation of the Plan, if any, must (a) be in writing; (b) conform to the Bankruptcy
19 Rules and the Local Rules; (c) state the basis for the objection, and the specific grounds therefor; and (d) be
20 filed with the Court and served so as to be actually received not later than [•] [•], 2025, by (i) counsel
21 to the Debtor, Foley & Lardner, LLC, 555 California Street, Ste. 1700, San Francisco, CA 94104, Attn: Ann
22 Marie Uetz (auez@foley.com), Matthew Lee (mdlee@foley.com), and Shane Moses (smoses@foley.com);
23 (ii) the Office of the United States Trustee for the Northern District of California, Office of the United States
24 Trustee, 450 Golden Gate Avenue, Room 05-0153, San Francisco, California 94102, Attn: Jason Blumberg
25 (jason.blumberg@usdoj.gov), (iii) counsel to the Official Committee of Unsecured Creditors, Keller
26 Benvenuti Kim LLP, 425 Market Street, 26th Floor San Francisco, California 94105, Attn: Gabrielle L.
27 Albert (galbert@kbkllp.com) and Lowenstein Sandler LLP, One Lowenstein Drive Roseland, New Jersey
28 07068, Attn: Jeffrey D. Prol (jprol@lowenstein.com) and Brent Weisenberg
(bweisenberg@lowenstein.com); and (iv) those persons who have formally appeared and requested service
in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure. **Any objections not timely
filed and served in accordance with the provisions set forth above may not be considered by the Court.
Failure to file and serve a timely objection may result waiver of any objection.**

PLAN RELEASE, ~~EXCLUPATION~~EXCULPATION, AND INJUNCTION PROVISIONS

27 The Plan proposes certain releases, injunctions, and exculpations in furtherance of the Plan,
28 **including releases by Holders of Claims in Class 4 (Abuse Claims), and Class 5 (Unknown Abuse
Claims) of Claims against certain non-debtor entities.** The Plan provides the Debtor (including its

1 Churches), other related entities including the Roman Catholic Welfare Corporation of Oakland
2 (“RCWC”) and Adventus (together with RCWC, the “Contributing Non-Debtor Catholic Entities”), and
3 Settling Insurers (as defined in the Plan), shall receive the benefit of certain releases, exculpation, and
4 injunctions, which are summarized below, and set forth in more detail in the Disclosure Statement and in
5 the Plan.

6 **Exculpation.** Section 13.6 of the Plan provides that the (a) the Exit Facility Lender,
7 (b) the Debtor, including the Churches, (c) the Reorganized Debtor, including the
8 Churches, (d) the Committee, (e) the Committee’s members, (f) each Contributing Non-
9 Debtor Catholic Entity, (g) the College of Consulters of the Diocese of Oakland and each
10 of its members, (h) The Diocese of Oakland Finance Council and each of its members, (i)
11 the Presbyteral Council of the Diocese of Oakland and each of its members, (j) the
12 Meditators, (k) the Unknown Abuse Claims Representative, and (l) for each of the
13 foregoing, their respective officers, directors, agents, employees, equity holders, attorneys,
14 financial advisors, accountants, representatives, and other duly authorized employed
15 Professionals in this Chapter 11 Case, will be released from certain of their acts and
16 omissions that occurred from the Petition Date through Effective Date, or in preparation of
17 the Chapter 11 Case. None of these parties will be exculpated for (i) any express contractual
18 obligation owing by any such Person or Entity, (ii) willful misconduct or gross negligence,
19 and (iii) with respect to Professionals, liability arising from claims of professional
20 negligence which shall be governed by the standard of care otherwise applicable to
21 professional negligence claims under applicable non-bankruptcy law. Nor shall these
22 parties be exculpated with respect to their respective obligations or covenants arising under
23 the Plan.

24 **Releases.** The Plan states certain parties, including the Contributing Non-Debtor
25 Catholic Entities, will be granted releases and a channeling injunction regarding all Abuse
26 Claims to the extent such releases are granted by the Holders of those Claims in accordance
27 with the terms of the Plan [the \(“Third-Party Release”\)](#). **If the Plan is confirmed, Holders
28 of Class 4 or Class 5 Claims will not be able to recover directly from or pursue further
litigation against such parties to the extent such Holders granted them releases in
accordance with the terms of the Plan and recoveries on account of Class 4 and Class
5 Claims will be limited by the terms of the Plan.**

29 **Injunctions.** The Plan provides for certain injunctions, including a channeling
30 injunction which will channel certain Claims, including all Abuse Claims against the
31 Debtor or any ~~of the released claims against~~ Contributing Non-Debtor Catholic Entities,
32 into the Survivors’ Trust. This means that any Holder of a Claim that is channeled will no
33 longer be permitted to pursue their Claim except as set forth in the Plan.

34 If you are the Holder of an Abuse Claim in either Class 4 or [are the Unknown Abuse Claims
35 Representative on behalf of](#) Class 5, you have the ability to opt out of providing the ~~releases and
36 channeling injunction provisions of the Plan (see Sections 13.9, 13.10, 13.12, and 13.13) as they relate to
37 the Third-Party Release of~~ Contributing Non-Debtor Catholic Entities by affirmatively withholding
38 consent or “opting out” of such ~~releases and injunctions by submitting the Opt Out Release Form included
with the solicitation package sent to Holders of Abuse Claims (the “Opt Out Release Form”)~~ [Third-Party
Release by checking the box on your Ballot indicating your decision to opt out of providing the Third-
Party Release.](#) Opting out of the ~~releases~~ [Third-Party Release](#) for Contributing Non-Debtor Catholic
Entities does not change the proposed treatment for any Holder of an Abuse Claim except to the extent
opting out results in a reduction of the amount such Contributing Non-Debtor Catholic Entity contributes
to the Survivors’ Trust. [As set forth in the Plan and Disclosure Statement, the contribution of up to \\$14.25
million by The Roman Catholic Welfare Corporation \(“RCWC”\) to the Survivors’ Trust will be reduced
depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the](#)

1 Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount**
2 **available for distribution to Abuse Claimants.** More information on RCWC's contribution to the
3 Survivors' Trust and the Third-Party Release is provided in the Disclosure Statement.

4 You may be deemed to grant ~~releases to third parties~~ **Third-Party Release of Non-Debtor**
5 **Catholic Entities** under the Plan. Holders of ~~a~~ **Class 4 or Class 5 Claim** ~~Claims are deemed under~~
6 ~~the Plan who do not affirmative opt out of the releases described in Section 13.9 of the Plan are~~
7 ~~deemed to have released the Contributing Non-Debtor Catholic Entities to have consented to the~~
8 ~~Third-Party Release pursuant to Section 13.9 of the Plan, and their Claims will then be subject to a~~
9 ~~channeling injunction pursuant to Section 13.12 of the Plan. A Holder of a Class 4 or Class 5 Claim~~
10 ~~will have consented to the releases in Section 13.9 of the Plan and the injunctions in Section 13.10 of~~
11 ~~the Plan if such Holder: (i) returns their Ballot and does not return the Opt-Out Release Form~~
12 ~~regardless of whether they vote to accept or reject the Plan; (ii) returns the Ballot and returns the~~
13 ~~Opt-Out Release Form, but does not affirmatively elect not to grant the release found in section 13.9~~
14 ~~of the Plan; or (iii) does not return either the Ballot or the Opt-Out Release Form, if: 1) they return~~
15 ~~a ballot voting for or against the Plan, and 2) they do not check the box indicating their election to~~
16 ~~opt out of the third-party release in favor of Contributing Non-Debtor Catholic Entities. Holders of~~
17 ~~Class 4 or Class 5 Claims that do not return a ballot will not be deemed to consent to the Third-~~
18 ~~Party Release.~~

19 **Opt-Out Deadline. The deadline for Holders of Class 4 or Class 5 Claims to submit a Ballot**
20 **indicating an election to opt out of the Third-Party Release is the Voting Deadline.**

21 If the Plan is confirmed by the Bankruptcy Court and the Effective Date occurs, all Holders of
22 Claims against the Debtor, including all Holders of Abuse Claims, will be bound the by the terms of the
23 Plan and the transactions contemplated thereby, including the release provisions contained therein
24 (including Holders of Claims who do not submit Ballots to accept or reject the Plan or who are not entitled
25 to vote on the Plan, but excluding Holders of Abuse Claims who are entitled to, and affirmatively do, opt
26 out of the release and channeling injunction provisions contained in the Plan).

27 ~~Opt-Out Deadline. The deadline to submit an Opt-Out Release Form is ~~[] []~~, 2024,~~
28 ~~at 5:00 p.m. (prevailing Pacific time) (the "Opt-Out Deadline"). Your Opt-Out Release Form must be~~
29 ~~sent by first class mail, overnight mail or hand delivery to The Roman Catholic Bishop of Oakland Ballot~~
30 ~~Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245, or submitted via~~
31 ~~electronic online transmission solely through the customized online balloting portal (the "E-Balloting~~
32 ~~Portal") on the case website, <https://veritaglobal.net/rebo> and must be *actually received* by the Opt-Out~~
33 ~~Release Form Deadline. **Otherwise your election to opt out of the releases in Section 13.9 of the Plan**~~
34 ~~**will not be effective.** Opt-Out Release Forms submitted by facsimile or email will not be counted.~~

35 DATED: ~~December~~ January [], ~~2024~~ 2025 **FOLEYFOLEY & LARDNERLARDNER LLP**
36 Thomas F. Carlucci
37 Shane J. Moses
38 Emil P. Khatchatourian
39 Ann Marie Uetz
40 Matthew D. Lee
41 Geoffrey S. Goodman
42 Mark C. Moore

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/s/ Shane J. Moses
Shane J. Moses

*Counsel for the Debtor
and Debtor in Possession*

Summary report:	
Litera Compare for Word 11.7.0.54 Document comparison done on 1/10/2025 4:08:44 PM	
Style name: New	
Intelligent Table Comparison: Inactive	
Original DMS: nd://4938-2442-6510/1/Original form of notice of confirmation hearing 11-13-2024.docx	
Modified DMS: nd://4920-2688-2574/1/RCBO - Revised Form of Notice of Confirmation Hearing.docx	
Changes:	
<u>Add</u>	49
Delete	33
Move From	1
<u>Move To</u>	1
<u>Table Insert</u>	2
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	86