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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

Chapter 11

**DEBTOR'S FIFTH MOTION FOR ENTRY
OF AN ORDER, PURSUANT TO
BANKRUPTCY RULES 9006 AND 9027,
ENLARGING THE PERIOD WITHIN
WHICH THE DEBTOR MAY REMOVE
ACTIONS PURSUANT TO 28 U.S.C. § 1452**

Judge: Hon. William J. Lafferty

Date: August 27, 2025

Time: 10:30 a.m.

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

DEBTOR'S FIFTH MOTION FOR ENLARGEM

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1 The Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor
2 in possession (the “Debtor”) in the above-captioned chapter 11 bankruptcy case (the “Chapter 11 Case”),
3 hereby files this motion (the “Motion”), for entry of an order, pursuant to Rules 9006(b) and 9027 of the
4 Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 9006-1 of the Bankruptcy
5 Local Rules of the United States Bankruptcy Court for the Northern District of California
6 (the “Bankruptcy Local Rules”), extending the period within which the Debtor may remove civil actions
7 and proceedings pursuant to 28 U.S.C. § 1452 and Bankruptcy Rule 9027 (the “Removal Period”) from
8 August 1, 2025, through and including January 30, 2026.

9 This Motion is based on the Memorandum of Points and Authorities set forth herein, the notice of
10 hearing on the Motion, the *Declaration of Attila Bardos in Support of Debtor’s Fifth Motion for Entry of*
11 *an Order, Pursuant to Bankruptcy Rules 9006 and 9027, Enlarging the Period Within Which the Debtor*
12 *May Remove Actions Pursuant to 28 U.S.C. § 1452* (the “Bardos Declaration”) filed concurrently herewith
13 and incorporated herein by reference, and upon such oral and documentary evidence as may be presented
14 at the hearing on the Motion.

15 The Debtor’s proposed form of order granting the relief requested herein is attached hereto as
16 **Exhibit A** (the “Proposed Order”).

17 ///

18 ///

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **INTRODUCTION**

4 The Debtor requests a fifth extension of the Removal Period during which it may remove civil
5 actions and proceedings pursuant to 28 U.S.C. § 1452 and Bankruptcy Rule 9027, for a period of a further
6 six months. The Debtor seeks this extension in light of its progress in the case to date and the ongoing
7 plan confirmation process.

8 The Debtor is subject to more than three hundred state court lawsuits filed by plaintiffs alleging
9 sexual abuse by clergy or others associated with the Debtor. These state court actions underlie the majority
10 of claims asserted in the Chapter 11 Case. The Debtor's objective in this Chapter 11 Case is to achieve
11 confirmation of a plan of reorganization that will (a) ensure a fair and equitable outcome for survivors of
12 sexual abuse, and (b) allow the Debtor to stabilize its finances, continue its mission to serve the needs of
13 the faithful within the Diocese of Oakland, and continue to provide services to underserved people and
14 groups in the East Bay.

15 The Debtor has made significant progress toward reorganization. After hard-fought negotiations
16 with certain of its historical insurance carriers (the "Insurers"), the Debtor has filed a confirmable plan of
17 reorganization (as further defined below, the "Plan"), which provides a fair and equitable outcome for
18 survivors of sexual abuse. Following a brief extension of the Plan confirmation schedule that was
19 necessary to provide time for the Debtor to sell assets to generate cash needed for professional fees and
20 effective date payments, the a status conference is currently set for November 12, 2025, to address
21 scheduling for Plan confirmation. The Debtor anticipates a confirmation hearing in early 2026.

22 In the meantime, the Court has granted limited relief from the automatic stay to allow six state
23 court actions (the "Test Cases") alleging childhood sexual abuse to go forward to judgment. Selection of
24 these Test Cases is to occur in connection with the pending coordinated proceedings in Alameda County
25 Superior Court, and the specific cases have not yet been identified and approved to move forward by the
26 Superior Court.

27 Extension of the Removal Period is necessary and appropriate so that the Debtor can ultimately
28 make the decision of whether to remove any of the pending state court actions in the context of any

1 resolution reached through the plan of reorganization the Debtor has proposed, and in light of the limited
2 modification of the stay and anticipated designation of the Test Cases, and any future developments
3 regarding the Test Cases and state court actions. The Debtor therefore requests that the Removal Period
4 be extended through January 30, 2026. The Debtor requests only an extension of the Removal Period
5 deadline, without waiver of any other defenses or rights of any kind that any party might seek to assert in
6 connection with any notice of removal the Debtor might ultimately file.

7 II.

8 JURISDICTION

9 This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is
10 a core proceeding pursuant to 28 U.S.C. § 157(b), the *Order Referring Bankruptcy Cases and Proceedings*
11 *to Bankruptcy Judges*, General Order No. 24 (N.D. Cal.), and Bankruptcy Local Rule 5011-1(a). Venue
12 for this matter is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. The legal basis for the
13 relief requested herein is 28 U.S.C. § 1452, and Bankruptcy Rules 9006 and 9027.

14 III.

15 BACKGROUND FACTS

16 A. General Background

17 On May 8, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for chapter 11
18 bankruptcy relief under title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy
19 Code”). The Debtor continues to operate its ministry and manage its properties as a debtor in possession
20 under sections 1107(a) and 1108 of the Bankruptcy Code. No trustee has been appointed in this Chapter
21 11 Case.

22 On May 23, 2023, the Office of the United States Trustee for Region 17 appointed the Committee
23 in this Chapter 11 Case. *See* Docket No. 66.

24 The Debtor is a corporation sole organized under the laws of the State of California. The Debtor
25 conducts its civil affairs under the laws of the State of California and the United States of America and in
26 accordance with the Code of Canon Law, the ecclesiastical law of the Roman Catholic Church. Additional
27 information regarding the Debtor, its mission, ministries, and operations, and the events and circumstances
28 preceding the Petition Date, is set forth in the *Declaration of Charles Moore, Managing Director of*

1 *Alvarez & Marsal North America, LLC, Proposed Restructuring Advisor to the Roman Catholic Bishop*
2 *of Oakland, in Support of Chapter 11 Petition and First Day Pleadings* [Docket No. 19] (the “First Day
3 Declaration”) and in the Disclosure Statement, both of which are incorporated herein by reference.

4 **B. The Debtor’s Post-Petition Activities and Case Progress**

5 After the initial period of the Chapter 11 case and resolution of its first day motions, the Debtor’s
6 efforts focused on the bar date and claims process, pursuing insurance coverage for sexual abuse claims
7 through the Insurance Coverage Litigation, and mediation with the Committee and Insurers toward
8 negotiated consensual plan terms. Since the last extension of the Removal Period, the Debtor’s focus in
9 this Chapter 11 Case has been confirming the Plan which included responding to discovery requests from
10 the Committee and addressing the Committee’s scorched earth litigation tactics, including filing two
11 adversary proceedings.

12 The Debtor has engaged in extensive mediation with both the Insurers and the Committee.
13 Following the conclusion of a virtual mediation session on November 6, 2024, and immediately prior to
14 the filing of its original plan, the Debtor and Insurers reached agreement on the terms of an insurance
15 assignment, the creation of the Survivors’ Trust (as defined in the Plan) and a “Litigation Option” for
16 Trust Claimants (as defined in the Plan) to pursue recovery under the pertinent insurance policies, all as
17 embodied in the Plan. This agreement was no small feat. The Debtor and Insurers have been adversaries
18 throughout this Chapter 11 Case on numerous important issues. The Debtor has not reached agreement
19 with the Committee on any Plan terms, although multiple aspects of the Plan align with the Committee’s
20 stated requests.

21 The Debtor continues to be focused on the plan confirmation process for the *Debtor’s Third*
22 *Amended Plan of Reorganization* [Docket No. 1830] (the “Plan”), filed on March 17, 2025. The Court
23 approved the *Third Amended Disclosure Statement for Debtor’s Third Amended Plan of Reorganization*
24 (the “Disclosure Statement”) [Docket 1874], by its *Order (I) Approving Third Amended Disclosure*
25 *Statement; (II) Establishing Procedures for Plan Solicitation, Notice, and Balloting.* [Docket No. 1877],
26 entered on April 4, 2025.

27 The Committee continues to actively oppose confirmation of the Plan, and the Court entered a pre-
28 confirmation scheduling order, governing, among other things, discovery between the parties in

1 anticipation of a contested confirmation hearing [Docket No. 1893] (the “Confirmation Scheduling
2 Order”).

3 On July 16, 2025, the Debtor filed its *Debtor’s Motion to Continue Confirmation Hearing and to*
4 *Reset Confirmation Schedule* [Docket No. 2147] (the “Motion to Continue”). This motion was necessary
5 in light of the unexpected high costs of litigation regarding the Plan, to allow the Debtor sufficient time to
6 sell certain real estate and other assets to generate needed cash reserves for professional fees and effective
7 date obligations. The Court granted the Motion to Continue and set a status conference regarding Plan
8 confirmation for November 12, 2025. [Docket No. 2162]. The Debtor intends to continue seeking
9 confirmation of the Plan under a schedule to be set at the November 12 status conference. The Debtor
10 remains committed to proceed with confirmation of the Plan, although a brief extension of the process
11 was necessary.

12 Subsequent to the approval of the Disclosure Statement, the Committee has engaged in a barrage
13 of litigation tactics. In addition to filing multiple motions for derivative standing, and two adversary
14 proceedings against the Debtor and other parties, on November 20, 2024, the Committee filed the *Motion*
15 *of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs’*
16 *Personal Injury Claims to Proceed in State Court* [Docket No. 1461] (the “Lift Stay Motion”), seeking to
17 allow six Test Cases to move forward in state court. After multiple hearings and rounds of argument, the
18 Court denied the Lift Stay Motion and both derivative standing motions, without prejudice, at hearings on
19 January 15, 16, and 21, 2025. The Committee also filed two adversary proceedings (the “Adversary
20 Proceedings”) against the Debtor and various non-debtor defendants. One of those Adversary
21 Proceedings, seeking substantive consolidation of non-debtor affiliated entities, has been dismissed with
22 prejudice. The second Adversary Proceeding has been narrowed substantially, and not specifically
23 addresses treatment of assets identified by the Debtor as donor-restricted.

24 While the Lift Stay Motion and standings motions were denied, the denials were without prejudice,
25 and on June 25, 2025, the Committee filed *Renewed Motion of the Official Committee of Unsecured*
26 *Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs’ Personal Injury Claims to Proceed in*
27 *State Court* (the “Renewed Lift Stay Motion”) [Docket No. 2093]. On July 25, 2025, the Court entered its
28 order granting the Renewed Lift Stay Motion [Docket No. 2168] (the “Lift Stay Order”). The Lift Stay

DEBTOR’S FIFTH MOTION FOR ENLARGEMENT OF TIME TO REMOVE CIVIL ACTIONS

1 Order terminated the stay solely to the extent necessary to allow six State Court Actions (the Test Cases)
2 to proceed to judgment, as directed by the State Court.

3 Notwithstanding the challenges posed by the Committee's actions, the Debtor has continued to
4 work toward addressing the Committee's concerns to the extent possible and ultimately seeking
5 confirmation of its Plan of reorganization. The Debtor remains confident that confirmation of the Plan is
6 in the best interest of all the Debtor's creditors and its estate.

7 **C. The State Court Actions and Claims**

8 As this Court is aware, the passage and enactment of California AB 218 allowed certain individuals
9 to bring what had been time-barred claims for childhood sexual abuse. As of May 4, 2023, immediately
10 before the Chapter 11 Case was filed, there were approximately 332 separate, active lawsuits (the
11 "Actions") and mediation demands pending against the Debtor filed by plaintiffs alleging sexual abuse by
12 clergy or others associated with the Debtor. *See* First Day Decl., at ¶ 84. The state court Actions are
13 coordinated along with other clergy abuse cases related to defendants in Northern California, in a Judicial
14 Council Coordination Proceeding in Alameda County Superior Court, identified as Judicial Council
15 Coordination Proceeding 5108 ("JCCP 5108"). The Debtor had neither the financial means nor the
16 practical ability to litigate all of the Actions. The Debtor commenced this Chapter 11 Case to allow all of
17 the sexual abuse claims to be asserted and addressed in a single forum – the Bankruptcy Court – and
18 ensure that all meritorious abuse claims be paid on a fair and equitable basis pursuant to an approved
19 chapter 11 plan. *Id.*

20 The claims asserted in this Chapter 11 Case are largely based on the allegations asserted in the
21 Actions filed in California Superior Court. In the early stages of the case, following extensive discussions
22 with the Committee, the Debtor secured approval of a motion to set September 11, 2023, as the bar date
23 and to approve claims procedures and proof of claim forms [Docket No. 181] (the "Bar Date Motion").
24 The Court entered the Bar Date Order on July 25, 2023, establishing September 11, 2023, as the bar date
25 for non-governmental claims (the "Bar Date"). Following the Bar Date, the Debtor and its professionals
26 began the process of analyzing the filed claims, with the assistance of its professionals.

27 Approximately 560 proofs of claim were filed, including 421 claims asserting the Debtor is liable
28 for damages relating to childhood sexual abuse. Based on the Debtor's initial review it appears there are

1 approximately 386 non-duplicate sexual abuse claims. There are a small number of non-abuse tort claims,
2 and the remainder of the filed claims are primarily commercial vendor claims. Many of the claims are
3 asserted to be of six-figure or seven-figure amounts. Many are listed as having an unknown amount. The
4 claims related to childhood sexual abuse present unique complexities of confidentiality, valuation,
5 procedure, and appropriate and equitable treatment of claims, which the Debtor strives to navigate through
6 the Plan.

7 As set forth above, the Lift Stay Order permits six Test Cases to proceed, with selection of the
8 specific Test Cases to be approved by the Superior Court in JCCP 5108. Selection of the Test Cases is in
9 process, but has not yet occurred.

10 **D. Previous Extensions of the Removal Period**

11 The Debtor has requested, and this Court has granted, four previous extensions of the Removal
12 Period in light of the circumstances of the case and the need to evaluate removal of the Actions in the
13 context of treatment of claims and the structure of the Debtor's Plan. On August 1, 2023, the Debtor filed
14 *Debtor's Motion for Entry of an Order, Pursuant to Bankruptcy Rules 9006 and 9027, Enlarging the*
15 *Period Within Which the Debtor May Remove Actions Pursuant to 28 U.S.C. § 1452* [Docket No. 318]
16 (the "First Motion"). The First Motion was granted by this Court's order entered August 22, 2023 [Docket
17 No. 387], extending the Removal Period through February 5, 2024. On January 10, 2024, the Debtor filed
18 *Debtor's Second Motion for Entry of an Order, Pursuant to Bankruptcy Rules 9006 and 9027, Enlarging*
19 *the Period Within Which the Debtor May Remove Actions Pursuant to 28 U.S.C. § 1452* [Docket No. 770]
20 (the "Second Motion"). The Second Motion was granted by this Court's order entered February 2, 2024
21 [Docket No. 840], extending the Removal Period through August 5, 2024. On July 31, 2024, the Debtor
22 filed *Debtor's Third Motion for Entry of an Order, Pursuant to Bankruptcy Rules 9006 and 9027,*
23 *Enlarging the Period Within Which the Debtor May Remove Actions Pursuant to 28 U.S.C. § 1452*
24 [Docket No. 1276] (the "Third Motion"). The Third Motion was granted by this Court's order entered
25 August 23, 2024 [Docket No. 1305], extending the Removal Period through February 3, 2025. On January
26 31, 2025, the Debtor filed *Debtor's Fourth Motion for Entry of an Order, Pursuant to Bankruptcy Rules*
27 *9006 and 9027, Enlarging the Period Within Which the Debtor May Remove Actions Pursuant to 28*
28 *U.S.C. § 1452* [Docket No. 1689] (the "Fourth Motion"). The Fourth Motion was granted by this Court's

DEBTOR'S FIFTH MOTION FOR ENLARGEMENT OF TIME TO REMOVE CIVIL ACTIONS

1 order entered March 3, 2025 [Docket No. 1797], extending the Removal Period through August 1, 2025
2 (the “Current Removal Deadline”).

3 **IV.**

4 **RELIEF REQUESTED**

5 By this Motion, the Debtor seeks entry of the Proposed Order, further extending the deadline by
6 which the Debtor may file notices of removal under 28 U.S.C. § 1452. Bankruptcy Rule 9027(a), by 180
7 days, from the Current Removal Deadline of August 1, 2025, through and including January 30, 2026, for
8 all matters encompassed by Bankruptcy Rule 9027(a)(2) and (3).

9 **V.**

10 **BASIS FOR RELIEF**

11 **A. The Removal Period May Be Extended For Cause**

12 Section 1452 of title 28 of the United States Code provides for the removal of pending claims in
13 civil actions related to bankruptcy cases. Section 1452 provides, in pertinent part:

14 A party may remove any claim or cause of action in a civil action other than
15 a proceeding before the United States Tax Court or a civil action by a
16 governmental unit to enforce such governmental unit’s police or regulatory
17 power, to the district court for the district where such civil action is pending,
if such district court has jurisdiction of such claim or cause of action under
section 1334 of this title.

18 28 U.S.C. § 1452(a).

19 Bankruptcy Rule 9027 establishes the deadlines for filing notices of removal of claims or causes
20 of action. Bankruptcy Rule 9027(a)(2) provides, in pertinent part:

21 If the claim or cause of action in a civil action is pending when a case under
22 the [Bankruptcy] Code is commenced, a notice of removal may be filed in
23 the bankruptcy court only within the longest of (A) 90 days after the order
24 for relief in the case under the [Bankruptcy] Code, (B) 30 days after entry
25 of an order terminating a stay, if the claim or cause of action in a civil action
has been stayed under § 362 of the [Bankruptcy] Code, or (C) 30 days after
a trustee qualifies in a chapter 11 reorganization case but not later than 180
days after the order for relief.

26 Fed. R. Bankr. P. 9027(a)(2).

27 With respect to postpetition actions, Bankruptcy Rule 9027(a)(3) provides that a notice of removal
28 may be filed:

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only within the shorter of (A) 30 days after receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim or cause of action sought to be removed or (B) 30 days after receipt of the summons if the initial pleading has been filed with the court but not served with the summons.

Fed. R. Bankr. P. 9027(a)(3).

Bankruptcy Rule 9006(b)(1), however, permits the Court to enlarge unexpired time periods, such as the Removal Period, without notice, upon a showing of cause:

Except as provided in paragraphs (2) and (3) of this subdivision, when an act is required or allowed to be done at or within a specified period by [the Bankruptcy Rules] or by a notice given thereunder or by order of court, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if the request therefor is made before the expiration of the period originally prescribed or as extended by a previous order or (2) on motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect.

Fed. R. Bankr. P. 9006(b)(1). As provided by Bankruptcy Rule 9006(b)(1), a request to enlarge time made before the expiration of the applicable period is timely. *See* Bankruptcy Procedure Manual: Federal Rules of Bankruptcy Procedure Ann. § 9006:3 (2023 ed.) (“The court has broad discretion in allowing an extension, so long as the request therefore . . . is made before the expiration of the period originally prescribed Thus, it should not be necessary that the order itself actually be filed within such period.”) (internal quotation marks omitted). This Motion is filed prior to the Current Removal Deadline and is therefore timely.

It is well-settled that this Court is authorized to extend, for cause, the removal period under 28 U.S.C. § 1452 and Bankruptcy Rule 9027. *See Pacor, Inc. v. Higgins*, 743 F.2d 984, 996 n.17 (3d Cir. 1984), overruled on other grounds by *Things Remembered, Inc. v. Petrarca*, 516 U.S. 124 (1995); *see also Caperton v. A.T. Massey Coal Co., Inc.*, 251 B.R. 322, 325 (S.D.W. Va. 2000) (explaining that Bankruptcy Rule 9006 provides authority to enlarge time periods for removing actions under Bankruptcy Rule 9027); *Raff v. Gordon*, 58 B.R. 988, 990 (E.D. Pa. 1986) (finding that an expansion of time to file notices of removal is authorized under the Bankruptcy Rules); *In re Jandous Elec. Constr. Corp.*, 106 B.R. 48 (Bankr. S.D.N.Y. 1989) (concluding that the period in which to file a notice of removal may be expanded pursuant to Bankruptcy Rule 9006); *In re World Fin. Servs. Ctr., Inc.*, 81 B.R. 33, 39 (Bankr. S.D. Cal.

1 1987) (providing that the United States Supreme Court intended to give bankruptcy judges the power to
2 enlarge the filing periods under Bankruptcy Rule 9027(a) pursuant to Bankruptcy Rule 9006(b)).

3 **B. Cause Exists to Enlarge the Removal Period**

4 In addition to overseeing its business operations, ministry, mission, and social service activities,
5 the Debtor must address and resolve in the Chapter 11 Case the numerous sexual abuse claims that have
6 been asserted against it. During the initial stages of this Chapter 11 Case, the Debtor's resources were
7 devoted to assuring a smooth transition into chapter 11 and minimizing the business disruptions normally
8 attendant thereto, attending to diligence requests from the Committee, and establishing a collaborative
9 working relationship with the U.S. Trustee, the Committee, and the Debtor's other economic stakeholders.

10 In the 26 months following the Petition Date, and following the initial phase of the case, the Debtor
11 has stabilized its operations as a debtor in possession and made significant progress in the Chapter 11
12 Case, as detailed in the Disclosure Statement. In particular, since the last extension of the Removal Period,
13 the Debtor has made substantial progress toward successfully emerging from Chapter 11, by obtaining
14 approval of the Disclosure Statement, defending itself against motions filed by the Committee, and greatly
15 narrowing the issues presented in the Adversary Proceedings. Most significantly, the Debtor has
16 completed solicitation of the Plan, obtaining the votes necessary for confirmation notwithstanding the
17 rejection of the Plan by creditors in Class 4 as strongly encouraged by the Committee.

18 As set forth above, the Debtor is party to numerous state court Actions and related proceedings.
19 Treatment of the approximately 421 claims in the Chapter 11 Case based on those state court Actions is
20 core to the Plan, and an essential topic for any further mediation with the Committee. To date, the Debtor
21 has not determined which, if any, of the Actions it may seek to remove in due course—if at all. This
22 decision ultimately will be informed by the structure and terms of the plan of reorganization that this Court
23 confirms.

24 Further, following entry of the Lift Stay Order, the stay is lifted to allow six Actions to proceed.
25 While the Debtor does not currently anticipate removing those actions prior to Plan confirmation, the
26 Debtor seeks time to further evaluate the merits of removal, including after selection of the six Test Cases.

27 Therefore, the Debtor believes that it is prudent to seek an enlargement of the time prescribed by
28 Bankruptcy Rule 9027(a), for an additional six months, to protect the Debtor's right to remove these

1 Actions if it determines that removal would be appropriate. The enlargement of time sought will continue
2 to allow the Debtor the ability to determine whether to remove any pending Action or Actions in light of
3 the ongoing Plan confirmation process as it develops and will ensure that the Debtor does not forfeit
4 valuable rights under 28 U.S.C. § 1452 in the meantime.

5 The requested enlargement of the Removal Period will not prejudice the rights of the state court
6 plaintiffs because the Actions remain stayed by virtue of the bankruptcy automatic stay pursuant to section
7 362 of the Bankruptcy Code. The only exception is allowed to proceed pursuant to the Lift Stay Order.
8 The parties in these cases will likewise not be prejudiced, as these were stayed until entry of the Lift Stay
9 Order, and have not had the opportunity to progress in the meantime. Further, any party to an Action that
10 is removed may seek to have the action remanded to state court pursuant to 28 U.S.C. § 1452(b). By
11 seeking an extension of the Removal Period deadline, the Debtor does not seek to prejudice or waive any
12 rights of any party in connection with any notice of removal that might ultimately be filed.

13 The Debtor further requests that the order approving this Motion be without prejudice to any
14 position the Debtor may take regarding whether section 362 of the Bankruptcy Code applies to stay any
15 given Action pending against the Debtor.

16 For the reasons set forth above, the Debtor submits that cause exists to enlarge the Removal Period
17 through and including January 30, 2026, and that granting the relief requested is necessary, prudent, and
18 in the best interests of the Debtor, its estate, and creditors.

19 VI.

20 RESERVATION OF RIGHTS

21 Nothing contained in this Motion is intended to be or shall be construed as (i) an admission as to
22 the validity of any claim against the Debtor, (ii) a promise to pay any claim, (iii) a waiver of the Debtor's
23 or any appropriate party in interest's rights to dispute any claim, or (iv) an approval or assumption of any
24 agreement, contract, program, policy, or lease under section 365 of the Bankruptcy Code.

25 The relief requested herein is without prejudice to (a) any position the Debtor may take regarding
26 whether section 362 of Bankruptcy Code applies to stay any given civil action pending against the Debtor
27 and (b) the Debtor's right to seek from this Court further extensions of the Removal Period.
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VII.

NOTICE

Notice of this Motion is being provided to the Core Service List pursuant to the Court's *Final Order Authorizing and Approving Special Noticing and Confidentiality Procedures* [Docket No. 292] (the "Noticing Order"). Pursuant to the Noticing Order, no further notice is required.

VIII.

CONCLUSION

WHEREFORE, the Debtor requests that the Court enter an order, substantially in the form of the Proposed Order, granting (i) the relief requested herein, extending the Removal Period through January 30, 2026; and (ii) such other and further relief as the Court may deem just and proper.

DATED: August 1, 2025

FOLEY & LARDNER LLP

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Shane J. Moses
Ann Marie Uetz
Matthew D. Lee
Geoffrey S. Goodman
Mark C. Moore

/s/ Shane J. Moses

Shane J. Moses

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EXHIBIT A

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**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

**[PROPOSED] FIFTH ORDER, PURSUANT
TO BANKRUPTCY RULES 9006 AND 9027,
ENLARGING THE PERIOD WITHIN WHICH
THE DEBTOR MAY REMOVE ACTIONS
PURSUANT TO 28 U.S.C. § 1452**

Upon the Debtor's Fifth Motion for Entry of an Order, Pursuant to Bankruptcy Rules 9006 and 9027, Enlarging the Period Within Which the Debtor May Remove Actions Pursuant to 28 U.S.C. § 1452, dated January 31, 2025 [Docket No. ____] (the "Motion"), filed by The Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor in possession (the "Debtor") in the above-captioned chapter 11 bankruptcy case (the "Chapter 11 Case"), seeking an enlargement of time for the Debtor to file notices of removal of the civil actions and proceedings to which the Debtor is a party (the "Removal Period"); the Court having reviewed and considered the Motion, the Bardos Declaration in support thereof, and all other documents filed in support of or opposition to the Motion; the Court finding it has jurisdiction over this matter, venue in this Court is proper, and notice of the Motion was reasonable

[PROPOSED] FIFTH ORDER ENLARGING TIME TO FILE NOTICES OF REMOVAL

1 and is sufficient under the circumstances; and the Court finding the relief requested in the Motion is in the
2 best interests of the Debtor, its creditors, and other parties in interest; and after due deliberation and good
3 cause appearing therefor,

4 **IT IS HEREBY ORDERED THAT:**

5 1. The Motion is granted as set forth herein.

6 2. Pursuant to 28 U.S.C. § 1452 and Bankruptcy Rules 9006(b)(1) and 9027(a), the Removal
7 Period during which the Debtor may file notices of removal of claims or causes of action in a civil
8 proceeding is extended through and including January 30, 2026.

9 3. The Debtor is authorized to take all actions necessary or appropriate to effectuate the relief
10 granted in this Order.

11 4. This Order shall be without prejudice to (a) any position the Debtor or Committee may
12 take regarding whether section 362 of the Bankruptcy Code applies to stay any litigation pending against
13 the Debtor, (b) the right of the Committee or any other party to oppose removal of any particular action
14 or actions, or (c) the Debtor's right to seek further extensions of the Removal Period, or the Committee's
15 right to oppose any such request.

16 5. Notwithstanding entry of this Order, nothing herein shall create, nor is it intended to create,
17 any rights in favor of or enhance the status of any claim held by, any party.

18 6. This Court shall retain jurisdiction with respect to all matters arising from or related to the
19 implementation of or interpretation of this Order.

20 ** END OF ORDER **

COURT SERVICE LIST

All ECF Recipients.