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100845-0402

August 7, 2025

Via E-Filing

Honorable William Lafferty
United States Bankruptcy Court
Northern District of California
1300 Clay Street, Suite 300
Oakland, CA 94612

**Re: *In re The Roman Catholic Bishop of Oakland*, Case No. 23-40523 (WJL)
Response of The Debtor to Westport Insurance Corporation's Letter to the
Court Dated July 30, 2025**

Dear Judge Lafferty,

The Debtor, The Roman Catholic Bishop of Oakland ("The Debtor") responds to Westport Insurance Corporation's ("Westport") letter to the Court dated July 30, 2025. [Dkt. No. 2174.]

The Debtor endorses Westport's request that Your Honor participate in mediation with the Insurers, Committee, and Roman Catholic Welfare Corporation, and agrees with the reasoning in Westport's letter. As the Court observed at the July 16 hearing, the case appears to be "stuck." Over the course of the past 27 months, the Debtor has utilized all traditional tools of the Bankruptcy Code and Rules to attempt to reach settlement with the Committee and Insurers. These efforts have produced a settlement with the Insurers regarding an assignment of the Debtor's insurance rights but unfortunately no monetary settlements with any Insurers, while negotiations with the Committee have been stalled for nearly a year. In the Debtor's opinion, it is now time to think outside the box, before the Debtor becomes administratively insolvent and seeks dismissal of this Chapter 11 case. As Westport accurately observed, Judge Warren served as a neutral in the Diocese of Rochester mediation, and his involvement produced a consensual plan with over \$240 million in combined diocesan and insurer contributions for 425 sex abuse claimants.

The Court should dismiss the Committee's recusal concerns. There was no clamor for the recusal of Judge Warren from the Diocese of Rochester matter and there will be no serious clamor for your recusal here. The real reason the Committee does not want Your Honor to get involved in mediation is the Committee does not want you to witness firsthand its refusal to negotiate this case in good faith. Put another way, the Committee does not want you to confirm the Debtor and Insurers' assertion that *the Committee* is the reason this case is stuck.

We request this Court consider this issue and set the case for a further status conference during the last week of August, by which time the Debtor expects to take a more formal position regarding this and related matters.

Sincerely,

FOLEY & LARDNER LLP

/s/ Matthew D. Lee

Matthew D. Lee

cc: all CM/ECF Recipients