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**UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF CALIFORNIA**

In re:

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

 Debtor.

Chapter 11

Bankruptcy Case No. 23-40523 WJL

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Westport Insurance Corporation, formerly known as Employers Reinsurance Corporation
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is subject of this appeal:

For appeals in an adversary proceeding

For appeals in a bankruptcy case

☐ Plaintiff

☐ Debtor

☐ Defendant

☐ Creditor

☐ Other (describe) _____

☐ Trustee

☒ Other

Part 2: Identify the subject of this appeal

1. Describe the judgement – or the appealable order or decree – from which the appeal is taken: Order Granting Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs’ Personal Injury Claims to Proceed in State Court [ECF 2168], attached hereto as **Exhibit A.**
2. State the date in which the judgment – or the appealable order or decree – was entered: 07/26/2025 (entered), signed by Court on 07/25/2025

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment – or appealable order or decree – from which the appeal is taken and the names, address, and telephone numbers of their attorneys (attached additional pages if necessary):

1. Party/Attorney: The Roman Catholic Bishop of Oakland
FOLEY & LARDNER LLP
Eileen R. Ridley, eridley@foley.com
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2. Party/Attorney: The Official Committee of Unsecured Creditors
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3. Party/Attorney: Claimants Represented by the Zalkin Law Firm
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4. Party/Attorney: London Market Insurers¹
SKARZYNSKI MARICK & BLACK LLP
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5. Party/Attorney: Insurance Company of North America, Westchester Fire Insurance Company, Pacific Indemnity Company, and Pacific Employers Insurance Company
O'MELVENY & MYERS LLP
Stephen H. Warren, swarren@omm.com
Justine M. Daniels, jdaniels@omm.com
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¹ London Market Insurers are Certain Underwriters at Lloyd's, London, subscribing severally and not jointly to Slip Nos. CU 1001 and K 60034 issued to the Roman Catholic Bishop of San Francisco, and Nos. K 78318 and CU 3061 issued to the Roman Catholic Bishop of Oakland; Catalina Worthing Insurance Ltd f/k/a HFPI (as Part VII transferee of Excess Insurance Co. Ltd.); the Ocean Marine Insurance Company Limited (as Part VII transferee of the World Auxiliary Insurance Corporation Limited); River Thames Insurance Company Limited; Dominion Insurance Company Limited; Companhia de Seguros Fidelidade-Mundial f/k/a Fidelidade Insurance Company of Lisbon; and R&Q Gamma Company Limited (as Part VII transferee of Anglo French Ltd.).

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11 6. Party/Attorney: Continental Casualty Company
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22 7. Party/Attorney: Travelers Casualty & Surety Company f/k/a Aetna Casualty &
23 Surety Company
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28 (212) 768-6800

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Part 4: Optional election to have appeal heard by District Court (applicable only to certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel

Part 5: Sign Below

Dated: August 8, 2025

PARKER, HUDSON, RAINER & DOBBS LLP

/s/ Harris B. Winsberg

By: Harris B. Winsberg (admitted *pro hac vice*)
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-and-

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*Attorneys for Westport Insurance Corporation,
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Corporation*

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Exhibit A

Order Granting Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court



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The following constitutes the order of the Court.

Signed: July 25, 2025

William J. Lafferty, III

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William J. Lafferty, III

U.S. Bankruptcy Judge

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*Counsel for the Official Committee of
Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re:

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

Debtor.

Case No. 23-40523 WJL

Chapter 11

**ORDER GRANTING RENEWED
MOTION OF THE OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS TO LIFT THE
AUTOMATIC STAY TO PERMIT
CERTAIN PLAINTIFFS' PERSONAL
INJURY CLAIMS TO PROCEED IN
STATE COURT**

1 Upon the *Renewed Motion of the Official Committee of Unsecured Creditors to Lift the*
2 *Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court* (the
3 "**Motion**") [Dkt. No. 2093];¹ the Court having reviewed the objections to the Motion filed by (i)
4 the Debtor [Dkt. No. 2112] (the "**Debtor Objection**"); (ii) Westport Insurance Corporation,
5 formerly known as Employers Reinsurance Corporation, Continental Casualty Company and
6 London Market Insurers ("**LMI**") [Dkt. No. 2115] (collectively, the "**Certain Insurers'**
7 **Objection**") and (iii) Insurance Company of North America, Westchester Fire Insurance
8 Company, Pacific Indemnity Company and Pacific Employers Insurance Company [Dkt. No.
9 2117] (the "**Pacific Objection**") and the joinder to the Pacific Objection filed by LMI [Dkt. No.
10 2120] (collectively with the Debtor Objection, the Certain Insurers' Objection and the Pacific
11 Objection, the "**Objections**"); the Court having reviewed the Committee's reply to the Objections
12 [Dkt. No. 2129] (the "**Reply**"); the Court having reviewed the Motion, the Objections and the
13 Reply and having considered the statements of counsel and the evidence adduced regarding the
14 Motion at a hearing before the Court on July 16, 2025 (the "**Hearing**"); the Court finding that (a)
15 the Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334, (b) venue is proper
16 in this district under 28 U.S.C. §§ 1408 and 1409, (c) this is a core proceeding under 28 U.S.C.
17 § 157(b)(2), and (d) notice of the Motion and the Hearing was sufficient under the circumstances;
18 and (e) the Court having determined that the legal and factual bases set forth in the Motion and at
19 the Hearing establish just cause for the relief granted;

20 **IT IS HEREBY ORDERED THAT:**

- 21 1. The Motion is GRANTED for the reasons set forth on the record at the Hearing.
- 22 2. The Objections are overruled.
- 23 3. The automatic stay is terminated to allow six State Court Actions to proceed, as
24 directed by the State Court.
- 25 4. The automatic stay shall remain in full force and effect for all other purposes
26 including with respect to the enforcement of any judgment against the Debtor that may be obtained
27 because of the termination of the automatic stay as provided above; *provided* that nothing herein
28

¹ Capitalized terms not defined herein have the meaning ascribed to them in the Motion.

1 shall prevent the entry of a judgment against the Debtor and/ or the initiation of proceedings
2 consistent with California Insurance Code Section 11580(b)(2) once a judgment is entered.

3 5. Notwithstanding Bankruptcy Rule 4001(a)(4), or any other Bankruptcy Rule, this
4 Order shall be immediately effective and enforceable upon its entry.

5 6. This Court shall retain exclusive jurisdiction over any matters arising from or
6 related to the implementation, interpretation or enforcement of this Order.

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8 ***END OF ORDER**
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Court Service List

All ECF Participants