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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

**APPLICATION FOR ORDER
SHORTENING TIME FOR NOTICE OF
HEARING ON DEBTOR'S SIXTH MOTION
TO EXTEND DEADLINE TO ASSUME OR
REJECT UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY
PURSUANT TO SECTION 365(d)(4) OF THE
BANKRUPTCY CODE**

[No Hearing Required]

I.
INTRODUCTION

The Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor in possession (the “Debtor” or “RCBO”) in the above-captioned chapter 11 bankruptcy case (the “Chapter 11 Case” or the “Bankruptcy Case”), hereby files this application (the “Application”) for entry of an order pursuant to Bankruptcy Local Rule (“B.L.R.”) 9006-1 shortening time for notice of a hearing on the Debtor’s Sixth Motion to Extend Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code, filed on September 18, 2025 (the “Motion”).¹

The Debtor seeks a hearing on the Motion no later than October 1, 2025. The Debtor’s proposed order shortening notice is attached hereto as **Exhibit A**. The Debtor has confirmed that the Official Committee of Unsecured Creditors (the “Committee”) does not oppose this request to shorten notice. The Debtor has also confirmed that the Committee does not oppose the relief sought in the Motion, provided it is without prejudice to the rights, claims, causes of action and/ or defenses the Committee may have regarding, arising out of or related to the Cathedral Lease.

In support of this Application, the Debtor submits the concurrently filed declaration of Shane J. Moses, counsel for the Debtor, and respectfully represents as follows:

II.
BACKGROUND

A. General Background

On May 8, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for chapter 11 bankruptcy relief under the Bankruptcy Code. The Debtor continues to operate its ministry and manage its properties as a debtor in possession under sections 1107(a) and 1108 of Title 11 of the United States Code (the “Bankruptcy Code”). On May 23, 2023, the Office of the United States Trustee for Region 17 (the “US Trustee”) appointed the Committee in this Chapter 11 Case.

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

B. Relief Requested in the Motion

By the Motion, the Debtor requests an order providing for a sixth extension of the time for the Debtor to assume or reject the agreement for the Debtor's use of facilities and grounds in Oakland owned by the Catholic Cathedral Corporation of the East Bay ("CCCEB"), which includes the Cathedral of Christ the Light and the Debtor's Chancery offices (the "Cathedral Lease"). The Debtor requests that the further extension be for an additional six months, in light of the current return to mediation and pending motion to dismiss. The relief requested in the Motion is with the express written consent of the lessor, CCCEB, as reflected in the concurrently filed stipulation with CCCEB.

The current deadline for assumption or rejection of non-residential leases of real property, pursuant to the Court’s prior extension order, dated April 2, 2025 [Docket No. 1871] (the “Fifth Extension Order”) is October 1, 2025.

III.

REQUEST FOR ORDER SHORTENING TIME

Under Federal Rule of Bankruptcy Procedure 9006(c) and L.B.R. 9006-1(c) the Court may shorten time for notice upon a showing of good cause. For the reasons set forth herein, there is good cause to shorten notice as to a hearing on the Motion. In compliance with the requirements of B.L.R. 9006-1(c), the Debtor states as follows:

The reason for the requested shortened time. As set forth above and in the Motion, the current deadline for assumption or rejection of the Cathedral Lease, pursuant to section 365(d)(4) is October 1, 2025. Pursuant to section 365(d)(4), unless the Cathedral Lease is assumed or rejected prior to that date, or a further extension is granted, the Cathedral Lease would be deemed rejected.

Rejection of the Cathedral Lease would have a substantial negative affect on the Debtor and its reorganization, as it provides both the most visible, landmark place of worship in the Diocese, and the central chancery offices of the Debtor.

As set forth in the Motion, the Debtor believes that the Cathedral Lease should be addressed through any confirmed plan of reorganization, as proposed in its currently pending Plan. The Debtor, Committee, and the Debtor's insurers are currently returning to mediation in a final attempt to reach and consensual resolution. The Debtor has also filed a motion to dismiss the Chapter 11 Case, and will likely

APPLICATION TO SHORTEN TIME

1 seek dismissal of a consensual resolution is not reached. These circumstances necessitate a further
2 extension to preserve the status quo.

3 Because the current deadline to assume or reject is October 1, 2025, the shortened time is necessary
4 to avoid the deemed rejection of the Cathedral Lease.²

5 Previous time modifications relating to the subject matter of the request. No previous requests
6 have been made to shorten time with respect to the Motion.

7 The effect of the request for shortened time. The Debtor does not anticipate any adverse impact
8 on the schedule for the case or proceeding. On the contrary, the time modification requested herein will
9 preserve the status quo pending resolution of upcoming mediation and the Motion to Dismiss. The
10 shortened time requested will not adversely impact any party, as the only party directly affected, CCCEB
11 as the lessor, consents to the relief requested in the Motion. Further, since the underlying relief requested
12 in the Motion is simply an extension of time, it does not finally adjudicate the rights of any party or the
13 estate.

14 Efforts to speak with responding parties. The Debtor's counsel has communicated with the
15 counsel for the Committee regarding the request herein for a hearing on shortened notice. Debtor's
16 counsel has received confirmation that the Committee does not oppose the shortening of notice as
17 requested herein. Further, the Debtor is informed that the Committee does not oppose the relief sought in
18 the Motion, provided it is without prejudice to the rights, claims, causes of action and/ or defenses the
19 Committee may have regarding, arising out of or related to the Cathedral Lease

20 Service of notice of hearing. The Debtor requests a determination that notice of the hearing on the
21 Motion shall be sufficient provided that, not later than one business day following entry of an order
22 shortening notice, the Debtor serves notice of the hearing on the Motion, the Motion, and all supporting
23 papers on the Core Service List pursuant to the Court's *Final Order Approving Special Noticing and*
24 *Confidentiality Procedures* [Docket No. 292], and CCCEB.

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27 ² As noted in the Motion and Proposed Order thereon, the Debtor reserves all rights regarding whether
28 the Cathedral Lease is ultimately treated as a lease of non-residential real property subject to Section
365(d)(4).

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IV.
CONCLUSION

WHEREFORE, the Debtor requests that the Court enter an order in the form attached hereto granting the relief requested herein to shorten notice for the Motion and allow for a notice of hearing.

DATED: September 18, 2025

FOLEY & LARDNER LLP

Eileen R. Ridley
Shane J. Moses
Ann Marie Uetz
Matthew D. Lee
Mark C. Moore

/s/ Shane J. Moses

SHANE J. MOSES

*Counsel for the Debtor
and Debtor in Possession*

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

**ORDER SHORTENING TIME FOR NOTICE
OF HEARING ON DEBTOR'S SIXTH
MOTION TO EXTEND DEADLINE TO
ASSUME OR REJECT UNEXPIRED
LEASES OF NONRESIDENTIAL REAL
PROPERTY PURSUANT TO SECTION
365(d)(4) OF THE BANKRUPTCY CODE**

The Court, having considered the *Application for Order Shortening Time for Notice of Hearing on Debtor's Second Motion to Extend Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code* [Docket No. 2325] filed on September 18, 2025 (the "Application"), by the Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor in possession (the "Debtor" or "RCBO") in the above-

captioned chapter 11 bankruptcy case (the “Chapter 11 Case” or the “Bankruptcy Case”) and good cause appearing,

IT IS HEREBY ORDERED THAT:

1. The Application is granted.

2. The *Debtor’s Sixth Motion to Extend Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code* (the “Motion”) may be noticed for hearing on October 1, 2025, at 10:30 a.m. (the “Hearing”).

3. Opposition to the Motion, if any, must be made in writing and filed with the Court and served on counsel for the Debtor not later September 26, 2025.

4. Time for notice of the Hearing is shortened to the extent that notice of the Hearing on the Motion and the deadline for opposition to the Motion shall be sufficient provided that, not later than one business day following entry of this Order, the Debtor serves notice of the hearing on the Motion, the Motion, and all supporting papers on the Core Service List pursuant to the Court’s *Final Order Approving Special Noticing and Confidentiality Procedures* [Docket No. 292], and on the affected lessor.

5. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or interpretation of this Order.

****END OF ORDER****

COURT SERVICE LIST

All ECF Recipients.