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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 MOTION FOR
ENTRY OF AN ORDER APPROVING SALE
OF REAL PROPERTY
(1834 San Antonio Avenue)**

[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 Motion for Entry of an Order Approving Sale of Real Property (1834 San Antonio Avenue)* [Docket No. 2490], filed on December 5, 2025 (the “Motion”).¹

The Debtor seeks a hearing on the Motion no later than December 18, 2025, and submits that it would be most efficient to set the Motion for hearing concurrently with the Status Conference set for 9:00 a.m. on December 18. The Debtor’s proposed order shortening notice is attached hereto as **Exhibit A**. The Debtor understands that the Committee does not oppose setting the Motion for hearing concurrent with the Status Conference, however, the Debtor and Committee have not reached agreement on a deadline for and opposition to the Motion as further set forth below.

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.

1 **B. Relief Requested in the Motion**

2 By the Motion, the Debtor requests an order approving sale of an unencumbered single-family
3 house located at 1834 San Antonio Avenue in Alameda California (the “1834 House”), approving payment
4 of broker fees and costs of sale, and providing related relief. The sale price is \$1,860,000, and is the result
5 of a thorough marketing process and call for highest and best bids.

6 **III.**

7 **REQUEST FOR ORDER SHORTENING TIME**

8 Under Federal Rule of Bankruptcy Procedure 9006(c) and L.B.R. 9006-1(c) the Court may shorten
9 time for notice upon a showing of good cause. For the reasons set forth herein, there is good cause to
10 shorten notice as to a hearing on the Motion.

11 The Debtor requests that the Court set the Motion for hearing on December 18, 2025, at 9:00 a.m.,
12 concurrent with the scheduled status conference at the same date and time. The Debtor further requests
13 that the Court require than any opposition to the Motion be in writing and filed with the Court not later
14 than December 11, 2025, and permitting any reply by the Debtor to be filed not later than 12:00 noon on
15 December 17, 2025.

16 In compliance with the requirements of B.L.R. 9006-1(c), the Debtor states as follows:

17 The reason for the requested shortened time. As set in the Motion, the Sale Contract provides for
18 close of escrow not later than 24 days after acceptance, which would be December 27, 2024. Not obtaining
19 entry of an order prior to this date could jeopardize the sale and the more than \$1.8 million it is will
20 generate for the Debtor’s estate. Further, the Debtor urgently needs the proceeds of sale to pay
21 administrative expenses, including in particular professional fees. Both of the foregoing reasons required
22 a hearing prior to the Christmas holiday.

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

25 The effect of the request for shortened time. The Debtor does not anticipate any adverse impact
26 on the schedule for the case or proceeding. On the contrary, the time modification requested herein will
27 allow the Debtor to receive much needed cash before the end of the year, to the extent the Motion is
28 granted.

APPLICATION TO SHORTEN TIME

1 The Debtor is highly cognizant of the pending December 10, 2025, deadline for filing of a plan
2 term sheet, based on the Court's *Order Pursuant to Status Conference Conducted on November 12, 2025*
3 *and Granting Debtor's Motion to Dismiss Chapter 11 Case Pursuant to 11 U.S.C. §1112(b)* [Docket No.
4 2467] (the "Order on Motion to Dismiss"), and the Court's further Docket Order entered on November
5 26, 2025, extending the deadline provided in the Order on Motion to Dismiss to December 10. To the
6 extent the Debtor's Chapter 11 Case is dismissed on December 10 pursuant to the Order on Motion to
7 Dismiss, the Motion will be moot. The Debtor cannot delay filing of the Motion however, because to the
8 extent the Chapter 11 Case is not dismissed on December 10, the Debtor will urgently need the funds that
9 will be realized from the sale contemplated by the Motion.

10 Efforts to speak with responding parties. The Debtor's counsel has communicated with the
11 counsel for the Committee regarding the request herein for a hearing on shortened notice. Specifically,
12 on Wednesday, December 3, 2025, Debtor's attorney Shane Moses emailed attorneys for the Committee
13 Brent Weisenberg and Jeffrey Prol, informing them of the sale and the impending Motion, and requesting
14 consent for shortening of time to have the Motion heard on December 18, 2025.

15 On Thursday, December 4, 2025, attorney Prol sent an email reply stated that the Committee has
16 no objection to setting a hearing on the Motion for December 18, concurrent with the Status conference,
17 conditioned on (1) the Debtor agreeing to provide certain due diligence regarding the sale not later than
18 December 11, 2025, and (2) the deadline for any response/objection from the Committee being two days
19 prior to the hearing.

20 On Friday, December 5, 2025, at 1:16 pm, Pacific Time, attorney Moses responded to attorney
21 Prol's email, informing the Committee that substantially all due diligence requested would be included in
22 the Motion and supporting declarations, with the exception of a draft closing statement, which would be
23 provided as soon as available. Attorney Moses further pointed out that one day would not be sufficient
24 time for the Debtor to file any reply and requested that the Committee agree to an earlier opposition
25 deadline.² As of the date and time of this filing, the counsel for the Committee has not responded further.

26
27 ² Attorney Moses proposed December 15 at noon as a compromise in an effort to obtain agreement. The
28 Debtor submits, however, that the opposition deadline requested herein of December 11 is more
appropriate in order to allow sufficient time for a reply, and provides ample time for any opposition,
given the nature of the relief requested in the Motion.

Service of notice of hearing. The Debtor requests a determination that notice of the hearing on the Motion shall be sufficient provided that, not later than one business day following entry of an order shortening notice, 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].

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: December 5, 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

FOLEY & LARDNER LLP

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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

**[PROPOSED] ORDER SHORTENING TIME
FOR NOTICE OF HEARING ON DEBTOR'S
MOTION FOR ENTRY OF AN ORDER
APPROVING SALE OF REAL PROPERTY
(1834 San Antonio Avenue)**

The Court, having considered the *Application for Order Shortening Time for Notice of Hearing on Debtor's Motion for Entry of an Order Approving Sale of Real Property (1834 San Antonio Avenue)* [Docket No. ____] 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,

1 **IT IS HEREBY ORDERED THAT:**

2 1. The Application is granted.

3 2. The *Debtor's Motion for Entry of an Order Approving Sale of Real Property (1834 San*
4 *Antonio Avenue)* [Docket No. 2490] (the "Motion") may be noticed for hearing on December 18, 2025, at
5 9:00 a.m. (the "Hearing").

6 3. Opposition to the Motion, if any, must be made in writing and filed with the Court and
7 served on counsel for the Debtor not later than December 11, 2025.

8 4. The Debtor may file any reply to any opposition to the Motion not later than December 17,
9 2025, at 12:00 noon.

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

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

17 **END OF ORDER**

COURT SERVICE LIST

All ECF Recipients.