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Attorneys for London Market Insurers

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:

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

Debtor.

Bankruptcy Case No.: 23-40523 WJL

Hon. William J. Lafferty

Chapter 11

DECLARATION OF TIMOTHY W. EVANSTON IN SUPPORT OF SUPPLEMENTAL OBJECTION TO THE DEBTOR'S MODIFIED FOURTH AMENDED PLAN OF REORGANIZATION DATED MARCH 27, 2026

Date: June 15, 2026
Time: 9:00 a.m.
Place: United States Bankruptcy Court
1300 Clay Street, Courtroom 220
Oakland, CA 94612

DECLARATION OF TIMOTHY W. EVANSTON

1. I am attorney with Skarzynski Marick & Black, LLP, co-counsel for London Market Insurers. I am licensed to practice before this Court and the courts of the state of California. I have personal knowledge of the facts contained in this declaration, which I submit in support of the *Supplemental Objection to the Debtor's Modified Fourth Amended Plan of Reorganization Dated March 27, 2026* ("Supplemental Objection") filed contemporaneously herewith. Unless otherwise defined in this declaration, all terms defined in the Supplemental Objection are incorporated herein by this reference.

2. A true and correct copy of the email correspondence dated April 23, 2026, is attached hereto as Exhibit "1".

3. A true and correct copy of the email correspondence dated April 29, 2026, is attached hereto as Exhibit "2".

4. A true and correct copy of the email correspondence dated May 4, 2026 is attached hereto as Exhibit "3".

5. A true and correct copy of an excerpt from the transcript of the deposition of Mr. Attila Joseph Bardos on May 6, 2026, is attached hereto as Exhibit "4".

6. A true and correct copy of the email correspondence dated May 18, 2026, is attached hereto as Exhibit "5".

7. A true and correct copy of the email correspondence dated May 20, 2026, and the attached Requests for Admissions, are attached hereto as Exhibit "6".

8. A true and correct copy of the email correspondence dated May 26, 2026, is attached hereto as Exhibit "7".

9. A true and correct copy of the email correspondence dated May 27, 2026, is attached hereto as Exhibit "8"

10. On May 28, 2026, I called counsel for the Debtor to discuss the stipulation to authenticate the LMI Policies. As of the filing of the Supplemental Objection, I have not received a response.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 1st day of June, 2026, at Irvine, California.

/s/ Timothy W. Evanston

Timothy W. Evanston

Exhibit 1

From:	Brian Aton
To:	Kaplan, Michael A.; Uetz, Ann Marie; Prol, Jeffrey D.; Weisenberg, Brent I.; Cohen, Jeffrey L.; Restel, Colleen M.; tkeller@kbkllp.com; jkim@kbkllp.com; galbert@kbkllp.com; Timothy Burns; Jesse Bair 2; Stewart, Cristina; Connors, Trip; Fulfree, Nicole M.
Cc:	Ridley, Eileen R.; Moses, Shane; Lee, Matt; Goodman, Geoff; Moore, Mark C.; Carlucci, Tom; Khatchatourian, Emil; jason.blumberg@usdoj.gov; trevor.fehr@usdoj.gov; catalina.sugayan; Cameron, Clinton; Yang, Yongli; Roten, Russell W.; Kahane, Jeff D.; Reinhardt, Nathan W.; Evanston, Timothy W.; Miranda Turner; Jordan Hess; Plevin, Mark; rdc; bcuret; Todd C. Jacobs; John Bucheit; Harris Winsberg; Matthew Roberts; Matt M. Weiss; Erica Lyttle; ryan.manns@nortonrosefulbright.com; Rebecca Winthrop; scott.kortmeyer@nortonrosefulbright.com; jason.blanchard@nortonrosefulbright.com; pglaessner@aghwlaw.com; McGuffey, Nora J.
Subject:	RE: Oakland | Certain Insurers" Rule 30(b)(6) Notice to the Official Committee of Unsecured Creditors & Meet and Confer
Date:	Thursday, April 23, 2026 3:50:08 PM
Attachments:	image001.png image013.png image014.png image015.png

Michael and Mark, here is my understanding of where we landed with respect to the Certain Insurers' 30(b)(6) to the Committee and the 30(b)(6) to the Debtor. Please respond confirming the below:

RE: the Committee

The Debtor's argument that any attorney presented by the Committee during discovery or at trial would result in a waiver of the attorney client privilege prevents the Committee from being able to timely identify a 30(b)(6) witness. Unless the Debtor drops that argument, the Committee will not officially respond and identify a witness; however, the Committee will stipulate to extend fact discovery from the Certain Insurers to the Committee solely for the purposes of deposing a 30(b)(6) witness pending a decision from the Debtor.

Otherwise, substantively, the only non-starter from the Committee is Topic 1, where the Committee says it does not have a witness that can authenticate insurance policies. The Committee will stipulate as to the authenticity of Certain Insurer policies (or alternatively, will stipulate that it will not raise authenticity objections to such policies) that the Debtor authenticates via stipulation or otherwise.

RE: the Debtor

Debtor's counsel will circulate an email tomorrow (4/24) stating whether the Debtor will continue to press the privilege waiver argument.

The Debtor is willing to stipulate to the authenticity of Certain Insurers' policies, subject to the following request: the Debtor requests that the Certain Insurers send a list of operative policies, and the Debtor will compare to theirs. The Debtor and Certain Insurers will go from there and work together to resolve issues, if any.

The Debtor stated that it's 30(b)(6) witness will in all likelihood be Atilla Bardos, Diocese CFO.

Bardos won't be available until earliest Friday, May 1. Debtor to confirm availability tomorrow (4/24). If Bardos is not available until the week beginning May 4, then the Debtor will (1) agree to a reasonable but short extension for the Certain Insurers to file confirmation objections, and (2) if necessary, stipulate to extend fact discovery to conduct the 30(b)(6) deposition.

Brian Aton, Associate

d: 404 420 4338
t: 404 523 5300
e: baton@phrd.com

parker hudson

Exhibit 2

From: McMahon, Timothy K.
To: Uetz, Ann Marie; Lee, Matt; Moore, Mark C.; DGoroff@foley.com
Cc: Evanston, Timothy W.; Kahane, Jeff D.; Roten, Russell W.
Subject: Re: RCBO: Insurance Policies
Date: Wednesday, April 29, 2026 6:29:15 PM
Attachments: Underwriters 0000001 - Underwriters 0000048.zip

Hello All:

Attached please find the policies originally provided to us for your review. Please let us know whether the Debtor is willing to stipulate that the attached are genuine, authentic and should be admitted into evidence. Feel free to give me a call if you have any questions or would like to discuss further.

Thanks,

Timothy K. McMahon
Associate
Skarzynski Marick & Black LLP
333 South Grand Avenue, Suite 3550 | Los Angeles, CA 90071



D 213.721.0639 | **P** 213.721.0650 | **E** tmcmahon@skarzynski.com | vCard | View Bio

The information contained in this message may be privileged and/or confidential and is intended only for the use of the individual recipient identified above. If the reader of this message is not the intended recipient, you are hereby notified that any use, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, fax or e-mail and delete this message. Thank you.

Exhibit 3

From: McMahon, Timothy K.
To: Uetz, Ann Marie; Lee, Matt; Moore, Mark C.; DGoroff@foley.com
Cc: Evanston, Timothy W.; Kahane, Jeff D.; Roten, Russell W.
Subject: RE: RCBO Insurance Policies
Date: Monday, May 4, 2026 3:18:19 PM

Hello all,

I wanted to follow up on the email below. Please let us know at your earliest convenience whether the Debtor is willing to stipulate that the attached policies are genuine, authentic, and admissible into evidence.

Please don't hesitate to give me a call if you have any questions or would like to discuss further.

Best Regards,

Tim

Timothy K. McMahon
Skarzynski Marick & Black LLP
D 213.721.0639 | **P** 213.721.0650 | **E** tmcmahon@skarzynski.com | vCard | View Bio

---

From: McMahon, Timothy K.
Sent: Wednesday, April 29, 2026 6:28 PM
To: Uetz, Ann Marie <auetz@foley.com>; Lee, Matt <mdlee@foley.com>; Moore, Mark C. <mmoore@foley.com>; 'DGoroff@foley.com' <DGoroff@foley.com>
Cc: Evanston, Timothy W. <tevanston@skarzynski.com>; Kahane, Jeff D. <jkahane@skarzynski.com>; Roten, Russell W. <rroten@skarzynski.com>
Subject: Re: RCBO: Insurance Policies

Hello All:

Attached please find the policies originally provided to us for your review. Please let us know whether the Debtor is willing to stipulate that the attached are genuine, authentic and should be admitted into evidence. Feel free to give me a call if you have any questions or would like to discuss further.

Thanks,

Timothy K. McMahon
Associate
Skarzynski Marick & Black LLP
333 South Grand Avenue, Suite 3550 | Los Angeles, CA 90071

D 213.721.0639 | **P** 213.721.0650 | **E** tmcmahon@skarzynski.com | vCard | View Bio

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Exhibit 4

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

In re: Case No. 23-40523-WJL

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

Debtor.

DEPOSITION OF ATTILA JOSEPH BARDOS

30(b)(6) Designated Representative of the Roman Catholic Bishop Of Oakland

(Via Zoom Videoconference)

Wednesday, May 6, 2026

Reported By: MAUREEN UEBELACKER

Transcribed By:
TERRI NESTORE
CSR No. 5614, RPR, CRR

designated -- there are 11 topics, and you've been designated on each of these topics; is that correct?

A. That's correct.

Q. Now, I'll just go through one at a time.

So one is the authentication of the certain insurance pol -- Certain Insurers' insurance policies.

Were you -- are you prepared to discuss that topic today?

A. I am.

Q. And what did you do to prepare for that topic?

MR. MOORE: Brian, if I could just jump in.

This is Mark Moore.

MR. ATON: Yeah.

MR. MOORE: I believe that we had discussed handling this through a stipulation with the -- about the policies, not addressing it as a topic in this deposition.

MR. ATON: I agree that we had discussed it as a stipulation. Um, if Attila is able to authenticate it, um, you know, maybe we can just do it that way. I don't -- the thrust of the questions are 2 through 11, um, but Mark, are you -- are you saying that 1 is off the table or just that it should be resolved through stipulation that we had talked about previously?

MR. MOORE: I think it should be resolved through stipulation, unless you want to show him however many

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insurance policies over this Steno Connect app.

MR. ATON: No. Westport is amenable to the stipulation. Um, I don't know if anyone else has anything to say about that.

Q. So moving on to topic 2, "The plan documents, specifically including the plan, the Survivors' Trust documents, and the confirmation order, and documents and communications related thereto."

Are you -- you've been designated on this topic?

A. Yes.

Q. You're prepared to testify today on that topic?

A. Yes.

Q. And what did you do to prepare?

A. I, uh, reviewed the, uh, Fourth Amended Plan, the -- and the -- and the other documents associated with it.

Q. Did you talk to anybody besides your lawyers about it?

A. Oh, no, I -- and I -- yes, and I spoke with my lawyers, but no -- nobody else.

Q. Okay. Other than the documents... Well, let me just clarify.

So the plan, the Modified Fourth Amended Plan and the related documents, those related documents, are you talking about the plan supplement?

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THE REPORTER: Okay.
MR. ATON: Okay, Attila, I appreciate your time. That is all the questions I have for you today.
THE WITNESS: Oh, sure thing. So drinks at the Wicked Wolf, Brian?
MR. ATON: I think LM --
THE REPORTER: What?
MR. WEISS: LMI might have a few questions.
MR. ATON: LMI has a few questions, but I'll -- I'll find your number next time I'm in San Francisco.
THE WITNESS: Okay. All right. Let's talk to LMI.

EXAMINATION

BY MR. MCMAHON:

Q. Good afternoon, Attila. I appreciate you taking the time this afternoon and this morning to be with us.

Um, this shouldn't be too, too long, so I'll get through it?

Um, just to begin, uh, Mark, um, I know I've sent a few emails, um, and we discussed this at the beginning of the deposition, um, regarding the LM -- uh, the, uh, insurance policies, authenticating them.

Um, are -- are you willing to, uh, authenticate -- stipulate to authenticating, uh, the policies that

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we've emailed you, um, are true and accurate?

MR. MOORE: I think we're still looking into that, Tim, but we'll get you an answer as quickly as we can. I -- I saw the email and I appreciate it.

MR. MCMAHON: Okay. Yeah. No -- no problem. I don't want to hold up, uh, your time this afternoon. Um, okay. Moving on. Um, Brian, is there a way to stop presenting so I can present? Thanks. Okay. Oh, not sure. Let's see here. Okay.

Q. Can you see, uh -- Attila, can you see the, uh, Exhibit AB2, the Debtor's Fourth Amended Plan?

A. I can. And I can also pull AB2 up in -- in my -- excuse me -- in my viewer.

Q. Okay. Let me just scroll down.

A. But I see it, yes.

Q. Let me just scroll down to Section 9.3.8. Okay. Um, I'll give you a second to take a look at that.

A. Okay. Oh, you made it big. Nice.

Q. Let me know when you're ready.

A. I'm ready.

Q. Okay. So are you familiar with Section 9.3.8 of the, uh, plan?

A. Yes.

Q. Okay. Um, do you know who was responsible for drafting the language of 9.3.8?

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C E R T I F I C A T E

I, TERRI NESTORE, Certified Shorthand Reporter/ Transcriptionist, do hereby certify that I was authorized to transcribe the foregoing recorded proceeding, and that the transcript is a true and accurate transcription, to the best of my ability, taken while listening to the provided recording.

I further certify that I am not of counsel or attorney for either or any of the parties to said proceedings, nor in any way interested in the events of this cause, and that I am not related to any of the parties thereto.

Dated this 9th day of May, 2026.

Terri Nestore
TERRI NESTORE, CSR 5614, RPR, CRR

Case: 23-40523 Doc# 3035-4 Filed: 06/01/26 Entered: 06/01/26 17:35:46 Page 7 of 7

Exhibit 5

From: McMahon, Timothy K.
To: Moore, Mark C.
Subject: re: Oakland - Policies
Date: Monday, May 18, 2026 11:15:44 AM

Good Morning Mark –

I wanted to follow up on the LMI policies we sent over and check whether you have had the opportunity to review them. As you may recall, you indicated at Mr. Bardos' deposition that the parties would stipulate to their admission, and we would like to confirm whether you are prepared to do so.

Please let me know your thoughts at your earliest convenience.

Best,
Tim

Timothy K. McMahon
Associate
Skarzynski Marick & Black LLP
333 South Grand Avenue, Suite 3550 | Los Angeles, CA 90071



D 213.721.0639 | **P** 213.721.0650 | **E** tmcmahon@skarzynski.com | vCard | View Bio

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Exhibit 6

From:	McMahon, Timothy K.
To:	Moses, Shane; mplevin; jkim; tkeller; galbert; tburns@burnsbair.com; trevor.fehr@usdoj.gov; Potente, Alex; awolter; Chorley, Jason; Schiavoni, Tancred; Wyatt, Andrew D. Telles; lauren.macksoud; mturner; Hess, Jordan; rdc@rcraiglaw.com; bcuret; hwinsberg@phrd.com; mroberts@phrd.com; Matt M. Weiss; Erica Lyttle; rebecca.winthrop@nortonrosefulbright.com; scott.kortmeyer@nortonrosefulbright.com; jason.blanchard@nortonrosefulbright.com; awilliams@plevinturner.com; jason.blumber@usdoj.gov; Jillian.Dennehy@kennedyslaw.com; Travis.Wall@kennedyslaw.com; george@ifrahlaw.com; ryan.manns@nortonrosefulbright.com; Brian Aton; Prol, Jeffrey D.; Weisenberg, Brent I.; Kaplan, Michael A.; Connors, Trip; crestel@lowenstein.com; Moore, Mark C.; Uetz, Ann Marie; Lee, Matt; Ridley, Eileen R.; Goroff, David B.
Cc:	catalina.sugayan; Yang, Yongli; Roten, Russell W.; Kahane, Jeff D.; Evanston, Timothy W.
Subject:	RCBO - Requests for Admissions
Date:	Wednesday, May 20, 2026 3:48:17 PM
Attachments:	DoOak_RFA_Policies_v2.pdf

Counsel,

Please find attached LMIs' Requests for Admissions to the Roman Catholic Bishop of Oakland. Please be advised that a hard copy will be sent to your office via overnight mail this afternoon.

If someone from RCBO's counsel's office could please acknowledge receipt of this email and the attached Requests for Admissions by return email at your earliest convenience, it would be appreciated.

Thank you.

Timothy K. McMahon
Associate
Skarzynski Marick & Black LLP
333 South Grand Avenue, Suite 3550 | Los Angeles, CA 90071

D 213.721.0639 | **P** 213.721.0650 | **E** tmcmahon@skarzynski.com | vCard | View Bio

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Catalina.Sugayan@clydeco.us
Yongli.Yang@clydeco.us

Attorneys for *Certain Underwriters at Lloyd's, London, and Certain London Market Insurers*

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:

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

Debtor.

Bankruptcy Case No.: 23-40523 WJL

Hon. William J. Lafferty

Chapter 11

CERTAIN UNDERWRITERS AT LLOYD'S, LONDON AND CERTAIN LONDON MARKET INSURERS' REQUESTS FOR ADMISSIONS TO THE ROMAN CATHOLIC BISHOP OF OAKLAND PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 36

Certain Underwriters at Lloyd's, London and certain London Market Insurers (collectively "London Market Insurers" or "LMI")[1] by and through their undersigned counsel, pursuant to Federal Rule of Civil Procedure 36, made applicable by Federal Rule of Bankruptcy Procedure 7036, requests that The Roman Catholic Bishop of Oakland ("Debtor"), answer each of the following requests fully and separately in writing and serve those answers on counsel for LMI within thirty (30) days hereof:

DEFINITIONS

1. "**Document**" means any written, printed, typed, recorded, photographic, electronic, digitally stored, or graphic matter of any kind or description, whether original or copy, however produced or reproduced, including but not limited to emails, text messages, instant messages, social media posts, contracts, agreements, invoices, purchase orders, receipts, letters, memoranda, notes, reports, photographs, videos, audio recordings, spreadsheets, databases, logs, calendars, screenshots, and all drafts and metadata associated with any of the foregoing. The term "Document" does not include any Insurance Policy as defined herein.

2. "**Insurance Policy**" or "**Policy**" means the currently available Documents for each of the following insurance policies produced by LMI and/or You in this action, including all slips, declarations pages, insuring agreements, conditions, exclusions, endorsements, riders, and all other pages comprising the complete policy instrument, as identified by the Bates numbers set forth in each Request below: (1) Policy No. LM 26336/CU 1001 (First Excess Umbrella Policy); (2) Policy No. LM 26337/K 66034 (Second Excess Umbrella Policy); (3) Policy No. LM 29079/K 78138 (First Excess Umbrella Policy); and (4) Policy No. LM 29080/CU 3061 (Second Excess Umbrella Policy).

3. "**Authenticate**" or "**Authentication**" means to admit that a Document is what its proponent claims it to be, including but not limited to admitting one or more of the following as applicable: (a) the Document is a true and correct copy of the original; (b) the Document was made

[1] LMI 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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at or about the time indicated; (c) the Document was kept in the course of a regularly conducted activity of a business; (d) making the Document was a regular practice of that activity; (e) the Document has not been altered or modified from the state in which it was created or kept; (f) the signatures, authorship, senders, recipients, and/or custodians are genuine; and (g) any Bates numbers accurately correspond to the referenced pages.

4. "**You**" or "**Your**" means The Roman Catholic Bishop of Oakland, a California corporation sole, including all of Your current and former officers, directors, members, managers, partners, employees, agents, representatives, in-house counsel, predecessors, successors, assigns, and anyone acting or purporting to act on Your behalf.

5. "**Request**" means each individual Request for Admission set forth below, including all subparts, and requires a separate response.

INSTRUCTIONS

1. These Requests for Admission are propounded pursuant to Federal Rule of Civil Procedure 36. You must serve written answers or objections within (30) days after service of these Requests unless the Court orders otherwise or the parties stipulate to a different time.

2. Each Request must be answered separately and fully in writing under oath, signed by the party or by an officer or agent of the party who verifies the answers, as required by the Federal Rules.

3. If You do not admit a Request, Your answer must specifically deny it or state in detail why You cannot truthfully admit or deny it. A denial must fairly respond to the substance of the matter; when good faith requires that You qualify an answer or deny only a part, You must admit the part that is true and qualify or deny the rest.

4. If You lack knowledge or information as a basis for admitting or denying, You must state that You have made a reasonable inquiry and that the information You know or can readily obtain is insufficient to enable You to admit or deny.

5. If You object to a Request, state the specific grounds for the objection. If the Request is objectionable only in part, You must admit the part that is not objectionable and specify the part objected to.

6. These Requests are continuing in nature. If, after serving answers, You obtain or become aware of any additional information responsive to any Request, You must promptly supplement or amend Your answers as required by the Federal Rules.

7. References to Bates numbers refer to the unique identifiers affixed to Documents produced in this action. If a Bates range is provided, the Request refers to each page within that range.

8. For each Request concerning a Document, the term includes the original and all duplicates as defined in the Federal Rules of Evidence, and any exact copies.

9. The pronouns "he," "she," and "they," and the singular include the plural and vice versa where appropriate to make the Request inclusive rather than exclusive.

REQUESTS FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 1

Admit that the Documents bearing Bates Nos. Underwriters 0000001–Underwriters 0000009, RCBO-CC-0000001_0064–RCBO-CC-0000001_0092, and RCBO-CC-0000001_0093–RCBO-CC-0000001_0098, collectively constitute true and correct copies of the currently available Documents for Policy No. LM 29079/K 78138 (First Excess Umbrella Policy).

REQUEST FOR ADMISSION NO. 2

Admit that the Documents bearing Bates Nos. Underwriters 0000010–Underwriters 0000017, RCBO-CC-0000001_0034–RCBO-CC-0000001_0059, and RCBO-CC-0000001_0060–RCBO-CC-0000001_0063, collectively constitute true and correct copies of the currently available Documents for Policy No. LM 29080/CU 3061 (Second Excess Umbrella Policy).

REQUEST FOR ADMISSION NO. 3

Admit that the Documents bearing Bates Nos. Underwriters 0000018–Underwriters 0000020, Underwriters 0000021–Underwriters 0000035, RCBO-CC-0000003_0003–RCBO-CC-0000003_0006, and RCBO-CC-0000017_0007–RCBO-CC-0000017_0019, collectively constitute true and correct copies of the currently available Documents for Policy No. LM 26336/CU 1001 (First Excess Umbrella Policy).

REQUEST FOR ADMISSION NO. 4

Admit that the Documents bearing Bates Nos. Underwriters 0000036–Underwriters 0000042, Underwriters 0000043–Underwriters 0000048, and RCBO-CC-0000003_0007–RCBO-CC-0000003_0014, collectively constitute true and correct copies of the currently available Documents for Policy No. LM 26337/K 66034 (Second Excess Umbrella Policy).

RESERVATION OF RIGHTS

These Requests are without prejudice to propounding additional Requests, Interrogatories, or Requests for Production as permitted by the Federal Rules of Civil Procedure and any applicable scheduling order.

Dated: May 20, 2026

By: /s/ *Jeff D. Kahane*

Russell W. Roten
Jeff D. Kahane
Timothy W. Evanston
Isabelle Cho
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Yongli.Yang@clydeco.us

Attorneys for Certain Underwriters at Lloyd's, London, and Certain London Market Insurers

Case: 23-40523 Doc# 3035-6 Filed: 06/01/26 Entered: 06/01/26 17:35:46 Page 7 of 7

Exhibit 7

From:	McMahon, Timothy K.
To:	Moore, Mark C.; Uetz, Ann Marie; Lee, Matt; Goroff, David B.; Moses, Shane
Cc:	Evanston, Timothy W.; Kahane, Jeff D.; Roten, Russell W.
Subject:	RE: Re: RCBO - Stipulation LMI Policies
Date:	Tuesday, May 26, 2026 1:26:42 PM
Attachments:	DoOak - Stipulation to Authenticate LMI Policies (5.22.26) 4916-2701-8158 v.4.docx

Counsel –

Attached is a word version of the stipulation sent earlier.

Best Regards,

Tim

Timothy K. McMahon
Skarzynski Marick & Black LLP
D 213.721.0639 | **P** 213.721.0650 | **E** tmcmahon@skarzynski.com | vCard | View Bio

From: McMahon, Timothy K.
Sent: Tuesday, May 26, 2026 11:59 AM
To: Moore, Mark C. <mmoore@foley.com>; Uetz, Ann Marie <auetz@foley.com>; Lee, Matt <mdlee@foley.com>; Goroff, David B. <dgoroff@foley.com>; Moses, Shane <smoses@foley.com>
Cc: Evanston, Timothy W. <tevanston@skarzynski.com>; Kahane, Jeff D. <jkahane@skarzynski.com>; Roten, Russell W. <rroten@skarzynski.com>
Subject: Re: RCBO - Stipulation LMI Policies

Counsel

Please find attached a draft of the Stipulation to Authenticate Insurance Policies of Certain Underwriters at Lloyd's London and Certain London Market Insurers for your review.

Feel free to reach out if you have any questions or would like to discuss.

Best Regards,

Tim

Timothy K. McMahon
Associate
Skarzynski Marick & Black LLP
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Exhibit 8

From:	Roten, Russell W.
To:	"MDLee@foley.com"
Cc:	Evanston, Timothy W.
Subject:	Re: RCBO - Stipulation LMI Policies
Date:	Wednesday, May 27, 2026 12:02:02 PM
Attachments:	DoOak - Stipulation to Authenticate LMI Policies (5.22.26) 4916-2701-8158 v.4.docx

Matt,

I am writing in an effort to resolve the issue of the admissibility of the insurance policies into evidence at the confirmation hearing. I am not seeking an argument or a confrontation, but rather a harmonious resolution. I believe it would behoove both of our clients to resolve the issue amicably by a stipulation. Let me preface the discussion by saying that I am sure that you & your team are quite busy in preparation for the hearing, & this issue may not have received the attention necessary for a resolution.

Back on August 10, 2023, we requested that Debtor produce the LMI Policies. On August 24, 2023, the Debtor did so, via a secure share link to LMI and others to access and download the Debtor's insurance policies. Our proposed stipulation is for the very same policies that the Debtor sent to us, nothing more.

On April 23, 2026, during a meet & confer session on certain discovery issues, the Debtor stated that it was open to authenticating the policies and requested that the insurers to send the policies to the Debtor to review. Westport sent a confirmatory email to the Debtor on the same day, requesting to confirm this understanding. The Debtor did not respond.

On April 29, 2026, LMI sent the LMI Policies to the Debtor for its review and inquired as to whether the Debtor would stipulate that the LMI Policies are authentic. LMI sent the Debtor the copies of the LMI Policies that LMI received from the Debtor in 2023. The Debtor did not respond.

On May 4, 2026, LMI inquired again as to whether the Debtor would agree to stipulate to the authenticity of the LMI Policies. The Debtor did not respond.

On May 6, 2026, Westport and LMI deposed Mr. Bardos. At the deposition, Westport asked whether Mr. Bardos was prepared to discuss the authentication of the Certain Insurers' insurance policies. Counsel for the Debtor stated that "we had discussed handling this through a stipulation with the – about the policies, not addressing it as a topic in this deposition." In response, Westport stated that it "is amenable to the stipulation." Similarly, LMI asked the Debtor's counsel if the Debtor received LMI's prior emails and if the Debtor would authenticate the LMI Policies. The Debtor's counsel stated it was "still looking into that…but we'll get you an answer as quickly as we can." The Debtor never provided an answer.

On May 18, 2026, LMI emailed the Debtor a third time, requesting a response from the Debtor. The Debtor did not respond.

On May 20, 2026, LMI served Requests for Admission on the Debtor, requesting that the Debtor admit the LMI Policies are authentic. The Debtor

has not confirmed receipt of the Requests for Admission, nor responded. I note that a response is not yet due.

On May 27, 2026, LMI sent a stipulation to the Debtor whereby the parties agree the LMI Policies are authentic. The stipulation is attached. The Debtor has not responded to that email.

As time is short, we have reached the point of having to initiate some action in the court if we cannot reach a resolution. We do not wish to do that for a host of reasons. We assume that your team is swamped & just has not had time to deal with the issue. Could you kindly take a few minutes to look at the attached stipulation & let us know your position? I believe that Westport is in a similar position & I assume that they would also welcome an agreeable resolution of this issue.

Thanks for your time & best regards,

Russell Webb Roten

Senior Counsel
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