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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 WJL Chapter 11 **DECLARATION OF SHANE J. MOSES IN SUPPORT OF *EX PARTE* APPLICATION FOR ORDER PURSUANT TO B.L.R. 9013-1(C) AUTHORIZING OVERSIZE BRIEFING FOR DEBTOR'S MEMORANDUM OF LAW IN SUPPORT OF CONFIRMATION OF DEBTOR'S MODIFIED FOURTH AMENDED PLAN OF REORGANIZATION** [No Hearing Requested]

I, Shane J. Moses, hereby declare as follows:

1. I am an attorney admitted to practice in the State of California and before this Bankruptcy Court. I am of counsel with the law firm of Foley & Lardner LLP ("Foley") and am one of the attorneys at Foley responsible for representation of the Roman Catholic Bishop of Oakland ("the Debtor") in this Bankruptcy Case.

2. I submit this declaration (the "Declaration") in support of the Debtor's concurrently filed *Ex Parte Application for Order Pursuant To B.L.R. 9013-1(c) Authorizing Oversize Briefing for Debtor's Memorandum of Law in Support of Confirmation of Debtor's Modified Fourth Amended Plan of Reorganization* (the "Application").

3. Prior to filing the Application, the Debtor contacted other parties regarding its intent to filed the Application seeking additional pages to respond to the approximately 145 pages of briefing filed in opposition to the *Debtor's Modified Fourth Amended Plan of Reorganization* [Docket No. 2758] (the "Plan").

4. I am informed that the Committee does not object to the Debtor's request.

5. Additionally, at approximately 6:34 a.m. on Thursday, June 4, I sent an email addressed to counsel for all Insurers, the Committee, and the U.S. Trustee stating the Debtor's intent to file this application and requesting that the parties respond with any objection to the relief requested. The only response received was from counsel for the Pacific Insurers. As reflected in the correspondence attached hereto as **Exhibit A**, the Pacific Insurers refused to provide their consent without the Debtor engaging in a discussion of post-trial briefing that the Debtor believes is clearly premature. No other party responded.

I declare under penalty of perjury under the laws of the United States of America the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed on June 5, 2026, at Oakland, California.

/s/ Shane J. Moses
Shane J. Moses

Exhibit A

Moses, Shane

From: Lee, Matt
Sent: Thursday, June 4, 2026 7:50 AM
To: Schiavoni, Tancred; Moses, Shane; Wolter, Alexandra J.; Kaplan, Michael A.; Stewart, Cristina; Connors, Trip; Restel, Colleen M.; Brian Aton; ryan.manns; catalina.sugayan; tkeller; jkim; galbert; Tim Burns; jbair; trevor.fehr@usdoj.gov; alex.potente; jason.chorley@clydeco.us; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron; Yang, Yongli; rroten; jkahane; nreinhardt; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc; Blaise Curet; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle; Rebecca Winthrop; scott.kortmeyer; jason.blanchard; awilliams; McMahon, Timothy K.; tevanston; jason.blumberg@usdoj.gov; Jillian.Dennehy; Travis.Wall; george@ifrahlaw.com; jweinberg@ruggerilaw.com; jmayer@ruggerilaw.com; areilly@ruggerilaw.com; Haberkorn, Adam P.
Cc: Uetz, Ann Marie; Moore, Mark C.; Goroff, David B.; Rofaeil, Mary; McGuffey, Nora J.; Ridley, Eileen R.
Subject: RE: RCBO - Draft Pretrial Order

Tanc –

We will accurately represent the Pacific Insurers' position to the Court.

Does anyone else have any objection with the Debtor's request to file an oversized brief?

Matt Lee
608.258.4203
mdlee@foley.com

From: Schiavoni, Tancred <tschiavoni@omm.com>
Sent: Thursday, June 4, 2026 9:37 AM
To: Moses, Shane <smoses@foley.com>; Wolter, Alexandra J. <awolter@omm.com>; Kaplan, Michael A. <MKaplan@lowenstein.com>; Stewart, Cristina <CStewart@lowenstein.com>; Connors, Trip <rconnors@lowenstein.com>; Restel, Colleen M. <crestel@lowenstein.com>; Brian Aton <baton@phrd.com>; ryan.manns <ryan.manns@nortonrosefulbright.com>; catalina.sugayan <catalina.sugayan@clydeco.us>; tkeller <tkeller@kbkllp.com>; jkim <jkim@kbkllp.com>; galbert <galbert@kbkllp.com>; Tim Burns <tburns@burnsbair.com>; jbair <jbair@burnsbair.com>; trevor.fehr@usdoj.gov; alex.potente <alex.potente@clydeco.us>; jason.chorley@clydeco.us; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron <clinton.cameron@clydeco.us>; Yang, Yongli <yongli.yang@clydeco.us>; rroten <rroten@skarzynski.com>; jkahane <jkahane@skarzynski.com>; nreinhardt <nreinhardt@skarzynski.com>; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc <rdc@rcraiglaw.com>; Blaise Curet <bcuret@spcclaw.com>; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle <elyttle@phrd.com>; Rebecca Winthrop <rebecca.winthrop@nortonrosefulbright.com>; scott.kortmeyer <scott.kortmeyer@nortonrosefulbright.com>; jason.blanchard <jason.blanchard@nortonrosefulbright.com>; awilliams <awilliams@plevinturner.com>; McMahon, Timothy K. <tmcmahon@skarzynski.com>; tevanston <tevanston@skarzynski.com>; jason.blumberg@usdoj.gov; Jillian.Dennehy <Jillian.Dennehy@kennedyslaw.com>; Travis.Wall <Travis.Wall@kennedyslaw.com>; george@ifrahlaw.com; jweinberg@ruggerilaw.com; jmayer@ruggerilaw.com; areilly@ruggerilaw.com; Haberkorn, Adam P. <ahaberkorn@omm.com>
Cc: Uetz, Ann Marie <AUetz@foley.com>; Lee, Matt <MDLee@foley.com>; Moore, Mark C. <mmoore@foley.com>;

Case: 23-40523 Doc# 3096 Filed: 06/05/26 Entered: 06/05/26 15:23:52 Page 4 of 12

Goroff, David B. <DGoroff@foley.com>; Rofaeil, Mary <mary.rofaeil@foley.com>; McGuffey, Nora J. <nora.mcguffey@foley.com>; Ridley, Eileen R. <ERidley@foley.com>
Subject: RE: RCBO - Draft Pretrial Order

***** EXTERNAL EMAIL MESSAGE *****

You should represent to the court that Pacific asked that if extended pages be added to the Diocese response that Pacific be granted the same professional courtesy with regard to its post trial brief so it can respond.

From: Moses, Shane <smoses@foley.com>
Sent: Thursday, June 4, 2026 10:34 AM
To: Schiavoni, Tancred <tschiavoni@omm.com>; Wolter, Alexandra J. <awolter@omm.com>; Kaplan, Michael A. <MKaplan@lowenstein.com>; Stewart, Cristina <CStewart@lowenstein.com>; Connors, Trip <rconnors@lowenstein.com>; Restel, Colleen M. <crestel@lowenstein.com>; Brian Aton <baton@phrd.com>; ryan.manns <ryan.manns@nortonrosefulbright.com>; catalina.sugayan <catalina.sugayan@clydeco.us>; tkeller <tkeller@kbkllp.com>; jkim <jkim@kbkllp.com>; galbert <galbert@kbkllp.com>; Tim Burns <tburns@burnsbair.com>; jbair <jbair@burnsbair.com>; trevor.fehr@usdoj.gov; alex.potente <alex.potente@clydeco.us>; jason.chorley@clydeco.us; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron <clinton.cameron@clydeco.us>; Yang, Yongli <yongli.yang@clydeco.us>; rroten <rroten@skarzynski.com>; jkahane <jkahane@skarzynski.com>; nreinhardt <nreinhardt@skarzynski.com>; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc <rdc@rcraiglaw.com>; Blaise Curet <bcuret@spcclaw.com>; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle <elyttle@phrd.com>; Rebecca Winthrop <rebecca.winthrop@nortonrosefulbright.com>; scott.kortmeyer <scott.kortmeyer@nortonrosefulbright.com>; jason.blanchard <jason.blanchard@nortonrosefulbright.com>; awilliams <awilliams@plevinturner.com>; McMahon, Timothy K. <tmcmahon@skarzynski.com>; tevanston <tevanston@skarzynski.com>; jason.blumberg@usdoj.gov; Jillian.Dennehy <Jillian.Dennehy@kennedyslaw.com>; Travis.Wall <Travis.Wall@kennedyslaw.com>; george@ifrahlaw.com; jweinberg@ruggerilaw.com; jmayer@ruggerilaw.com; areilly@ruggerilaw.com; Haberkorn, Adam P. <ahaberkorn@omm.com>
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Subject: RE: RCBO - Draft Pretrial Order

Should I represent to the Court that the Pacific Insurers oppose the Debtor's request?
Yes or no?
-Shane

Shane Moses
Of Counsel

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View My Bio | Visit Foley.com | Follow us on LinkedIn | smoses@foley.com

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FOLEY & LARDNER LLP

From: Schiavoni, Tancred <tschiavoni@omm.com>
Sent: Thursday, June 4, 2026 7:32 AM

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Subject: RE: RCBO - Draft Pretrial Order

***** EXTERNAL EMAIL MESSAGE *****

Shane

We know now that if you are going to put in an overlength brief as a reply we are going to need more than the allotted pages to respond regardless of how the trial plays out and the trial will add extra. So, we think the two issues should be dealt with now at once.

From: Moses, Shane <smoses@foley.com>
Sent: Thursday, June 4, 2026 10:28 AM
To: Schiavoni, Tancred <tschiavoni@omm.com>; Wolter, Alexandra J. <awolter@omm.com>; Kaplan, Michael A. <MKaplan@lowenstein.com>; Stewart, Cristina <CStewart@lowenstein.com>; Connors, Trip <rconnors@lowenstein.com>; Restel, Colleen M. <crestel@lowenstein.com>; Brian Aton <baton@phrd.com>; ryan.manns <ryan.manns@nortonrosefulbright.com>; catalina.sugayan <catalina.sugayan@clydeco.us>; tkeller <tkeller@kbkllp.com>; jkim <jkim@kbkllp.com>; galbert <galbert@kbkllp.com>; Tim Burns <tburns@burnsbair.com>; jbair <jbair@burnsbair.com>; trevor.fehr@usdoj.gov; alex.potente <alex.potente@clydeco.us>; jason.chorley@clydeco.us; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron <clinton.cameron@clydeco.us>; Yang, Yongli <yongli.yang@clydeco.us>; rroten <rroten@skarzynski.com>; jkahane <jkahane@skarzynski.com>; nreinhardt <nreinhardt@skarzynski.com>; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc <rdc@rcraiglaw.com>; Blaise Curet <bcuret@spcclaw.com>; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle <elyttle@phrd.com>; Rebecca Winthrop <rebecca.winthrop@nortonrosefulbright.com>; scott.kortmeyer <scott.kortmeyer@nortonrosefulbright.com>; jason.blanchard <jason.blanchard@nortonrosefulbright.com>; awilliams <awilliams@plevinturner.com>; McMahon, Timothy K. <tmcmahon@skarzynski.com>; tevanston <tevanston@skarzynski.com>; jason.blumberg@usdoj.gov; Jillian.Dennehy <Jillian.Dennehy@kennedyslaw.com>; Travis.Wall <Travis.Wall@kennedyslaw.com>; george@ifrahlaw.com; jweinberg@ruggerilaw.com; jmayer@ruggerilaw.com; areilly@ruggerilaw.com; Haberkorn, Adam P. <ahaberkorn@omm.com>
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Subject: RE: RCBO - Draft Pretrial Order

Tanc,

The Debtor's request relates to its brief in support of plan confirmation, which is **in response to seven separate briefs objecting to the plan, three of which exceeded 25 pages**. At this point we do not know how the trial will play out, or what the Court will direct regarding post-hearing briefing. We are not going to engage in a discussion on that subject at this time.

Should I represent to the Court that the Pacific Insurers oppose the Debtor's request?

Before you respond, I would remind you that neither the Pacific Insurers nor any other insurer even contacted the Debtor to request consent before filing *ex parte* applications seeking leave from the court to exceed page limits for the plan objections to which the Debtor is now responding.

Best,
-Shane

Shane Moses
Of Counsel

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Sent: Thursday, June 4, 2026 6:59 AM
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Case: 23-40523 Doc# 3096 Filed: 06/05/26 Entered: 06/05/26 15:23:52 Page 7 of 12

***** EXTERNAL EMAIL MESSAGE *****

Shane

If you are putting in an overlength reply brief quite clearly are going to need more then the allotted pages to respond especially with evidence post confirmation. It is not premature.

From: Moses, Shane <smoses@foley.com>
Sent: Thursday, June 4, 2026 9:56 AM
To: Wolter, Alexandra J. <awolter@omm.com>; Kaplan, Michael A. <MKaplan@lowenstein.com>; Stewart, Cristina <CStewart@lowenstein.com>; Connors, Trip <rconnors@lowenstein.com>; Restel, Colleen M. <crestel@lowenstein.com>; Brian Aton <baton@phrd.com>; ryan.manns <ryan.manns@nortonrosefulbright.com>; catalina.sugayan <catalina.sugayan@clydeco.us>; tkeller <tkeller@kbkllp.com>; jkim <jkim@kbkllp.com>; galbert <galbert@kbkllp.com>; Tim Burns <tburns@burnsbair.com>; jbair <jbair@burnsbair.com>; trevor.fehr@usdoj.gov; alex.potente <alex.potente@clydeco.us>; jason.chorley@clydeco.us; Schiavoni, Tancred <tschiavoni@omm.com>; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron <clinton.cameron@clydeco.us>; Yang, Yongli <yongli.yang@clydeco.us>; rroten <rroten@skarzynski.com>; jkahane <jkahane@skarzynski.com>; nreinhardt <nreinhardt@skarzynski.com>; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc <rdc@rcraiglaw.com>; Blaise Curet <bcuret@spcclaw.com>; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle <elyttle@phrd.com>; Rebecca Winthrop <rebecca.winthrop@nortonrosefulbright.com>; scott.kortmeyer <scott.kortmeyer@nortonrosefulbright.com>; jason.blanchard <jason.blanchard@nortonrosefulbright.com>; awilliams <awilliams@plevinturner.com>; McMahon, Timothy K. <tmcmahon@skarzynski.com>; tevanston <tevanston@skarzynski.com>; jason.blumberg@usdoj.gov; Jillian.Dennehy <Jillian.Dennehy@kennedyslaw.com>; Travis.Wall <Travis.Wall@kennedyslaw.com>; george@ifrahlaw.com; jweinberg@ruggerilaw.com; jmayer@ruggerilaw.com; areilly@ruggerilaw.com; Haberkorn, Adam P. <ahaberkorn@omm.com>
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Subject: RE: RCBO - Draft Pretrial Order

Hi Ali,
I think it is a little premature to discuss post-hearing briefing. We will be happy to discuss a mutual agreement on that after the hearing.
Please let us know your position on the request below, as well as any comments on the form of pretrial order.
Best,
-Shane

Shane Moses
Of Counsel

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Phone 415.438.6404
View My Bio | Visit Foley.com | Follow us on LinkedIn | smoses@foley.com

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Sent: Thursday, June 4, 2026 6:43 AM
To: Moses, Shane <smoses@foley.com>; Kaplan, Michael A. <MKaplan@lowenstein.com>; Stewart, Cristina <CStewart@lowenstein.com>; Connors, Trip <rconnors@lowenstein.com>; Restel, Colleen M. <crestel@lowenstein.com>; Brian Aton <baton@phrd.com>; ryan.manns <ryan.manns@nortonrosefulbright.com>; catalina.sugayan <catalina.sugayan@clydeco.us>; tkeller <tkeller@kbkllp.com>; jkim <jkim@kbkllp.com>; galbert <galbert@kbkllp.com>; Tim Burns <tburns@burnsbair.com>; jbair <jbair@burnsbair.com>; trevor.fehr@usdoj.gov; alex.potente <alex.potente@clydeco.us>; jason.chorley@clydeco.us; Schiavoni, Tancred <tschiavoni@omm.com>; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron <clinton.cameron@clydeco.us>; Yang, Yongli <yongli.yang@clydeco.us>; rroten <rroten@skarzynski.com>; jkahane <jkahane@skarzynski.com>; nreinhardt <nreinhardt@skarzynski.com>; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc <rdc@rcraiglaw.com>; Blaise Curet <bcuret@spcclaw.com>; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle <elyttle@phrd.com>; Rebecca Winthrop <rebecca.winthrop@nortonrosefulbright.com>; scott.kortmeyer <scott.kortmeyer@nortonrosefulbright.com>; jason.blanchard <jason.blanchard@nortonrosefulbright.com>; awilliams <awilliams@plevinturner.com>; McMahon, Timothy K. <tmcmahon@skarzynski.com>; tevanston <tevanston@skarzynski.com>; jason.blumberg@usdoj.gov; Jillian.Dennehy <Jillian.Dennehy@kennedyslaw.com>; Travis.Wall <Travis.Wall@kennedyslaw.com>; george@ifrahlaw.com; jweinberg@ruggerilaw.com; jmayer@ruggerilaw.com; areilly@ruggerilaw.com; Haberkorn, Adam P. <ahaberkorn@omm.com>
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Subject: RE: RCBO - Draft Pretrial Order

***** EXTERNAL EMAIL MESSAGE *****
Hi Shane,

Will you consent to Pacific filing an over-length post-hearing brief?

Thanks,
Ali

Alexandra Wolter
O: +1-213-430-6229
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From: Moses, Shane <smoses@foley.com>
Sent: Thursday, June 4, 2026 6:34 AM
To: Kaplan, Michael A. <MKaplan@lowenstein.com>; Stewart, Cristina <CStewart@lowenstein.com>; Connors, Trip <rconnors@lowenstein.com>; Restel, Colleen M. <crestel@lowenstein.com>; Brian Aton <baton@phrd.com>; ryan.manns <ryan.manns@nortonrosefulbright.com>; catalina.sugayan <catalina.sugayan@clydeco.us>; tkeller <tkeller@kbkllp.com>; jkim <jkim@kbkllp.com>; galbert <galbert@kbkllp.com>; Tim Burns <tburns@burnsbair.com>; jbair <jbair@burnsbair.com>; trevor.fehr@usdoj.gov; alex.potente <alex.potente@clydeco.us>; Wolter, Alexandra J. <awolter@omm.com>; jason.chorley@clydeco.us; Schiavoni, Tancred <tschiavoni@omm.com>; andrew.wyatt@dentons.com; lauren.macksoud@dentons.com; clinton.cameron <clinton.cameron@clydeco.us>; Yang, Yongli <yongli.yang@clydeco.us>; rroten <rroten@skarzynski.com>; jkahane <jkahane@skarzynski.com>; nreinhardt <nreinhardt@skarzynski.com>; mturner@plevinturner.com; jhess@plevinturner.com; mplevin@plevinturner.com; rdc <rdc@rcraiglaw.com>; Blaise Curet <bcuret@spcclaw.com>; hwinsberg@phrd.com; mroberts@phrd.com; mweiss@phrd.com; Erica Lyttle <elyttle@phrd.com>; Rebecca Winthrop <rebecca.winthrop@nortonrosefulbright.com>; scott.kortmeyer <scott.kortmeyer@nortonrosefulbright.com>; jason.blanchard <jason.blanchard@nortonrosefulbright.com>; awilliams <awilliams@plevinturner.com>; McMahon, Timothy K.

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Subject: RE: RCBO - Draft Pretrial Order

Counsel –

Good morning. In addition to the request below regarding the pretrial order, we wanted to provide notice that the Debtor will be filing an *ex parte* application for leave to exceed 25 pages for its brief in support of plan confirmation. This request will be based on the need to address the arguments raised in the various objections filed by the Committee, Insurers, and United States Trustee, in addition to addressing the elements of 1129.

We understand that the Committee does not object. For the remaining parties who filed objections to plan confirmation, please let us know if you have any objection to the Debtor's request to exceed 25 pages, and if so the basis of your objection, so that we can inform the Court.

Best,
-Shane

Shane Moses
Of Counsel

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From: Moses, Shane
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Case: 23-40523 Doc# 3096 Filed: 06/05/26 Entered: 06/05/26 15:23:52 Page 10 of 12

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Subject: RCBO - Draft Pretrial Order

Counsel –
Attached please find the draft pretrial order for presentation to the Court on Monday. Please let us know any comments or edits, including identification of intended cross-examination for inclusion under "C." on page 8. This is subject to continued meet and confer and discussion, including as noted in the draft.
Best,
-Shane

Shane Moses
Of Counsel

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