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The following constitutes the order of the Court.

Signed: May 11, 2023

William J. Lafferty, III
U.S. Bankruptcy Judge

*Proposed 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

**INTERIM ORDER AUTHORIZING THE
DEBTOR TO (I) CONTINUE EXISTING
INSURANCE COVERAGE AND SATISFY
OBLIGATIONS RELATED THERETO, AND
(II) RENEW, AMEND, SUPPLEMENT,
EXTEND OR PURCHASE INSURANCE
POLICIES IN THE ORDINARY COURSE
OF BUSINESS**

Judge: Hon. William J. Lafferty

Date: May 9, 2023

Time: 1:30 p.m.

Place: United States Bankruptcy Court

1300 Clay Street

Courtroom 220

Oakland, CA 94612



1 Upon the *Debtor's Motion For Interim and Final Orders Authorizing the Debtor to (I) Continue*
2 *Existing Insurance Coverage and Satisfy Obligations Related Thereto, and (II) Renew, Amend,*
3 *Supplement, Extend or Purchase Insurance Policies in the Ordinary Course of Business,* dated May 8,
4 2023 (the "Insurance Motion"),¹ filed by the Roman Catholic Bishop of Oakland, a California corporation
5 sole, and the debtor and debtor in possession (the "Debtor" or "RCBO") in the above-captioned chapter
6 11 bankruptcy case (the "Chapter 11 Case" or the "Bankruptcy Case") for entry of interim and final orders
7 authorizing the Debtor to (i) continue insurance coverage entered into prepetition; (ii) satisfy obligations
8 related thereto whether prepetition or postpetition; (iii) pay brokerage fees and related fees incurred in
9 connection with its insurance program; (iv) maintain its self-insurance program and pay costs related
10 thereto; and (v) renew, amend, supplement, extend, or purchase insurance policies and related agreements
11 as may be required in the ordinary course of business during this Bankruptcy Case; the Court having
12 reviewed and considered the Insurance Motion, the First Day Declaration, all other filings in support of
13 any opposition to the Insurance Motion, and the arguments made at the interim hearing on the Insurance
14 Motion; the Court finding that it has jurisdiction over this matter, that venue in this Court is proper, and
15 that notice of the Insurance Motion and the interim hearing thereon was reasonable and sufficient under
16 the circumstances for the granting of interim relief; the Court finding that there is good cause for entry of
17 an immediate interim order pursuant to Fed. R. Bankr. P. 6003, and that ample cause exists to grant a
18 waiver of the 14-day stay imposed by Bankruptcy Rule 6004(h) for the entry of an interim order granting
19 the Insurance Motion; and the Court further finding that the relief requested in the Insurance Motion is in
20 the best interests of the Debtor, its creditors, and other parties in interest; and after due deliberation and
21 good cause appearing,

22 **IT IS HEREBY ORDERED THAT:**

- 23 1. The Insurance Motion is GRANTED on an interim basis as set forth herein.
- 24 2. The Debtor is authorized, but not directed, on an interim basis, to maintain and continue
25 its Insurance Program, provided that the Debtor is authorized to pay prepetition Insurance Obligations on
26 an interim basis pending a further hearing only as to Workers' Compensation Insurance.

27 _____
28 ¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Insurance Motion.

1 3. The Debtor's banks and financial institutions are authorized and directed to honor all
2 checks, electronic payment requests, or other withdrawals for amounts representing payments or
3 reimbursements for (i) Insurance Obligations authorized by this Order that accrued prepetition, and (ii)
4 Insurance Obligations that accrued postpetition. Such banks and financial institutions are authorized to
5 rely on the Debtor's designation of any particular check or other payment request as being authorized by
6 this Order.

7 4. The Debtor is authorized to issue postpetition checks or electronic payments in replacement
8 of any checks or electronic payment requests for Insurance Obligations authorized by this Order that are
9 dishonored as a consequence of this Bankruptcy Case.

10 5. Nothing in this Order shall be construed as: (a) an admission regarding the validity of any
11 prepetition claim against the Debtor; (b) a promise or requirement to pay any prepetition claim; (c) a
12 request or authorization to assume any prepetition executory contract; (d) a waiver of the Debtor's, or any
13 estate representative's, right to dispute any claim on any grounds; or (e) otherwise a waiver of the Debtor's
14 rights under the Bankruptcy Code or other applicable law.

15 6. This Order shall be immediately effective and enforceable upon entry.

16 7. A final hearing on the Insurance Motion shall be held on May 23, 2023, at 1:30 p.m.
17 (Prevailing Pacific Time). Any written objections to the granting of the relief requested in the Insurance
18 Motion on a final basis shall be filed not later than May 22, 2023. Oral objections may be made at the
19 hearing.

20 8. Time is hereby shortened for a motion filed by the Debtor for assumption of its Premium
21 Financing Agreement pursuant to Bankruptcy Code § 365, to the extent that such a motion may be set for
22 hearing on May 23, 2023, at 1:30 p.m. (Prevailing Pacific Time), provided that it is filed and served not
23 later than May 12, 2023. Any written objections shall be filed not later than May 22, 2023. Oral objections
24 may be made at the hearing.

25 9. The Debtor is authorized to take all actions necessary or appropriate to effectuate the relief
26 granted in this Order.

1 10. This Court shall retain jurisdiction with respect to all matters arising from or related to the
2 implementation of or interpretation of this Order.

3 **APPROVED AS TO FORM:**

4 OFFICE OF THE UNITED STATES TRUSTEE

5
6 By: /s/ Jason Blumberg
7 Jason Blumberg
8 Trial Attorney

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*** END OF ORDER ***

COURT SERVICE LIST

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