



1 **FOLEY & LARDNER LLP**
2 Jeffrey R. Blease (CA Bar No. 134933)
3 Tel: (617) 226-3155; jblease@foley.com
4 Thomas F. Carlucci (CA Bar No. 135767)
5 Tel: (415) 984-9824; tcarlucci@foley.com
6 Shane J. Moses (CA Bar No. 250533)
7 Tel: (415) 438-6404; smoses@foley.com
8 Emil P. Khatchatourian (CA Bar No. 265290)
9 Tel: (312) 832-5156; ekhatchatourian@foley.com
10 Ann Marie Uetz (admitted *pro hac vice*)
11 Tel: (313) 234-7114; auetz@foley.com
12 Matthew D. Lee (admitted *pro hac vice*)
13 Tel: (608) 258-4203; mdlee@foley.com
14 555 California Street, Suite 1700
15 San Francisco, CA 94104-1520

The following constitutes the order of the Court.
Signed: May 25, 2023

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

9 *Proposed Counsel for the Debtor*
10 *and Debtor in Possession*

11 **UNITED STATES BANKRUPTCY COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **OAKLAND DIVISION**

14 In re:
15 THE ROMAN CATHOLIC BISHOP OF
16 OAKLAND, a California corporation sole,
17 Debtor.

Case No. 23-40523 WJL
Chapter 11

**SECOND 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 23, 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 hearings 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 hearings 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
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28 ¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Insurance Motion.

1 an interim basis pending a further hearing only as to Workers' Compensation Insurance, and any amounts
2 that are or become due and owing on account of the Premium Financing Agreement.

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

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

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

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

18 7. A final hearing on the Insurance Motion shall be held on June 6, 2023, at 2:30 p.m.
19 (Prevailing Pacific Time). Any written objections to the granting of the relief requested in the Insurance
20 Motion on a final basis shall be filed not later than June 2, 2023, and any replies to such objections shall
21 be filed not later than 12:00 p.m. (Prevailing Pacific Time) on June 5, 2023. Oral objections may be made
22 at the hearing.

23 8. The Debtor is authorized to take all actions necessary or appropriate to effectuate the relief
24 granted in this Order.

25 9. This Court shall retain jurisdiction with respect to all matters arising from or related to the
26 implementation of or interpretation of this Order.

1 **APPROVED AS TO FORM:**

2 OFFICE OF THE UNITED STATES TRUSTEE

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4 By: /s/ Jason Blumberg
5 Jason Blumberg
6 Trial Attorney

*** END OF ORDER ***

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SECOND INTERIM ORDER AUTHORIZING DEBTOR TO MAINTAIN INSURANCE PROGRAM

Case: 23-40523 Doc# 75 Filed: 05/25/23⁴ Entered: 05/25/23 18:29:44 Page 4 of 5

COURT SERVICE LIST

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All ECF Recipients.