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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

**NOTICE OF FILING OF REVISED FORMS
OF CLASS 4 AND CLASS 5 BALLOTS AND
NOTICE OF CONFIRMATION HEARING**

Judge: Hon. William J. Lafferty

Date: January 16, 2025

Time: 1:30 p.m.

Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612

1 The Roman Catholic Bishop of Oakland, a California corporation sole, and the debtor and debtor
2 in possession (the “Debtor” or “RCBO”) in the above-captioned chapter 11 bankruptcy case (the “Chapter
3 11 Case” or the “Bankruptcy Case”), hereby files this notice (the “Notice”) of filing of (a) forms of Ballots
4 for Class 4 and Class 5 Claims, which have been further revised in light of comments received from
5 counsel for the United States Trustee (the “UST”); and (b) revised form of Confirmation Hearing Notice,
6 reflecting revisions from the form attached as Exhibit 8 to the *Debtor’s Motion for Order (I) Approving*
7 *Disclosure Statement; and (II) Establishing Procedures for Plan Solicitation, Notice, and Balloting*
8 [Docket No. 1453] (the “Motion”).¹

9 Attached hereto as **Exhibit A** and **Exhibit B** are the Debtor’s revised forms of Ballot for Class 4
10 Claims (Abuse Claims) and Class 5 Claims (Unknown Abuse Claims). Attached hereto as **Exhibit C** and
11 **Exhibit D** are cumulative redlines of the Debtor’s revised forms of Ballot for Class 4 and Class 5 against
12 the forms filed as Exhibit 3 and Exhibit 4 to the Motion.²

13 Attached hereto as **Exhibit E** is the Debtor’s revised form of Confirmation Hearing Notice.
14 Attached hereto as **Exhibit F** is a redline of the Debtor’s revised form of Confirmation Hearing Notice
15 against the forms filed as Exhibit 8 to the Motion.

16 DATED: January 10, 2025

FOLEY & LARDNER LLP

Thomas F. Carlucci
Shane J. Moses
Emil P. Khatchatourian
Ann Marie Uetz
Matthew D. Lee
Geoffrey S. Goodman
Mark C. Moore

/s/ Shane J. Moses

SHANE J. MOSES

*Counsel for the Debtor
and Debtor in Possession*

25 ¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion, Disclosure Statement,
26 or the Plan, as applicable.

27 ² This redline is cumulative of the changes reflected in the exhibits to Debtor’s *Notice of Filing of (1) Redlines Debtor’s*
Amended Plan of Reorganization and Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization, and (2)
28 *Revised Forms of Proposed Order and Ballots* [Docket No. 1596], filed on January 3, 2025.

NOTICE OF FILING OF REDLINES OF REVISED FORMS OF BALLOTS
AND NOTICE OF CONFIRMATION HEARING

EXHIBIT A

Revised Form of Ballot for Class 4 (Abuse Claims)

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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

**BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF
REORGANIZATION**

CLASS 4– Abuse Claims

**THE VOTING DEADLINE TO ACCEPT OR REJECT
THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,
ON [•] [•], 2025 (the “Voting Deadline”)**

This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 (as may be amended from time to time, the “Plan”), for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Chapter 11 Case.¹

Please use this Ballot to cast your vote to accept or reject the Plan if you are, as of [•] [•], 2024 (the “Voting Record Date”), a holder of a Claim against the Debtor based on sexual abuse that arose before the May 8, 2023, filing of the Debtor’s Bankruptcy Case.

In addition, the Plan provides that if the Plan is confirmed, certain release, injunction, exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the Effective Date of the Plan. **These include the “Releases by Holders of Abuse Claims” set forth in Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “Third-Party Release”). The Third-Party Release provides for release by consenting claimants of claims against certain non-debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.**

In accordance with the terms of the Plan, **by casting this Ballot to vote either to accept or reject the Plan you will be deemed to grant the Third-Party Release unless you “opt out” of the Third-Party Release by checking the box in Item 4 below.**

The Bankruptcy Court has approved an *Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 (the “Disclosure Statement”) with respect to the Plan. A copy of the Disclosure Statement, along with the Plan, was included in the package of materials you received with this Ballot (the “Solicitation Package”). The Disclosure Statement provides information to assist you in deciding how to vote on the Plan. If you do not have the Solicitation Package, you may obtain a copy free of charge from the website for the Chapter 11 Case at

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.
Case: 23-40523 Doc# 1623-1 Filed: 01/10/25 Entered: 01/10/25 16:35:25 Page 2
of 8

<https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on file with the Office of the Clerk of the Court for review during normal business hours (a fee may be charged).

You should review the Disclosure Statement and the Plan in their entirety before you vote. You may wish to seek independent legal advice concerning the Plan and the classification and treatment of your Claim under the Plan. Your claim has been placed in Class 4 (Abuse Claims) under the Plan. If you hold claims in more than one class under the Plan, you will receive a Ballot for each class in which you are entitled to vote.

The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

If your Ballot is not received on or before [•] [•], 2025 at 5:00 P.M. (PT) and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan. To have your vote counted, please complete, sign, and date this ballot and return it so that it is received no later than the Voting Deadline, as follows:

SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY

**YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED ENVELOPE)
OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

**The Roman Catholic Bishop of Oakland
Ballot Processing c/o Verita
222 N. Pacific Coast Highway, 3rd Floor
El Segundo, CA 90245**

OR

ELECTRONIC ONLINE SUBMISSION

Alternatively, parties may submit a Ballot via electronic online transmission solely through the customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website, <https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your customized E-Ballot:

Unique E-Ballot ID#: _____

PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THIS BALLOT.

PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN CAST.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Certification of Claim. For purposes of voting to accept or reject the Joint Plan, the undersigned certifies that as of the Voting Record Date, the undersigned holds a Claim in Class 4 (Abuse Claims) against the Debtor.

Item 2. Vote to Accept or Reject the Plan. Please vote below either to accept or to reject the Plan with respect to your Claim in Class 4. Any Ballot not marked either to accept or reject the Plan, or marked both to accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan. The undersigned, the holder of Claim in Class 4 (Abuse Claims) set forth in Item 1, votes as follows (check *only* one box below):

☐ ACCEPTS THE PLAN

☐ REJECTS THE PLAN

Item 3. Election Regarding Immediate Payment. Under section 9.7 of the Plan, Holders of Class 4 Claims (also called Abuse Claims) have the option of electing to receive an Immediate Payment (as defined in section 1.1.65 of the Plan) within 30 days of the Effective Date in the amount of \$50,000. If you elect to receive an Immediate Payment, all recovery on your Abuse Claim is limited to the Immediate Payment, and you will not be able to seek any additional recovery on account of the Abuse Claim from any other party, including Non-Settling Insurers. Correspondingly, if you elect the Immediate Payment, your Abuse Claim will not be scored or subject to Claim objections.

If you wish to elect to receive the Immediate Payment, you may do so by checking the box below. Alternatively, you may elect to receive the Immediate Payment at any time prior to the Effective Date of the Plan. **Before making the election below, you should carefully read Sections I.C. and VII.F of the Disclosure Statement.** If you do not make an election prior to the Effective Date of the Plan, you will be considered to have not elected the Immediate Payment, and will be paid as a Trust Claimant.

The undersigned, the holder of the Claim in Class 4 (Abuse Claims) set forth in Item 1, elects as follows (check *only* one box below):

☐ I elect to receive an Immediate Payment as the sole distribution I will receive under the Plan.

☐ I DO NOT elect to receive an Immediate Payment.

Item 4. Opt-Out of Third-Party Release. The checkbox below is for purposes of indicating whether you decline to grant the Third-Party Release as provided in Section 13.9 of the Plan, and described in Article II and Article III.F., III.G., and III.I. of the Disclosure Statement. **If you do not wish to grant the releases in Section 13.9 of the Plan, then you need to check the box below.**

By checking this box, the undersigned Holder of a Claim in Class 4 (Abuse Claims):

☐ Elects **not** to grant the Third-Party Release contained in Section 13.9 of the Plan.

YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE THIRD-PARTY RELEASE. If you return this Ballot without checking the box to opt-out, you will be deemed to consent to the Third-Party Release.

As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants.** More information on RCWC’s contribution is provided in the Disclosure Statement.

Please also be advised that the debtor release contained in section 13.8 of the plan is separate from and independent of the Third-Party Release. If you object to the debtor release, you must file a separate objection with the bankruptcy court in accordance with the procedures described in the disclosure statement order.

Item 5. Acknowledgments. By signing this Ballot, the undersigned acknowledges receipt of a copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth therein. The undersigned claimant certifies that as of the Voting Record Date he or she is the holder of the Claim identified in Item 1 above (or is the authorized signatory of such holder). The undersigned understands that an otherwise properly completed, executed, and returned Ballot failing to indicate either acceptance or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

Print Name of Creditor

Signature

Name and Title of Signatory (if different than creditor)

Street Address

E-mail Address

Telephone Number

Date Completed

VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT

1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan. The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto. **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THE BALLOT.**
2. Item 1. Confirm that Item 1 is correct.
3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of the Plan (not both). If you hold multiple claims in Class 4, the Debtor will aggregate those claims for voting purposes as one (1) claim. You must vote your entire Class 4 Claim to accept or reject the Plan. You may not split your vote.
4. Item 3. Indicate whether you wish to elect the Immediate Payment by checking the appropriate box.
5. Item 4. Review the information provided and indicate whether you opt out of providing the releases in Section 13.9 of the Plan. If you wish to opt out, check the box in Item 4 on the Ballot. If you wish to not opt out, leave the box unchecked.
6. Item 5. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing all the information requested in Item 5.
7. **SIGN THE BALLOT.**
8. The Debtor will not count any executed ballot received that either (a) does not indicate either an acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.
9. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**
10. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with such person or entity and the capacity in which you are signing and, if requested, submit satisfactory evidence of your authority to do so (e.g., a power of attorney).
11. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.
12. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and void and deemed withdrawn without any requirement of affirmative action by or notice to you.

IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT, PROVIDE LEGAL ADVICE.

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

Schedule 1 to Class 4 Ballot: Third-Party Release From Plan

Releases by Holders of Abuse Claims. As of the Effective Date, except for the rights that remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order, pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate and implement the reorganization of the Debtor, as an integral component of the Plan, and except as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent permitted under applicable law, as such law may be extended subsequent to the Effective Date, all Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse Claims that are Disputed Claims) that timely return a Ballot but do not affirmatively opt out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the Released Parties and their respective property and successors and assigns of and from all Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from or related in any way to such Abuse Claims.

Injunction Related to Releases. As of the Effective Date, and except as set forth in Articles VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against any Released Party or its property or successors or assigns on account of or based on the subject matter of such Claims, whether directly or indirectly, derivatively or otherwise: (a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or other proceeding

1 (including any judicial, arbitral, administrative or other proceeding) in any forum; (b) enforcing,
2 attaching (including, without limitation, any prejudgment attachment), collecting, or in any way
3 seeking to recover any judgment, award, decree, or other order; (c) creating, perfecting or in any
4 way enforcing in any matter, directly or indirectly, any lien or encumbrance; and/or (d) setting off,
5 seeking reimbursement or contributions from, or subrogation against, or otherwise recouping in
6 any manner, directly or indirectly, any amount against any liability or obligation that is discharged
7 under Section 13.3 of the Plan or released under Section 13.9 of the Plan.

EXHIBIT B

Revised Form of Ballot for Class 5 (Unknown Abuse Claims)

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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

**BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF
REORGANIZATION**

CLASS 5 – Unknown Abuse Claims

**THE VOTING DEADLINE TO ACCEPT OR REJECT
THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,
ON [•] [•], 2025 (the “Voting Deadline”)**

This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 (as may be amended from time to time, the “Plan”), for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Bankruptcy Case.¹

Please use this Ballot to cast your vote to accept or reject the Plan on behalf of Holders of Unknown Abuse Claims (as defined in the Plan) against the Debtor based on sexual abuse that arose before the May 8, 2023, filing of the Debtor’s Bankruptcy Case.

In addition, the Plan provides that if the Plan is confirmed, certain release, injunction, exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the Effective Date of the Plan. **These include the “Releases by Holders of Abuse Claims” set forth in Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “Third-Party Release”). The Third-Party Release provides for release by consenting claimants of claims against certain non-debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.**

In accordance with the terms of the Plan, **by casting this Ballot to vote either to accept or reject the Plan you will be deemed to grant the Third-Party Release unless you “opt out” of the Third-Party Release by checking the box in Item 3 below.**

The Bankruptcy Court has approved an *Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 (the “Disclosure Statement”) with respect to the Plan. A copy of the Disclosure Statement, along with the Plan, was included in the package of materials you received with this Ballot (the “Solicitation Package”). The Disclosure Statement provides information to assist you in deciding how to vote on the Plan. If you do not have the Solicitation Package, you may obtain a copy free of charge from the website for the Chapter 11 Case at

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.
Case: 23-40523 Doc# 1623-2 Filed: 01/10/25 Entered: 01/10/25 16:35:25 Page 2
of 8

<https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on file with the Office of the Clerk of the Court for review during normal business hours (a fee may be charged).

You should review the Disclosure Statement and the Plan in their entirety before you vote. You may wish to seek independent legal advice concerning the Plan and the classification and treatment of the Unknown Abuse Claims under the Plan.

The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

If your Ballot is not received on or before [•], 2025 at 5:00 P.M. (PT) and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan. To have your vote counted, please complete, sign, and date this ballot and return it so that it is received no later than the Voting Deadline, as follows:

SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY

**YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED ENVELOPE)
OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

**The Roman Catholic Bishop of Oakland
Ballot Processing c/o Verita
222 N. Pacific Coast Highway, 3rd Floor
El Segundo, CA 90245**

OR

ELECTRONIC ONLINE SUBMISSION

Alternatively, parties may submit a Ballot via electronic online transmission solely through the customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website, <https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your customized E-Ballot:

Unique E-Ballot ID#:

PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THIS BALLOT.

PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN CAST.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Certification of Claim. For purposes of voting to accept or reject the Joint Plan, the undersigned certifies that as of the Voting Record Date, the undersigned is the duly appointed Unknown Abuse Claims Representative in this Bankruptcy Case for holders Claim in Class 5 (Unknown Abuse Claims) against the Debtor. For voting purposes only, you will vote a single Class 5 Claim valued at \$1.00. This amount shall have no effect on the amount of any distribution a Class 5 Claim may receive and is solely for purposes of tabulating votes.

Item 2. Vote to Accept or Reject the Plan. Please vote below either to accept or to reject the Plan with respect to the Class 5 Claims. Any Ballot not marked either to accept or reject the Plan, or marked both to accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan. The undersigned, the Unknown Abuse Claims Representative on behalf of Class 5 Unknown Abuse Claims votes as follows (check *only* one box below):

☐ ACCEPTS THE PLAN

☐ REJECTS THE PLAN

Item 3. Opt-Out of Third-Party Release. The checkbox below is for purposes of indicating whether you decline on behalf of the Holders of Unknown Abuse Claims to grant the Third-Party Release as provided in Section 13.9 of the Plan, and described in Article II and Article III.F., III.G., and III.I. of the Disclosure Statement. **If you do not wish to grant the releases in Section 13.9 of the Plan, then you need to check the box below.**

By checking this box, the undersigned Unknown Abuse Claims Representative:

☐ Elects **not** to grant the Third-Party Release contained in Section 13.9 of the Plan.

YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE THIRD-PARTY RELEASE. If you return this Ballot without checking the box to opt-out, Holders of Unknown Abuse Claims will be deemed to consent to the Third-Party Release.

As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants.** More information on RCWC’s contribution is provided in the Disclosure Statement.

Item 4. Acknowledgments. By signing this Ballot, the undersigned acknowledges receipt of a copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth herein. The undersigned claimant certifies that as of the Voting Record Date he or she is the duly appointed Unknown Abuse Claims Representative. The undersigned understands that an otherwise properly completed, executed, and timely returned Ballot failing to indicate either acceptance or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

Print Name of Creditor

Signature

Name and Title of Signatory (if different than creditor)

Street Address

E-mail Address

Telephone Number

Date Completed

VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT

1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan. The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto. **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THE BALLOT.**
 2. Item 1. Confirm that the information in Item 1 of the Ballot is correct.
 3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of the Plan (not both).
 4. Item 3. Review the information provided and indicate whether you opt out of providing the releases in Section 13.9 of the Plan. If you wish to opt out, check the box in Item 4 on the Ballot. If you wish to not opt out, leave the box unchecked.
 5. Item 4. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing all the information requested in Item 5.
 6. **SIGN THE BALLOT.**
 7. The Debtor will not count any executed ballot received that either (a) does not indicate either an acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.
 8. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**
 9. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with such person or entity and the capacity in which you are signing.
 10. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.
 11. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and void and deemed withdrawn without any requirement of affirmative action by or notice to you.
- IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT, PROVIDE LEGAL ADVICE.**
- PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.**

Schedule 1 to Class 5 Ballot: Third-Party Release From Plan

Releases by Holders of Abuse Claims. As of the Effective Date, except for the rights that remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order, pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate and implement the reorganization of the Debtor, as an integral component of the Plan, and except as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent permitted under applicable law, as such law may be extended subsequent to the Effective Date, all Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse Claims that are Disputed Claims) that timely return a Ballot but do not affirmatively opt out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the Released Parties and their respective property and successors and assigns of and from all Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from or related in any way to such Abuse Claims.

Injunction Related to Releases. As of the Effective Date, and except as set forth in Articles VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against any Released Party or its property or successors or assigns on account of or based on the subject matter of such Claims, whether directly or indirectly, derivatively or otherwise: (a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or other proceeding (including any judicial, arbitral, administrative or other proceeding) in any forum; (b) enforcing,

1 attaching (including, without limitation, any prejudgment attachment), collecting, or in any way
2 seeking to recover any judgment, award, decree, or other order; (c) creating, perfecting or in any
3 way enforcing in any matter, directly or indirectly, any lien or encumbrance; and/or (d) setting off,
4 seeking reimbursement or contributions from, or subrogation against, or otherwise recouping in
5 any manner, directly or indirectly, any amount against any liability or obligation that is discharged
6 under Section 13.3 of the Plan or released under Section 13.9 of the Plan.

EXHIBIT C

Cumulative Redline of Revised Form of Ballot for Class 4

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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

**BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF
REORGANIZATION**

CLASS 4– Abuse Claims

**THE VOTING DEADLINE TO ACCEPT OR REJECT
THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,
ON [•] [•], 2025 (the “Voting Deadline”)**

This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the *Debtor’s Amended Plan of Reorganization* ~~for The Roman Catholic Bishop of Oakland~~ dated and filed on ~~November 8~~ January 3, 2024 ~~2025~~ (as may be amended from time to time, the “Plan”), for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Chapter 11 Case.¹

Please use this Ballot to cast your vote to accept or reject the Plan if you are, as of [•] [•], 2024 (the “Voting Record Date”), a holder of a Claim against the Debtor based on sexual abuse that arose before the May 8, 2023, filing of the Debtor’s Bankruptcy Case.

In addition, the Plan provides that if the Plan is confirmed, certain release, injunction, exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the Effective Date of the Plan. **These include the “Releases by Holders of Abuse Claims” set forth in Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “~~Third-Party~~ Third-Party Release”).** The Third-Party Release provides for release by consenting claimants of claims against certain non-debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.

In accordance with the terms of the Plan, **by casting this Ballot to vote either to accept or reject the Plan you will be deemed to grant the ~~Third-Party~~ Third-Party Release unless** you “opt out” of the ~~Third-Party~~ Third-Party Release by checking the box in Item 4 below.

The Bankruptcy Court has approved ~~an~~ an Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization dated and filed on ~~November 8~~ January 3, 2024 ~~2025~~ (the “Disclosure Statement”) with respect to the Plan. A copy of the Disclosure Statement, along with the Plan, was included in the package of materials you received with this Ballot (the “Solicitation Package”). The Disclosure Statement provides information to assist you in deciding how to vote on the Plan. If you do not have the Solicitation Package, you may obtain a copy free of charge from the website for the Chapter 11 Case at <https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.
Case: 23-40523 Doc# 1623-3 Filed: 01/10/25 Entered: 01/10/25 16:35:25 Page 2
of 8
4906-3219-6620-14908-3678-6701.1

file with the Office of the Clerk of the Court for review during normal business hours (a fee may be charged).

You should review the Disclosure Statement and the Plan in their entirety before you vote. You may wish to seek independent legal advice concerning the Plan and the classification and treatment of your Claim under the Plan. Your claim has been placed in Class 4 (Abuse Claims) under the Plan. If you hold claims in more than one class under the Plan, you will receive a Ballot for each class in which you are entitled to vote.

The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

If your Ballot is not received on or before [•] [•], 2025 at 5:00 P.M. (PT) and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan. To have your vote counted, please complete, sign, and date this ballot and return it so that it is received no later than the Voting Deadline, as follows:

SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY

**YOUR BALLOT MUST BE SENT $\frac{1}{4}$ FIRST CLASS MAIL (IN THE ENCLOSED ENVELOPE)
OR $\frac{1}{4}$ OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

**The Roman Catholic Bishop of Oakland
Ballot Processing c/o Verita
222 N. Pacific Coast Highway, 3rd Floor
El Segundo, CA 90245**

OR

ELECTRONIC ONLINE SUBMISSION

Alternatively, parties may submit a Ballot via electronic online transmission solely through the customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website, <https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your customized E-Ballot:

Unique E-Ballot ID#: _____

PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THIS BALLOT.

PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN CAST.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Certification of Claim. For purposes of voting to accept or reject the Joint Plan, the undersigned certifies that as of the Voting Record Date, the undersigned holds a Claim in Class 4 (Abuse Claims) against the Debtor.

Item 2. Vote to Accept or Reject the Plan. Please vote below either to accept or to reject the Plan with respect to your Claim in Class 4. Any Ballot not marked either to accept or reject the Plan, or marked both to accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan. The undersigned, the holder of Claim in Class 4 (Abuse Claims) set forth in Item 1, votes as follows (check *only* one box below):

☐ ACCEPTS THE PLAN

☐ REJECTS THE PLAN

Item 3. Election Regarding Immediate Payment. Under section 9.7 of the Plan, Holders of Class 4 Claims (also called Abuse Claims) have the option of electing to receive an Immediate Payment (as defined in section 1.1.65 of the Plan) within 30 days of the Effective Date in the amount of \$50,000. If you elect to receive an Immediate Payment, all recovery on your Abuse Claim is limited to the Immediate Payment, and you will not be able to seek any additional recovery on account of the Abuse Claim from any other party, including Non-Settling Insurers. Correspondingly, if you elect the Immediate Payment, your Abuse Claim will not be scored or subject to Claim objections.

If you wish to elect to receive the Immediate Payment, you may do so by checking the box below. Alternatively, you may elect to receive the Immediate Payment at any time prior to the Effective Date of the Plan. **Before making the election below, you should carefully read Sections I.C. and VII.F of the Disclosure Statement.** If you do not make an election prior to the Effective Date of the Plan, you will be considered to have not elected the Immediate Payment, and will be paid as a Trust Claimant.

The undersigned, the holder of the Claim in Class 4 (Abuse Claims) set forth in Item 1, elects as follows (check *only* one box below):

☐ I elect to receive an Immediate Payment as the sole distribution I will receive under the Plan.

☐ I DO NOT elect to receive an Immediate Payment.

Item 4. Opt-Out of Third-Party ~~Releases~~Release. The checkbox below is for purposes of indicating whether you decline to grant the Third-Party ~~Releases~~Release as provided in Section 13.9 of the Plan, and described in Article II and Article III.F., III.G., and III.I. of the Disclosure Statement. **If you do not wish to grant the releases in Section 13.9 of the Plan, then you need to check the box below.**

By checking this box, the undersigned Holder of a Claim in Class 4 (Abuse Claims):

☐ Elects **not** to grant the ~~Third-Party~~Third-Party Release contained in Section 13.9 of the Plan.

YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE ~~THIRD-PARTY~~THIRD-PARTY RELEASE. If you return this Ballot without checking the box to opt-out, you will be deemed to consent to the Third-Party Release.

As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants.** More information on ~~the RCWC~~RCWC’s contribution is provided in the Disclosure Statement.

Please also be advised that the debtor release contained in section 13.8 of the plan is separate from and independent of the ~~third-party-release~~Third-Party Release. If you object to the debtor release, you must file a separate objection with the bankruptcy court in accordance with the procedures described in the disclosure statement order.

Item 5. Acknowledgments. By signing this Ballot, the undersigned acknowledges receipt of a copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth therein. The undersigned claimant certifies that as of the Voting Record Date he or she is the holder of the Claim identified in Item 1 above (or is the authorized signatory of such holder). The undersigned understands that an otherwise properly completed, executed, and returned Ballot failing to indicate either acceptance or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

Print Name of Creditor

Signature

Name and Title of Signatory (if different that creditor)

Street Address

E-mail Address

Telephone Number

Date Completed

VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT

1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan. The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto. **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THE BALLOT.**
2. Item 1. Confirm that Item 1 is correct.
3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of the Plan (not both). If you hold multiple claims in Class 4, the Debtor will aggregate those claims for voting purposes as one (1) claim. You must vote your entire Class 4 Claim to accept or reject the Plan. You may not split your vote.
4. Item 3. Indicate whether you wish to elect the Immediate Payment by checking the appropriate box.
5. Item 4. Review the information provided and indicate whether you opt out of providing the releases in Section 13.9 of the Plan ~~by returning the accompanying Opt-Out Release Form.~~ If you wish to opt out, check the box in Item 4 on the Ballot. If you wish to not opt out, leave the box unchecked.
6. Item 5. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing all the information requested in Item 5.
7. **SIGN THE BALLOT.**
8. The Debtor will not count any executed ballot received that either (a) does not indicate either an acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.
9. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**
10. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with such person or entity and the capacity in which you are signing and, if requested, submit satisfactory evidence of your authority to do so (e.g., a power of attorney).
11. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.
12. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and void and deemed withdrawn without any requirement of affirmative action by or notice to you.

IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT, PROVIDE LEGAL ADVICE.

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

Schedule 1 to Class 4 Ballot: Third-Party Release From Plan

Releases by Holders of Abuse Claims. As of the Effective Date, except for the rights that remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order, pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate and implement the reorganization of the Debtor, as an integral component of the Plan, and except as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent permitted under applicable law, as such law may be extended subsequent to the Effective Date, all Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse Claims that are Disputed Claims) that ~~have~~timely return a Ballot but do not affirmatively ~~opted~~opt out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the Released Parties and their respective property and successors and assigns of and from all Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from or related in any way to such Abuse Claims.

Injunction Related to Releases. As of the Effective Date, and except as set forth in Articles VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 ~~of the Plan~~hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against any Released Party or its property or successors or assigns on account of or based on the subject matter of such Claims, whether directly or indirectly, derivatively or otherwise: (a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or

1 other proceeding (including any judicial, arbitral, administrative or other proceeding) in any
2 forum; (b) enforcing, attaching (including, without limitation, any prejudgment attachment),
3 collecting, or in any way seeking to recover any judgment, award, decree, or other order;
4 (c) creating, perfecting or in any way enforcing in any matter, directly or indirectly, any lien or
5 encumbrance; and/or (d) setting off, seeking reimbursement or contributions from, or subrogation
6 against, or otherwise recouping in any manner, directly or indirectly, any amount against any
7 liability or obligation that is discharged under Section 13.3 of the Plan or released under
8 Section 13.9 of the Plan.

EXHIBIT D

Cumulative Redline of Revised Form of Ballot for Class 5

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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

**BALLOT FOR ACCEPTING OR REJECTING THE DEBTOR'S PLAN OF
REORGANIZATION**

CLASS 5 – Unknown Abuse Claims

**THE VOTING DEADLINE TO ACCEPT OR REJECT
THE PLAN IS 5:00 P.M., PREVAILING PACIFIC TIME,
ON [•] [•], 2025 (the “Voting Deadline”)**

This ballot (the “Ballot”) is provided to you to solicit your vote to accept or reject the ~~Chapter 11 Debtor's Amended Plan of Reorganization for The Roman Catholic Bishop of Oakland dated November 8, 2024~~ dated and filed on January 3, 2025 (as may be amended from time to time, the “Plan”), for the Roman Catholic Bishop of Oakland (the “Debtor”), in the above-captioned Bankruptcy Case.¹

Please use this Ballot to cast your vote to accept or reject the Plan on behalf of Holders of Unknown Abuse Claims (as defined in the Plan) against the Debtor based on sexual abuse that arose before the May 8, 2023, filing of the Debtor's Bankruptcy Case.

In addition, the Plan provides that if the Plan is confirmed, certain release, injunction, exculpation and discharge provisions set forth in Article XIII of the Plan will become effective as of the Effective Date of the Plan. These include the “Releases by Holders of Abuse Claims” set forth in Section 13.9 of the Plan, and in Schedule 1 attached hereto (the “~~Third-Party~~Third-Party Release”). The Third-Party Release provides for release by consenting claimants of claims against certain non-debtor affiliates of the Debtor, including the Roman Catholic Welfare Corporation.

In accordance with the terms of the Plan, by casting this Ballot to vote either to accept or reject the Plan you will be deemed to grant the ~~Third-Party~~Third-Party Release unless you “opt out” of the ~~Third-Party~~Third-Party Release by checking the box in Item 3 below.

The Bankruptcy Court has approved ~~an Amended~~ Disclosure Statement for Debtor's ~~Amended Plan of Reorganization dated and filed on November 8, 2024~~2025 (the “Disclosure Statement”) with respect to the Plan. A copy of the Disclosure Statement, along with the Plan, was included in the package of materials you received with this Ballot (the “Solicitation Package”). The Disclosure Statement provides information to assist you in deciding how to vote on the Plan. If you do not have the Solicitation Package, you may obtain a copy free of charge from the website for the Chapter 11 Case at <https://veritaglobal.net/rcbo>. Copies of the Disclosure Statement and Plan will also be on

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.
Case: 23-40523 Doc# 1623-4 Filed: 01/10/25 Entered: 01/10/25 16:35:25 Page 2
of 9
4906-3219-6620-14908-3678-6701.1

1 file with the Office of the Clerk of the Court for review during normal business hours (a fee may be
2 charged).

3 **You should review the Disclosure Statement and the Plan in their entirety before you vote.**
4 **You may wish to seek independent legal advice concerning the Plan and the classification and**
5 **treatment of the Unknown Abuse Claims under the Plan.**

6 The Bankruptcy Court's approval of the Disclosure Statement does not indicate its approval of
7 the Plan. The Plan will be confirmed by the Bankruptcy Court and thereby made binding on you only if
8 the Plan (i) is accepted by the holders of at least two-thirds in amount and more than one-half in number
9 of the Claims in each impaired Class of Claims that vote on the Plan, and (ii) otherwise satisfies the
10 applicable requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not
11 obtained, the Bankruptcy Court nonetheless may confirm the Plan if it finds the Plan (i) provides fair and
12 equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan
13 and (ii) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

14 **If your Ballot is not received on or before [•], 2025 at 5:00 P.M. (PT) and such**
15 **deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.**
16 **To have your vote counted, please complete, sign, and date this ballot and return it so that it is**
17 **received no later than the Voting Deadline, as follows:**

18 **SUBMISSION BY MAIL, OVERNIGHT, OR PERSONAL DELIVERY**

19 **YOUR BALLOT MUST BE SENT *VIA* FIRST CLASS MAIL (IN THE ENCLOSED**
20 **ENVELOPE)**
21 **OR *VIA* OVERNIGHT COURIER OR PERSONAL DELIVERY TO:**

22 **The Roman Catholic Bishop of Oakland**
23 **Ballot Processing c/o Verita**
24 **222 N. Pacific Coast Highway, 3rd Floor**
25 **El Segundo, CA 90245**

26 **OR**

27 **ELECTRONIC ONLINE SUBMISSION**

28 **Alternatively, parties may submit a Ballot via electronic online transmission solely through the**
29 **customized online balloting portal (the "E-Balloting Portal") on the Debtors' case website,**
30 **<https://veritaglobal.net/rcbo> clicking on the "E-Ballot" link on or before the Voting**
31 **Deadline. Parties submitting a Ballot via the E-Balloting Portal must not submit a paper**
32 **ballot.**

33 **IMPORTANT NOTE: You will need the following information to retrieve and submit your**
34 **customized E-Ballot:**

35 **Unique E-Ballot ID#:**

PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THIS BALLOT.

PLEASE COMPLETE ALL APPLICABLE ITEMS BELOW. PLEASE REVIEW THE ACKNOWLEDGEMENT CONTAINED IN ITEM 3 AND FILL IN ALL OF THE INFORMATION REQUESTED. IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN CAST.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Certification of Claim. For purposes of voting to accept or reject the Joint Plan, the undersigned certifies that as of the Voting Record Date, the undersigned is the duly appointed Unknown Abuse Claims Representative in this Bankruptcy Case for holders Claim in Class 5 (Unknown Abuse Claims) against the Debtor. For voting purposes only, you will vote a single Class 5 Claim valued at \$1.00. This amount shall have no effect on the amount of any distribution a Class 5 Claim may receive and is solely for purposes of tabulating votes.

Item 2. Vote to Accept or Reject the Plan. Please vote below either to accept or to reject the Plan with respect to the Class 5 Claims. Any Ballot not marked either to accept or reject the Plan, or marked both to accept and to reject the Plan, shall not be counted in determining acceptance or rejection of the Plan. The undersigned, the Unknown Abuse Claims Representative on behalf of Class 5 Unknown Abuse Claims votes as follows (check *only* one box below):

☐ ACCEPTS THE PLAN

☐ REJECTS THE PLAN

Item 3. Opt-Out of Third-Party ~~Releases~~Release. The checkbox below is for purposes of indicating whether you decline on behalf of the Holders of Unknown Abuse Claims to grant the Third-Party ~~Releases~~Release as provided in Section 13.9 of the Plan, and described in Article II and Article III.F., III.G., and III.I. of the Disclosure Statement. **If you do not wish to grant the releases in Section 13.9 of the Plan, then you need to check the box below.**

By checking this box, the undersigned Unknown Abuse Claims Representative:

☐ Elects **not** to grant the ~~Third-Party~~Third-Party Release contained in Section 13.9 of the Plan.

YOU MUST AFFIRMATIVELY CHECK THE BOX ABOVE IN ORDER TO OPT-OUT OF THE ~~THIRD-PARTY~~THIRD-PARTY RELEASE. If you return this Ballot without checking the box to opt-out, Holders of Unknown Abuse Claims will be deemed to consent to the Third-Party Release.

As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants.** More information on ~~the RCWC~~RCWC’s contribution is provided in the Disclosure Statement.

Item 4. Acknowledgments. By signing this Ballot, the undersigned acknowledges receipt of a copy of the Disclosure Statement, the Plan, and the other applicable solicitation materials, and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth herein. The undersigned claimant certifies that as of the Voting Record Date he or she is the duly appointed Unknown Abuse Claims Representative. The undersigned understands that an otherwise properly completed, executed, and timely returned Ballot failing to indicate either acceptance or rejection of the Plan, or indicating both acceptance and rejection of the Plan, will not be counted.

Print Name of Creditor

Signature

Name and Title of Signatory (if different than creditor)

Street Address

E-mail Address

Telephone Number

Date Completed

VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING THE BALLOT

1. The Debtor mailed this Ballot to you for the purpose of soliciting your vote to accept or reject the Plan. The terms of the Plan are described in the Disclosure Statement, including all exhibits thereto. **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THE BALLOT.**

2. Item 1. Confirm that the information in Item 1 of the Ballot is correct.

3. Item 2. In one of the boxes provided in Item 2 of the Ballot, please indicate acceptance or rejection of the Plan (not both).

~~4. Item 3. Indicate whether you wish to elect the Immediate Payment by checking the appropriate box.~~

4. ~~5-Item 43~~. Review the information provided and indicate whether you opt out of providing the releases in Section 13.9 of the Plan ~~by returning the accompanying Opt-Out Release Form~~. If you wish to opt out, check the box in Item 4 on the Ballot. If you wish to not opt out, leave the box unchecked.

5. ~~6-Item 54~~. Review the certifications and acknowledgements in Item 5. Complete the Ballot by providing all the information requested in Item 5.

6. ~~7~~. **SIGN THE BALLOT.**

7. ~~8~~. The Debtor will not count any executed ballot received that either (a) does not indicate either an acceptance or rejection of the plan, or (b) that indicates both an acceptance and rejection of the Plan.

8. ~~9~~. **BALLOTS RECEIVED AFTER THE VOTING DEADLINE WILL NOT BE COUNTED.**

9. ~~10~~. If you are completing this Ballot on behalf of another person or entity, indicate your relationship with such person or entity and the capacity in which you are signing.

10. ~~11~~. The Ballot does not constitute and shall not be deemed a Proof of Claim or an assertion of a Claim.

11. ~~12~~. In the event that (i) the Debtor revokes or withdraws the Plan, or (ii) the Confirmation Order is not entered or the Effective Date of the Plan does not occur, this Ballot shall automatically be null and void and deemed withdrawn without any requirement of affirmative action by or notice to you.

IF YOU (1) HAVE ANY QUESTIONS REGARDING THIS BALLOT, (2) DID NOT RECEIVE A RETURN ENVELOPE, (3) DID NOT RECEIVE A COPY OF THE DISCLOSURE STATEMENT OR PLAN, OR (4) NEED ADDITIONAL COPIES OF THE BALLOT OR OTHER ENCLOSED MATERIAL, PLEASE CONTACT VERITA, THE DEBTORS CLAIMS AND VOTING AGENT AT (888)-733-1425 (U.S./CANADA) OR (310)-751-2631 (INTERNATIONAL), OR EMAIL RCBOINFO@VERITAGLOBAL.COM. VERITA IS NOT AUTHORIZED TO, AND WILL NOT, PROVIDE LEGAL ADVICE.

PLEASE DO NOT DIRECT ANY INQUIRIES TO THE BANKRUPTCY COURT.

Schedule 1 to Class 5 Ballot: Third-Party Release From Plan

Releases by Holders of Abuse Claims. As of the Effective Date, except for the rights that remain in effect from and after the Effective Date to enforce the Plan and the Confirmation Order, pursuant to Section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, including the service of the Released Parties to facilitate and implement the reorganization of the Debtor, as an integral component of the Plan, and except as otherwise expressly provided in the Plan or the Confirmation Order, to the maximum extent permitted under applicable law, as such law may be extended subsequent to the Effective Date, all Holders of Abuse Claims (including without limitation Unknown Abuse Claims and any Abuse Claims that are Disputed Claims) that ~~have~~timely return a Ballot but do not affirmatively ~~opted~~opt out of the Releases pursuant to Section 6.2 of the Plan, shall, and shall be deemed to, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever discharge and release each and all of the Released Parties and their respective property and successors and assigns of and from all Abuse Claims and any and all Claims and Causes of Action whatsoever, whether known or unknown, asserted or unasserted, derivative or direct, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, whether for tort, fraud, contract, veil piercing or alter-ego theories of liability, successor liability, contribution, indemnification, joint liability, or otherwise, arising from or related in any way to such Abuse Claims.

Injunction Related to Releases. As of the Effective Date, and except as set forth in Articles VIII and IX hereof for Holders of Abuse Claims who elect the Litigation Option to sue the Debtor (as a nominal party only), all Holders of Abuse Claims that are the subject of Section 13.9 ~~of the Plan~~hereof are, and shall be, expressly, conclusively, absolutely, unconditionally, irrevocably, and forever stayed, restrained, prohibited, barred and enjoined from taking any of the following actions against any Released Party or its property or successors or assigns on account of or based on the subject matter of such Claims, whether directly or indirectly, derivatively or otherwise:

(a) commencing, conducting or continuing in any manner, directly or indirectly, any suit, action or

1 forum; (b) enforcing, attaching (including, without limitation, any prejudgment attachment),
2 collecting, or in any way seeking to recover any judgment, award, decree, or other order;
3 (c) creating, perfecting or in any way enforcing in any matter, directly or indirectly, any lien or
4 encumbrance; and/or (d) setting off, seeking reimbursement or contributions from, or subrogation
5 against, or otherwise recouping in any manner, directly or indirectly, any amount against any
6 liability or obligation that is discharged under Section 13.3 of the Plan or released under
7 Section 13.9 of the Plan.

Summary report: Litera Compare for Word 11.7.0.54 Document comparison done on 1/10/2025 3:19:04 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: nd://4906-3219-6620/1/RCBO - Revised Forms of Ballots for 1-3-2025 Filing.docx	
Modified DMS: nd://4908-3678-6701/1/RCBO - AMENDED Revised Forms of Ballots (drafted January 8, 2025).docx	
Changes:	
<u>Add</u>	66
Delete	60
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	126

EXHIBIT E

Revised Form of Confirmation Hearing Notice

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Tel: (608) 258-4203; mdlee@foley.com
Geoffrey S. Goodman (*pro hac vice* requested)
Tel: (312) 832-4515; ggoodman@foley.com
Mark C. Moore (admitted *pro hac vice*)
Tel: (214) 999-4150; mmoore@foley.com
555 California Street, Suite 1700
San Francisco, CA 94104-1520

*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

**NOTICE OF (A) HEARING TO CONSIDER
CONFIRMATION OF CHAPTER 11 PLAN
OF REORGANIZATION; (B) DEADLINES
FOR VOTING TO ACCEPT OR REJECT
PLAN AND FILING ANY OBJECTIONS TO
PLAN; AND (C) RELATED MATTERS**

Judge: Hon. William J. Lafferty

Date: [TBD]

Time: [TBD]

Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612

TO: THE COURT, ALL HOLDERS OF CLAIMS, AND PARTIES-IN-INTEREST

PLEASE TAKE NOTICE THAT:

Approval of Disclosure Statement. On [•] [•], 2025, the United States Bankruptcy Court for the Northern District of California (the “Bankruptcy Court”) entered an order [Docket. No [•]] (the “Disclosure Statement Order”) approving the *Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 [Docket No. 1595] (the “Disclosure Statement”) in connection with the *Debtor’s Amended Plan of Reorganization* dated and filed on January 3, 2025 [Docket No. 1594] (together with the Plan Supplement and Exhibits thereto, as they may be amended, the “Plan”).¹ The Disclosure Statement Order authorizes the Debtor to solicit votes to accept or reject the Plan pursuant to chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”).

If you wish to review the Plan, Disclosure Statement, and/or Disclosure Statement Order (the “Plan Documents”), you may receive a copy of the Plan Documents free of charge from Kurtzman Carson Consultants, LLC dba Verita Global, the balloting agent retained by the Debtor in this Chapter 11 Case (“Verita”), by: (a) accessing the Chapter 11 case website at <https://veritaglobal.net/rcbo>; (b) writing to The Roman Catholic Bishop of Oakland Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245; (c) emailing at: RCBOInfo@veritaglobal.com; and/or (d) calling the case hotline at (866) 662-2072. Please be advised that Verita is authorized to answer questions and provide additional copies of solicitation materials but may **not** advise you as to whether you should object to the Plan, or provide any other legal advice. You may also obtain copies of any pleadings filed in this Chapter 11 Case for a fee via PACER at: <https://ecf.canb.uscourts.gov/bankruptcy>.

INFORMATION REGARDING CONFIRMATION HEARING

Confirmation Hearing. A hearing to consider confirmation of the Plan (the “Confirmation Hearing”), shall commence at [•] a.m. (prevailing Pacific time) on [•] [•], 2025 at the United States Bankruptcy Court, 1300 Clay Street, Oakland, California, before the Honorable William J. Lafferty, United States Bankruptcy Judge. The Confirmation Hearing may be adjourned or continued from time to time without further notice except as announced in open court or filed on the Court’s docket. The Debtor may modify the Plan, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance with the terms of the Plan without further notice.

The Hearing will be held in person in the courtroom, provided that (1) parties in interest may attend by Zoom Webinar/AT&T Teleconference; (2) additional information is available on Judge Lafferty’s Procedures page on the Court’s website, which is <http://www.canb.uscourts.gov>; and (3) information on how to attend the hearing by Zoom Webinar/AT&T Teleconference will be included with each calendar posted under Judge Lafferty’s calendar on the court’s website.

INFORMATION REGARDING VOTING TO CONFIRM OR REJECT PLAN

Record Date for Voting Purposes. Only holders of Claims in Class 3 (General Unsecured Claims), Class 4 (Abuse Claims), Class 5 (Unknown Abuse Claims), Class 6 (Non-Abuse Litigation Claims), and Class 8 (OPF Claim), each as described in the Disclosure Statement and Plan, as of [•] [•], 2024 (the “Voting Record Date”) are entitled to vote on the Plan.

Voting Procedures. If you are entitled to vote on the Plan, you will receive a Solicitation Package which shall include a copy of (i) the Disclosure Statement Order, (ii) this Notice, (iii) the Disclosure Statement, attached to which is the Plan, and (iv) a ballot (the “Ballot”). If you are a Holder of a Claim in Class 4 or Class 5, your Ballot will also include a section whereby you may elect to opt out of certain releases provided under the Plan. Please review the Ballot for specific instructions as to how to vote. **Failure to follow the voting instructions may disqualify your vote.**

¹ All capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan and Disclosure Statement, as applicable.

1 **Voting Deadline.** The deadline to vote on the Plan is [•] [•], 2025 at 5:00 p.m. (prevailing
2 Pacific time) (the “Voting Deadline”). If you are entitled to vote on the Plan, your ballot must be sent by
3 first class mail, overnight mail or hand delivery to **The Roman Catholic Bishop of Oakland Ballot
Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245**, or submitted
4 via electronic online transmission solely through the customized online balloting portal (the “E-Balloting
Portal”) on the case website, <https://veritaglobal.net/rcbo> and must be **actually received** by the Voting
Deadline. **Otherwise your vote will not be counted.** Ballots submitted by facsimile or email will not
be counted.

5 **Creditors and Parties in Interest Not Entitled to Vote.** Only Holders of Claims in Classes 3, 4, 5,
6 6, and 8 are entitled to vote on the Plan. Holders of Administrative Claims, Priority Tax Claims, Professional
7 Fee Claims, and U.S. Trustee Fee Claims (the “Unclassified Claims”), and Holders of Claims in Class 1
8 (RCC Secured Claim), Class 2 (Priority Unsecured Claims, other than Unclassified Claims), Class 7A
9 (Contribution Claims Related to Class 4 Claims), and Class 7B (Contribution Claims Related to Class 5
Claims) are not entitled to vote on the Plan. Such holders will receive a Notice of Non-Voting Status instead
of a Ballot. If you have timely filed a Proof of Claim and disagree with the Debtor’s classification of,
objection to, or request for estimation of your Claim and believe you should be entitled to vote on the Plan,
then you must serve counsel for the Debtor and file with the Court a motion (a “Rule 3018 Motion”) for an
10 order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) temporarily
allowing your claim in a different amount or in a different class for purposes of voting to
11 accept or reject the Plan. All Rule 3018 Motions must be filed **on or before** [•] [•], 2025. As to
any creditor filing a Rule 3018 Motion, such creditor’s Ballot will not be counted unless/until otherwise
12 ordered by the Court. Creditors may contact the Debtor’s counsel at the contact information listed herein
to receive an appropriate Ballot for any claim for which a proof of claim has been timely filed and a Rule
13 3018 Motion has been granted. **Rule 3018 Motions that are not timely filed and served in the manner
set forth above will not be considered.**

14 **OBJECTIONS TO CONFIRMATION OF THE PLAN**

15 Objections to confirmation of the Plan, if any, must (a) be in writing; (b) conform to the Bankruptcy
16 Rules and the Local Rules; (c) state the basis for the objection, and the specific grounds therefor; and (d) be
filed with the Court and served so as to be actually received not later than [•] [•], 2025, by (i) counsel
17 to the Debtor, Foley & Lardner, LLC, 555 California Street, Ste. 1700, San Francisco, CA 94104, Attn: Ann
Marie Uetz (auez@foley.com), Matthew Lee (mdlee@foley.com), and Shane Moses (smoses@foley.com);
18 (ii) the Office of the United States Trustee for the Northern District of California, Office of the United States
Trustee, 450 Golden Gate Avenue, Room 05-0153, San Francisco, California 94102, Attn: Jason Blumberg
19 (jason.blumberg@usdoj.gov), (iii) counsel to the Official Committee of Unsecured Creditors, Keller
Benvenuti Kim LLP, 425 Market Street, 26th Floor San Francisco, California 94105, Attn: Gabrielle L.
20 Albert (galbert@kbkllp.com) and Lowenstein Sandler LLP, One Lowenstein Drive Roseland, New Jersey
07068, Attn: Jeffrey D. Prol (jprol@lowenstein.com) and Brent Weisenberg
21 (bweisenberg@lowenstein.com); and (iv) those persons who have formally appeared and requested service
in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure. **Any objections not timely
22 filed and served in accordance with the provisions set forth above may not be considered by the Court.**
Failure to file and serve a timely objection may result waiver of any objection.

23 **PLAN RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS**

24 The Plan proposes certain releases, injunctions, and exculpations in furtherance of the Plan,
25 **including releases by Holders of Claims in Class 4 (Abuse Claims), and Class 5 (Unknown Abuse
Claims) of Claims against certain non-debtor entities.** The Plan provides the Debtor (including its
26 Churches), other related entities including the Roman Catholic Welfare Corporation of Oakland
27 (“RCWC”) and Adventus (together with RCWC, the “Contributing Non-Debtor Catholic Entities”), and
Settling Insurers (as defined in the Plan), shall receive the benefit of certain releases, exculpation, and
28 injunctions, which are summarized below, and set forth in more detail in the Disclosure Statement and in
the Plan.

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Exculpation. Section 13.6 of the Plan provides that the (a) the Exit Facility Lender, (b) the Debtor, including the Churches, (c) the Reorganized Debtor, including the Churches, (d) the Committee, (e) the Committee's members, (f) each Contributing Non-Debtor Catholic Entity, (g) the College of Consulters of the Diocese of Oakland and each of its members, (h) The Diocese of Oakland Finance Council and each of its members, (i) the Presbyteral Council of the Diocese of Oakland and each of its members, (j) the Meditators, (k) the Unknown Abuse Claims Representative, and (l) for each of the foregoing, their respective officers, directors, agents, employees, equity holders, attorneys, financial advisors, accountants, representatives, and other duly authorized employed Professionals in this Chapter 11 Case, will be released from certain of their acts and omissions that occurred from the Petition Date through Effective Date, or in preparation of the Chapter 11 Case. None of these parties will be exculpated for (i) any express contractual obligation owing by any such Person or Entity, (ii) willful misconduct or gross negligence, and (iii) with respect to Professionals, liability arising from claims of professional negligence which shall be governed by the standard of care otherwise applicable to professional negligence claims under applicable non-bankruptcy law. Nor shall these parties be exculpated with respect to their respective obligations or covenants arising under the Plan.

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Releases. The Plan states certain parties, including the Contributing Non-Debtor Catholic Entities, will be granted releases and a channeling injunction regarding all Abuse Claims to the extent such releases are granted by the Holders of those Claims in accordance with the terms of the Plan the ("Third-Party Release"). **If the Plan is confirmed, Holders of Class 4 or Class 5 Claims will not be able to recover directly from or pursue further litigation against such parties to the extent such Holders granted them releases in accordance with the terms of the Plan and recoveries on account of Class 4 and Class 5 Claims will be limited by the terms of the Plan.**

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Injunctions. The Plan provides for certain injunctions, including a channeling injunction which will channel certain Claims, including all Abuse Claims against the Debtor or any released claims against Contributing Non-Debtor Catholic Entities, into the Survivors' Trust. This means that any Holder of a Claim that is channeled will no longer be permitted to pursue their Claim except as set forth in the Plan.

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If you are the Holder of an Abuse Claim in either Class 4 or are the Unknown Abuse Claims Representative on behalf of Class 5, you have the ability to opt out of providing the Third-Party Release of Contributing Non-Debtor Catholic Entities by affirmatively withholding consent or "opting out" of such Third-Party Release by checking the box on your Ballot indicating your decision to opt out of providing the Third-Party Release. Opting out of the Third-Party Release for Contributing Non-Debtor Catholic Entities does not change the proposed treatment for any Holder of an Abuse Claim except to the extent opting out results in a reduction of the amount such Contributing Non-Debtor Catholic Entity contributes to the Survivors' Trust. As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation ("RCWC") to the Survivors' Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants.** More information on RCWC's contribution to the Survivors' Trust and the Third-Party Release is provided in the Disclosure Statement.

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You may be deemed to grant Third-Party Release of Non-Debtor Catholic Entities under the Plan. Holders of Class 4 or Class 5 Claims are deemed under the Plan to have consented to the Third-Party Release pursuant to Section 13.9 of the Plan if: 1) they return a ballot voting for or against the Plan, and 2) they do not check the box indicating their election to opt out of the third-party release in favor of Contributing Non-Debtor Catholic Entities. Holders of Class 4 or Class 5 Claims that do not return a ballot will not be deemed to consent to the Third-Party Release.

Opt-Out Deadline. The deadline for Holders of Class 4 or Class 5 Claims to submit a Ballot indicating an election to opt out of the Third-Party Release is the Voting Deadline.

If the Plan is confirmed by the Bankruptcy Court and the Effective Date occurs, all Holders of Claims against the Debtor, including all Holders of Abuse Claims, will be bound the by the terms of the Plan and the transactions contemplated thereby, including the release provisions contained therein (including Holders of Claims who do not submit Ballots to accept or reject the Plan or who are not entitled to vote on the Plan, but excluding Holders of Abuse Claims who are entitled to, and affirmatively do, opt out of the release and channeling injunction provisions contained in the Plan).

DATED: January [], 2025

FOLEY & LARDNER LLP

Thomas F. Carlucci

Shane J. Moses

Emil P. Khatchatourian

Ann Marie Uetz

Matthew D. Lee

Geoffrey S. Goodman

Mark C. Moore

/s/ Shane J. Moses

Shane J. Moses

*Counsel for the Debtor
and Debtor in Possession*

EXHIBIT F

Redline of Revised Form of Confirmation Hearing Notice

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FOLEY & LARDNER LLP

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Ann Marie Uetz (admitted *pro hac vice*)

Tel: (313) 234-7114; auetz@foley.com

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Tel: (608) 258-4203; mdlee@foley.com

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Tel: (312) 832-4515; ggoodman@foley.com

Mark C. Moore (admitted *pro hac vice*)

Tel: (214) 999-4150; mmoore@foley.com

~~Tel: (214) 999-4150; mmoore@foley.com~~

555 California Street, Suite 1700

San Francisco, CA 94104-1520

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

**NOTICE OF (A) HEARING TO CONSIDER
CONFIRMATION OF CHAPTER 11 PLAN
OF REORGANIZATION; (B) DEADLINES
FOR VOTING TO ACCEPT OR REJECT
PLAN AND FILING ANY OBJECTIONS TO
PLAN; AND (C) RELATED MATTERS**

Judge: Hon. William J. Lafferty

Date: [TBD]

Time: [TBD]

Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612

TO: THE COURT, ALL HOLDERS OF CLAIMS, AND PARTIES-IN-INTEREST

PLEASE TAKE NOTICE THAT:

Approval of Disclosure Statement. On [•] [•], ~~2024~~2025, the United States Bankruptcy Court for the Northern District of California (the “Bankruptcy Court”) entered an order [Docket. No [•]] (the “Disclosure Statement Order”) approving the Amended Disclosure Statement for Debtor’s Amended Plan of Reorganization dated and filed on ~~November 8~~January 3, ~~2024~~2025 [Docket No. ~~1445~~1595] (the “Disclosure Statement”) in connection with the Debtor’s Amended Plan of Reorganization dated and filed on ~~November 8~~January 3, ~~2024~~2025 [Docket No. ~~1444~~1594] (together with the Plan Supplement and Exhibits thereto, as they may be amended, the “Plan”).¹ The Disclosure Statement Order authorizes the Debtor to solicit votes to accept or reject the Plan pursuant to chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”).

If you wish to review the Plan, Disclosure Statement, and/or Disclosure Statement Order (the “Plan Documents”), you may receive a copy of the Plan Documents free of charge from Kurtzman Carson Consultants, LLC dba Verita Global, the balloting agent retained by the Debtor in this Chapter 11 Case (“Verita”), by: (a) accessing the Chapter 11 case website at <https://veritaglobal.net/rcbo>; (b) writing to The Roman Catholic Bishop of Oakland Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245; (c) emailing at: RCBOInfo@veritaglobal.com; and/or (d) calling the case hotline at (866) 662-2072. Please be advised that Verita is authorized to answer questions and provide additional copies of solicitation materials but may **not** advise you as to whether you should object to the Plan, or provide any other legal advice. You may also obtain copies of any pleadings filed in this Chapter 11 Case for a fee via PACER at: <https://ecf.canb.uscourts.gov/bankruptcy>.

INFORMATION REGARDING CONFIRMATION HEARING

Confirmation Hearing. A hearing to consider confirmation of the Plan (the “Confirmation Hearing”), shall commence at [•] a.m. (prevailing Pacific time) on [•] [•], 2025 at the United States Bankruptcy Court, 1300 Clay Street, Oakland, California, before the Honorable William J. Lafferty, United States Bankruptcy Judge. The Confirmation Hearing may be adjourned or continued from time to time without further notice except as announced in open court or filed on the Court’s docket. The Debtor may modify the Plan, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance with the terms of the Plan without further notice.

The Hearing will be held in person in the courtroom, provided that (1) parties in interest may attend by Zoom Webinar/AT&T Teleconference; (2) additional information is available on Judge Lafferty’s Procedures page on the Court’s website, which is <http://www.canb.uscourts.gov>; and (3) information on how to attend the hearing by Zoom Webinar/AT&T Teleconference will be included with each calendar posted under Judge Lafferty’s calendar on the court’s website.

INFORMATION REGARDING VOTING TO CONFIRM OR REJECT PLAN

Record Date for Voting Purposes. Only holders of Claims in Class 3 (General Unsecured Claims), Class 4 (Abuse Claims), Class 5 (Unknown Abuse Claims), Class 6 (Non-Abuse Litigation Claims), and Class 8 (OPF Claim), each as described in the Disclosure Statement and Plan, as of [•] [•], 2024 (the “Voting Record Date”) are entitled to vote on the Plan.

Voting Procedures. If you are entitled to vote on the Plan, you will receive a Solicitation Package which shall include a copy of (i) the Disclosure Statement Order, (ii) this Notice, (iii) the Disclosure Statement, attached to which is the Plan, and (iv) a ballot (the “Ballot”). If you are a Holder of a Claim in Class 4 or Class 5, ~~you will also receive an Opt-Out Release Form (the “Opt-Out Release Form”) for~~

¹ All capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan and Disclosure Statement, as applicable.

1 ~~purposes of indicating whether~~ your Ballot will also include a section whereby you may elect to opt out of
2 certain releases provided under the Plan. Please review the Ballot for specific instructions as to how to
vote. **Failure to follow the voting instructions may disqualify your vote.**

3 **Voting Deadline.** The deadline to vote on the Plan is [•] [•], 2025 at 5:00 p.m. (prevailing
4 Pacific time) (the “Voting Deadline”). ~~You~~ If you are entitled to vote on the Plan, your ballot must be
5 sent by first class mail, overnight mail or hand delivery to **The Roman Catholic Bishop of Oakland
Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245**, or
6 submitted via electronic online transmission solely through the customized online balloting portal (the “E-
Balloting Portal”) on the case website, <https://veritaglobal.net/rcbo> and must be **actually received** by the
Voting Deadline. **Otherwise your vote will not be counted.** Ballots submitted by facsimile or email
will not be counted.

7
8 **Creditors and Parties in Interest Not Entitled to Vote.** Only Holders of Claims in Classes 3, 4, 5,
6, and 8 are entitled to vote on the Plan. Holders of Administrative Claims, Priority Tax Claims, Professional
9 Fee Claims, and U.S. Trustee Fee Claims (the “Unclassified Claims”), and Holders of Claims in Class 1
10 (RCC Secured Claim), Class 2 (Priority Unsecured Claims, other than Unclassified Claims), Class 7A
(Contribution Claims Related to Class 4 Claims), and Class 7B (Contribution Claims Related to Class 5
11 Claims) are not entitled to vote on the Plan. Such holders will receive a Notice of Non-Voting Status instead
of a Ballot. If you have timely filed a Proof of Claim and disagree with the Debtor’s classification of,
12 objection to, or request for estimation of your Claim and believe you should be entitled to vote on the Plan,
then you must serve counsel for the Debtor and file with the Court a motion (a “Rule 3018 Motion”) for an
13 order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) temporarily
allowing your claim in a different amount or in a different class for purposes of voting to
14 accept or reject the Plan. All Rule 3018 Motions must be filed **on or before** [•] [•], 2025. As to
any creditor filing a Rule 3018 Motion, such creditor’s Ballot will not be counted unless/until otherwise
15 ordered by the Court. Creditors may contact the Debtor’s counsel at the contact information listed herein
to receive an appropriate Ballot for any claim for which a proof of claim has been timely filed and a Rule
3018 Motion has been granted. **Rule 3018 Motions that are not timely filed and served in the manner
set forth above will not be considered.**

16 **OBJECTIONS TO CONFIRMATION OF THE PLAN**

17
18 Objections to confirmation of the Plan, if any, must (a) be in writing; (b) conform to the Bankruptcy
Rules and the Local Rules; (c) state the basis for the objection, and the specific grounds therefor; and (d) be
19 filed with the Court and served so as to be actually received not later than [•] [•], 2025, by (i) counsel
to the Debtor, Foley & Lardner, LLC, 555 California Street, Ste. 1700, San Francisco, CA 94104, Attn: Ann
Marie Uetz (auez@foley.com), Matthew Lee (mdlee@foley.com), and Shane Moses (smoses@foley.com);
20 (ii) the Office of the United States Trustee for the Northern District of California, Office of the United States
Trustee, 450 Golden Gate Avenue, Room 05-0153, San Francisco, California 94102, Attn: Jason Blumberg
21 (jason.blumberg@usdoj.gov), (iii) counsel to the Official Committee of Unsecured Creditors, Keller
Benvenuti Kim LLP, 425 Market Street, 26th Floor San Francisco, California 94105, Attn: Gabrielle L.
22 Albert (galbert@kbkllp.com) and Lowenstein Sandler LLP, One Lowenstein Drive Roseland, New Jersey
07068, Attn: Jeffrey D. Prol (jprol@lowenstein.com) and Brent Weisenberg
23 (bweisenberg@lowenstein.com); and (iv) those persons who have formally appeared and requested service
in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure. **Any objections not timely
24 filed and served in accordance with the provisions set forth above may not be considered by the Court.**
Failure to file and serve a timely objection may result in waiver of any objection.

25 **PLAN RELEASE, ~~EXCULPATION~~ EXCULPATION, AND INJUNCTION PROVISIONS**

26
27 The Plan proposes certain releases, injunctions, and exculpations in furtherance of the Plan,
**including releases by Holders of Claims in Class 4 (Abuse Claims), and Class 5 (Unknown Abuse
28 Claims) of Claims against certain non-debtor entities.** The Plan provides the Debtor (including its

Churches), other related entities including the Roman Catholic Welfare Corporation of Oakland (“RCWC”) and Adventus (together with RCWC, the “Contributing Non-Debtor Catholic Entities”), and Settling Insurers (as defined in the Plan), shall receive the benefit of certain releases, exculpation, and injunctions, which are summarized below, and set forth in more detail in the Disclosure Statement and in the Plan.

Exculpation. Section 13.6 of the Plan provides that the (a) the Exit Facility Lender, (b) the Debtor, including the Churches, (c) the Reorganized Debtor, including the Churches, (d) the Committee, (e) the Committee’s members, (f) each Contributing Non-Debtor Catholic Entity, (g) the College of Consulters of the Diocese of Oakland and each of its members, (h) The Diocese of Oakland Finance Council and each of its members, (i) the Presbyteral Council of the Diocese of Oakland and each of its members, (j) the Meditators, (k) the Unknown Abuse Claims Representative, and (l) for each of the foregoing, their respective officers, directors, agents, employees, equity holders, attorneys, financial advisors, accountants, representatives, and other duly authorized employed Professionals in this Chapter 11 Case, will be released from certain of their acts and omissions that occurred from the Petition Date through Effective Date, or in preparation of the Chapter 11 Case. None of these parties will be exculpated for (i) any express contractual obligation owing by any such Person or Entity, (ii) willful misconduct or gross negligence, and (iii) with respect to Professionals, liability arising from claims of professional negligence which shall be governed by the standard of care otherwise applicable to professional negligence claims under applicable non-bankruptcy law. Nor shall these parties be exculpated with respect to their respective obligations or covenants arising under the Plan.

Releases. The Plan states certain parties, including the Contributing Non-Debtor Catholic Entities, will be granted releases and a channeling injunction regarding all Abuse Claims to the extent such releases are granted by the Holders of those Claims in accordance with the terms of the Plan the (“Third-Party Release”). **If the Plan is confirmed, Holders of Class 4 or Class 5 Claims will not be able to recover directly from or pursue further litigation against such parties to the extent such Holders granted them releases in accordance with the terms of the Plan and recoveries on account of Class 4 and Class 5 Claims will be limited by the terms of the Plan.**

Injunctions. The Plan provides for certain injunctions, including a channeling injunction which will channel certain Claims, including all Abuse Claims against the Debtor or any ~~of the released claims against~~ Contributing Non-Debtor Catholic Entities, into the Survivors’ Trust. This means that any Holder of a Claim that is channeled will no longer be permitted to pursue their Claim except as set forth in the Plan.

If you are the Holder of an Abuse Claim in either Class 4 or are the Unknown Abuse Claims Representative on behalf of Class 5, you have the ability to opt out of providing the ~~releases and channeling injunction provisions of the Plan (see Sections 13.9, 13.10, 13.12, and 13.13) as they relate to the Third-Party Release of~~ Contributing Non-Debtor Catholic Entities by affirmatively withholding consent or “opting out” of such ~~releases and injunctions by submitting the Opt Out Release Form included with the solicitation package sent to Holders of Abuse Claims (the “Opt Out Release Form”)~~ Third-Party Release by checking the box on your Ballot indicating your decision to opt out of providing the Third-Party Release. Opting out of the ~~releases~~ Third-Party Release for Contributing Non-Debtor Catholic Entities does not change the proposed treatment for any Holder of an Abuse Claim except to the extent opting out results in a reduction of the amount such Contributing Non-Debtor Catholic Entity contributes to the Survivors’ Trust. As set forth in the Plan and Disclosure Statement, the contribution of up to \$14.25 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC through the

Third-Party Release. Opting out of the Third-Party Release may therefore reduce the amount available for distribution to Abuse Claimants. More information on RCWC's contribution to the Survivors' Trust and the Third-Party Release is provided in the Disclosure Statement.

You may be deemed to grant releases to third parties Third-Party Release of Non-Debtor Catholic Entities under the Plan. Holders of a Class 4 or Class 5 Claim Claims are deemed under the Plan ~~who do not affirmative opt out of the releases described in Section 13.9 of the Plan are deemed to have released the Contributing Non-Debtor Catholic Entities~~ to have consented to the Third-Party Release pursuant to Section 13.9 of the Plan, ~~and their Claims will then be subject to a channeling injunction pursuant to Section 13.12 of the Plan. A Holder of a Class 4 or Class 5 Claim will have consented to the releases in Section 13.9 of the Plan and the injunctions in Section 13.10 of the Plan if such Holder: (i) returns their Ballot and does not return the Opt-Out Release Form regardless of whether they vote to accept or reject the Plan; (ii) returns the Ballot and returns the Opt-Out Release Form, but does not affirmatively elect not to grant the release found in section 13.9 of the Plan; or (iii) does not return either the Ballot or the Opt-Out Release Form. if: 1) they return a ballot voting for or against the Plan, and 2) they do not check the box indicating their election to opt out of the third-party release in favor of Contributing Non-Debtor Catholic Entities. Holders of Class 4 or Class 5 Claims that do not return a ballot will not be deemed to consent to the Third-Party Release.~~

Opt-Out Deadline. The deadline for Holders of Class 4 or Class 5 Claims to submit a Ballot indicating an election to opt out of the Third-Party Release is the Voting Deadline.

If the Plan is confirmed by the Bankruptcy Court and the Effective Date occurs, all Holders of Claims against the Debtor, including all Holders of Abuse Claims, will be bound by the terms of the Plan and the transactions contemplated thereby, including the release provisions contained therein (including Holders of Claims who do not submit Ballots to accept or reject the Plan or who are not entitled to vote on the Plan, but excluding Holders of Abuse Claims who are entitled to, and affirmatively do, opt out of the release and channeling injunction provisions contained in the Plan).

Opt-Out Deadline. The deadline to submit an Opt-Out Release Form is [●●●●], 2024, at 5:00 p.m. (prevailing Pacific time) (the “Opt-Out Deadline”). Your Opt-Out Release Form must be sent by first class mail, overnight mail or hand delivery to The Roman Catholic Bishop of Oakland Ballot Processing c/o Verita 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245, or submitted via electronic online transmission solely through the customized online balloting portal (the “E-Balloting Portal”) on the case website, <https://veritaglobal.net/rebo> and must be *actually received* by the Opt-Out Release Form Deadline. **Otherwise your election to opt out of the releases in Section 13.9 of the Plan will not be effective.** Opt-Out Release Forms submitted by facsimile or email will not be counted.

DATED: ~~December~~January [], ~~2024~~2025

~~FOLEY~~FOLEY & ~~LARDNER~~LARDNER LLP

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Summary report: Litera Compare for Word 11.7.0.54 Document comparison done on 1/10/2025 4:08:44 PM	
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Intelligent Table Comparison: Inactive	
Original DMS: nd://4938-2442-6510/1/Original form of notice of confirmation hearing 11-13-2024.docx	
Modified DMS: nd://4920-2688-2574/1/RCBO - Revised Form of Notice of Confirmation Hearing.docx	
Changes:	
<u>Add</u>	49
Delete	33
Move From	1
<u>Move To</u>	1
<u>Table Insert</u>	2
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	86