

FOLEY & LARDNER LLP

Thomas F. Carlucci (CA Bar No. 135767)

Tel: (415) 984-9824; tcarlucci@foley.com

Shane J. Moses (CA Bar No. 250533)

Tel: (415) 438-6404; smoses@foley.comAnn Marie Uetz (admitted *pro hac vice*)Tel: (313) 234-7114; auetz@foley.comMatthew D. Lee (admitted *pro hac vice*)Tel: (608) 258-4203; mdlee@foley.comGeoffrey S. Goodman (admitted *pro hac vice*)Tel: (312) 832-4515; ggoodman@foley.comMark 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

**DECLARATION OF SHANE J. MOSES IN
SUPPORT OF DEBTOR'S REPLY TO THE
OFFICIAL COMMITTEE OF UNSECURED
CREDITORS' OBJECTION TO THE
DEBTOR'S THIRD AMENDED
DISCLOSURE STATEMENT**

Judge: Hon. William J. Lafferty

Date: April 1, 2025

Time: 10:30 a.m.

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

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

2 1. I am an attorney admitted to practice in the States of California and New York, and before
3 this Bankruptcy Court. I am of counsel with the law firm of Foley & Lardner LLP (“Foley”) and am one
4 of the attorneys at Foley responsible for representation of the Roman Catholic Bishop of Oakland (“the
5 Debtor”) in this Bankruptcy Case. I make this Declaration in support of the concurrently filed *Debtor’s*
6 *Reply to The Official Committee of Unsecured Creditors’ Objection to The Debtor’s Third Amended*
7 *Disclosure Statement* (the “Reply”).

8 2. Attached hereto as Exhibit 1 is a true and accurate transcript of a video recording of
9 remarks by Bishop Michael C. Barber made in 2022 in connection with the Debtor’s pre-petition MAP.
10 The video recording was produced to the Committee in native format as bates number RCBO-CC-
11 0009268_0001. The Committee previously filed the same transcript under seal as Exhibit B to the
12 *Declaration of Brent Weisenberg* on December 11, 2024 [Docket. No. 1520].

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

15 Executed on March 28, 2025, at Oakland, California.

16
17 /s/ Shane J. Moses
18 Shane J. Moses
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

Bishop Michael C. Barber (00:04):

Hi, everybody. Bishop Barber here. It's really nice to be with you, and I'm so grateful you gave up your evening to come in and participate in our MAP, our mission alignment process for the Diocese of Oakland. Welcome back to those of you who were at the regional meetings a couple of weeks ago, and a hearty new welcome to those of you who are coming as part of your deanery.

(00:24):

What are we doing tonight? We're looking for ways to join forces and realign the resources of our diocese for a church of 2022 and forward and not a church in 1965. What do I mean by that? Well, 1965 was the high point of church attendance in the United States. Just to give you one example, here, next door at the beautiful parish of our Lady of Lourdes, we just celebrated 100 years as a parish at Lourdes. In 1965, they had 2,700 people attending mass every Sunday. Now they have about 100 people on Sunday. They had a school, they had a convent full of sisters, they had two priests taking care of people. It was booming. And now we have to take account of the new reality of 2022.

(01:19):

And so one of the problems is we don't have enough people attending mass in each of our churches to keep them all going. I don't have enough priests to keep a priest in every parish. We have 81 parishes right now. We don't have 81 priests in the pipeline to replace those who are retiring. And also, we don't have enough money to pay the bills in every parish. So it's parishioners, priests, and also financial resources.

(01:47):

I'll just give you an example. This year, 2022, three pastors have asked me if they could retire, and they're of the age. Next year, two pastors have already asked to retire in 2023, and that's just so far. That's five pastors I am losing in the next 18 months. And how many priests are we ordaining for our diocese? This year, we're happy to ordain one new priest. 2023, we're looking at ordaining one new priest. That doesn't replace the five we're losing, and it's projected to keep going that way into the future. We may have to structure down from 81 parishes that we have now to 50 plus parishes, 50, 54, something like that. So we're going to have to make some pretty strong changes in our diocese, but I know we can do it because we want to make a church that's stronger, that's better able to serve you, not a church that's scrambling to live from hand to mouth.

(02:53):

Now, what are the options I'm asking you to consider for your deanery? There's three real options when you look at the parishes in your deanery and those parishes just around your deanery. One option is to cluster parishes. That's what some dioceses have done. Clustering means taking two or more parishes. The parishes remain separate and retain their names, but they share one priest and one administration. So you cluster together and have one CCD program, one first communion program, one confirmation, one youth group, one marriage prep program. So you're combining forces, but you keep your identity even though you may not be able to have your own priest at each of the churches in a cluster model.

(03:38):

Another model is merging. A formal merger. Now, that is where two or even three parishes merge together and form one new parish with a new name, and they usually try and keep each of the churches open as a shrine or a place to continue to have a Sunday mass. And this is a little more formal. The advantage is you can rent out unused property and the new parish shares in the financial income of a merged model. We've done that already at St. Anthony's and Mary, Help of Christians Parishes in Oakland, they have merged. St. Lawrence O'Toole and St. Paschal's have merged to combine and it's called Divine Mercy Parish. St. Leonard's and Santa Paula Parish merged and it's our Lady of Guadalupe Parish in Fremont. You get the idea. So merging is a really good possibility and it just solidifies and makes more formal, a clustered type model.

(04:41):

And then there's the decision to close certain parishes where we have a property and a building and all that, but there just aren't enough people there to keep a whole parish plant going, and we don't have enough money to pay all the bills to keep it going. Some dioceses that have closed parishes before, say like 10 years ago when they started their restructuring, a lot of the priests there said, "We didn't close enough and we pushed off making hard decisions. We wished we had bit the bullet and it would've made our dioceses much stronger and healthier."

(05:18):

So please do consider that. It's not easy, but when you consider in the future, and this is a reality, our dioceses will be smaller, but it will be stronger and it will be more united. Because it's not just each parish trying to look out for itself, but it's extending hands across parish boundaries to our brothers and sisters that are around us and saying, "How can I not just serve myself, but how can we serve all the Catholics and families that are living in our area?" So, in your love and charity and brotherhood and sisterhood for one another, please consider that. So clustering, merging, and even closing some parishes.

(06:01):

I hope you have a good discussion. Our team members will be circulating around, be happy to answer questions and help you. Thank you very much for your prayerful and charitable recommendations to me for our future.

(06:16):

God bless you and I am so grateful that you are parishioners and kind souls of the Diocese of Oakland. God bless you.