

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

**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: August 25, 2025

Time: 9:30 a.m.

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 April 4, 2025, the United States Bankruptcy Court for the Northern District of California (the “Bankruptcy Court”) entered an order [Docket. No 1877] (the “Disclosure Statement Order”) approving the *Third Amended Disclosure Statement for Debtor’s Third Amended Plan of Reorganization* dated and filed on April 3, 2025 [Docket No. 1874] (the “Disclosure Statement”) in connection with the *Debtor’s Third Amended Plan of Reorganization* dated and filed on March 17, 2025 [Docket No. 1830] (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 (888) 733-1425. 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 **9:30 a.m. (prevailing Pacific time) on August 25, 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, subject to the terms of the Disclosure Statement Order.

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), and Class 6 (Non-Abuse Litigation Claims), each as described in the Disclosure Statement and Plan, as of April 1, 2025 (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

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 releases provided under the Plan. Please review the Ballot for specific instructions as to how to vote.
2 **Failure to follow the voting instructions may disqualify your vote.**

3 **Voting Deadline.** The deadline to vote on the Plan is **May 30, 2025, at 5:00 p.m. (prevailing**
4 **Pacific time)** (the “**Voting Deadline**”). If you are entitled to vote on the Plan, your ballot must be sent by
5 first class mail, overnight mail or hand delivery to **The Roman Catholic Bishop of Oakland Ballot**
6 **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**
7 **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.**

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

26 **OBJECTIONS TO CONFIRMATION OF THE PLAN**

27 Objections to confirmation of the Plan, if any, must (a) be in writing; (b) conform to the Bankruptcy
28 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 August 6, 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);
(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
(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.
Albert (galbert@kbkllp.com), Lowenstein Sandler LLP, One Lowenstein Drive Roseland, New Jersey
07068, Attn: Jeffrey D. Prol (jprol@lowenstein.com) and Brent Weisenberg
(bweisenberg@lowenstein.com), and Burns Bair LLP, 10 E. Doty Street, Suite 600, Madison, WI 53703-
3392, Attn: Timothy Burns (tburns@burnsbair.com) and Jesse Bair (jbair@burnsbair.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 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.

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

30 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

1 **Claims) of Claims against certain non-debtor entities.** The Plan provides the Debtor (including its
2 Churches), other related entities including the Roman Catholic Welfare Corporation of Oakland
3 (“RCWC”) and Adventus (together with RCWC, the “Contributing Non-Debtor Catholic Entities”), and
4 Settling Insurers (as defined in the Plan), shall receive the benefit of certain releases, exculpation, and
5 injunctions, which are summarized below, and set forth in more detail in the Disclosure Statement and in
6 the Plan.

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

25 **Releases.** The Plan states certain parties, including the Contributing Non-Debtor
26 Catholic Entities, will be granted releases and a channeling injunction regarding all Abuse
27 Claims to the extent such releases are granted by the Holders of those Claims in accordance
28 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.**

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

6 If you are the Holder of an Abuse Claim in either Class 4 or are the Unknown Abuse Claims
7 Representative on behalf of Class 5, you have the ability to opt out of providing the Third-Party Release
8 of Contributing Non-Debtor Catholic Entities by affirmatively withholding consent or “opting out” of
9 such Third-Party Release by checking the box on your Ballot indicating your decision to opt out of
10 providing the Third-Party Release. Opting out of the Third-Party Release for Contributing Non-Debtor
11 Catholic Entities does not change the proposed treatment for any Holder of an Abuse Claim except to the
12 extent opting out results in a reduction of the amount such Contributing Non-Debtor Catholic Entity
13 contributes to the Survivors’ Trust. As set forth in the Plan and Disclosure Statement, the contribution of
14 up to \$28.5 million by The Roman Catholic Welfare Corporation (“RCWC”) to the Survivors’ Trust will
15 be reduced depending on the number of Abuse Claimants that opt out of releasing claims against RCWC
16 through the Third-Party Release. **Opting out of the Third-Party Release may therefore reduce the
17 amount available for distribution to Abuse Claimants.** More information on RCWC’s contribution to
18 the Survivors’ Trust and the Third-Party Release is provided in the Disclosure Statement.

1 You may be deemed to grant the Third-Party Release of Non-Debtor Catholic Entities under
2 the Plan. Holders of Class 4 or Class 5 Claims are deemed under the Plan to have consented to the
3 Third-Party Release pursuant to Section 13.9 of the Plan if: 1) they return a ballot voting for or
4 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.

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

7 If the Plan is confirmed by the Bankruptcy Court and the Effective Date occurs, all Holders of
8 Claims against the Debtor, including all Holders of Abuse Claims, will be bound by the terms of the
9 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).

10 DATED: April 8, 2025

FOLEY & LARDNER LLP

Thomas F. Carlucci

Shane J. Moses

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*