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*Counsel for the Official Committee of Unsecured  
Creditors***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

**APPLICATION FOR ORDER  
AUTHORIZING THE RETENTION OF  
JENNIFER HASELBERGER AS  
CONSULTANT AND EXPERT  
WITNESS**

Lowenstein Sandler LLP (“**Applicant**”), counsel to the Official Committee of Unsecured Creditors (the “**Committee**”) of the Roman Catholic Bishop of Oakland (the “**Debtor**”), files this application (this “**Application**”) for entry of an order, under sections 327, 330 and 1103 of title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), authorizing the retention of Doctor Jennifer



Haselberger (“**Dr. Haselberger**”) as a consultant and rebuttal expert on Canon law, *nunc pro tunc* to May 1, 2025.

In support of this Application, and incorporated herein by reference for all purposes, Applicant submits the Declaration of Jennifer Haselberger (the “**Haselberger Declaration**”). A proposed form of order granting the relief requested herein is annexed hereto as **Exhibit A**. In further support of this Application, Applicant states as follows:

**I.**

**JURISDICTION**

The Court has jurisdiction to consider this Application pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b) and venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

**II.**

**BACKGROUND**

On May 8, 2023 (the “**Petition Date**”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code, commencing the above-captioned chapter 11 case (the “**Chapter 11 Case**”).

On May 23, 2023, the Office of the United States Trustee appointed the Committee.

On April 3, 2025, the Debtor filed its *Third Amended Disclosure Statement for Debtor’s Third Amended Plan of Reorganization* [Dkt. No. 1874] (the “**Disclosure Statement**”) describing *The Debtor’s Third Amended Plan of Reorganization* [Dkt. No. 1830] (the “**Plan**”).

On April 4, 2025, the Court entered an order approving the adequacy of the Disclosure Statement [Dkt. No. 1877].

On April 15, 2025, the Court entered the *Order Setting Certain Dates and Deadlines in Connection with Confirmation of the Debtor’s Plan of Reorganization* [Dkt. No. 1893], establishing a schedule relating to expert discovery in advance of Plan confirmation.

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**III.**

**RELIEF REQUESTED**

By this Application, Applicant seeks entry of an order authorizing the retention of Dr. Haselberger as a consultant and expert witness to provide the following services, effective as of May 1, 2025 (the “**Services**”):

- (i) Provide rebuttal expert witness services in connection with issues of Canon law;
- (ii) Review and evaluate any reports prepared by or on behalf of the Debtor or any other entities on issues of Canon law;
- (iii) Prepare and draft rebuttal expert reports and/or affidavits/declarations concerning the issues for which Dr. Haselberger is being engaged;
- (iv) Prepare for and provide both deposition and court testimony regarding the issues for which Dr. Haselberger is being engaged and in response to any relevant arguments advanced by the Debtor or any other party;
- (v) Assist Committee in drafting pleadings concerning the issues for which Dr. Haselberger is being engaged; and
- (vi) Any other services that the Applicant deems necessary related to Canon law.

**IV.**

**BASIS FOR RELIEF REQUESTED**

The use of Dr. Haselberger may become necessary to rebut any arguments advanced by the Debtor or any other party at Plan confirmation that rely on Canon law. To the extent that the Debtor argues that Canon law, rather than civil law, controls or is otherwise relevant at plan confirmation, the Committee requires Dr. Haselberger’s expertise to evaluate and rebut such assertions.<sup>1</sup>

*Nunc pro tunc* retention is appropriate here because this Application was filed shortly after Dr. Haselberger was selected to serve as Applicant’s consultant and expert witness, and Applicant

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<sup>1</sup> The Debtor has retained Dr. Kurt Martens as its Canon law expert as an ordinary course professional. *See* Dkt. No. 1890.

1 required provision of the Services from Dr. Haselberger immediately upon such selection.

2 **A. Qualifications**

3 After careful and diligent inquiry into Dr. Haselberger's qualifications and connections,  
4 Dr. Haselberger was selected to provide consulting and rebuttal expert witness services relating to  
5 Canon law, subject to the approval of this Court. Dr. Haselberger is uniquely qualified for this  
6 role through her ability and extensive professional experience.

7 Dr. Haselberger is a canon lawyer and owner of Canonical Consultation and Services, LLC.  
8 She received her licentiate degree in canon law from the Catholic University of Leuven, Belgium  
9 and received a Doctorate in Philosophy from the University of London, England. Dr. Haselberger  
10 served as a Judge on the Metropolitan Tribunal of the Archdiocese of Saint Paul and Minneapolis  
11 and became Director of the Tribunal of the Diocese of Crookston as well as Director of the  
12 Diocesan Safe Environment Program. Dr. Haselberger then served as the Bishop's Delegate for  
13 Canonical Affairs in the Diocese of Fargo, and later returned to the Archdiocese of Saint Paul and  
14 Minneapolis to serve as Chancellor for Canonical Affairs. Besides her appointments, Dr.  
15 Haselberger hosted various seminars, lectures, and workshops on issues related to diocesan  
16 structure, organization, and operation.

17 Dr. Haselberger has served as an expert witness in *In re The Diocese of Camden, New*  
18 *Jersey*, Case No. 20-21257 (JNP), where she was retained as an expert on diocesan structure on  
19 behalf of the Official Committee of Tort Claimant Creditors.<sup>2</sup> Given her breadth of experience,  
20 Dr. Haselberger is well qualified to provide the Services outlined herein.

21 **B. Compensation and Fee Applications**

22 Subject to the provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local  
23 Bankruptcy Rules, the *United States Bankruptcy Court Northern District of California Guidelines*  
24 *for Compensation and Expense Reimbursement of Professionals and Trustees effective February*  
25 *19, 2014* (the "**Local Guidelines**"), and the Guidelines for Reviewing Applications for  
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27 <sup>2</sup> Dr. Haselberger did not ultimately produce an expert report or provide testimony during  
28 her retention in this case.

1 Compensation and Reimbursement of Expenses (the “**Appendix A Guidelines**”) issued by the  
2 Office of the United States Trustee, Dr. Haselberger will charge for her professional services on  
3 an hourly basis in accordance with the ordinary and customary hourly rates in effect at the time  
4 the services are rendered. Dr. Haselberger’s hourly rate is \$500.

5 This rate is the customary billing rate charged by Dr. Haselberger in both bankruptcy and  
6 non-bankruptcy matters, to both debtor and non-debtor clients. Dr. Haselberger’s hourly rate is  
7 comparable to those charged by professionals of similar experience for engagements of scope and  
8 complexity similar to this Chapter 11 Case. Dr. Haselberger will also seek reimbursement of actual  
9 and necessary out-of-pocket expenses incurred in connection with the Services.

10 Dr. Haselberger will maintain contemporaneous time records in six-minute intervals and  
11 apply to this Court for payment of compensation and reimbursement of expenses in relation to her  
12 provision of the Services. Such records will be maintained in accordance with applicable  
13 provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Bankruptcy Rules, the Local  
14 Guidelines, the Appendix A Guidelines, and any additional procedures that may be established by  
15 the Court in this Chapter 11 Case. Dr. Haselberger may apply to the Court to authorize a monthly  
16 allowance that will permit provisional monthly payment of up to 80% of her fees and 100% of her  
17 expenses under the *Order Authorizing Procedures for Interim Compensation and Reimbursement*  
18 *of Expenses of Professionals* [Dkt. No. 170]. Dr. Haselberger understands that interim and final  
19 fee awards are subject to approval by this Court.

20 Dr. Haselberger will charge for all services provided and for other charges and  
21 disbursements incurred in rendering the Services. These customary items include, among other  
22 things, travel and lodging expenses, business meals, costs of reproduction, research,  
23 communications, legal counsel costs, applicable sales or excise taxes and other direct expenses.  
24 Internal costs or overhead costs and document production services (including regular secretarial  
25 and word processing time) will not be charged for separately. Dr. Haselberger has acknowledged  
26 that Applicant, the Committee, its constituents, its advisors or professionals shall not be liable for  
27 the fees, expenses or other amounts payable to Dr. Haselberger.

1 V.

2 **DISINTERESTEDNESS**

3 To the best of Applicant's knowledge and except to the extent disclosed in the Haselberger  
4 Declaration, Dr. Haselberger (a) is a "disinterested" person within the meaning of section 101(14)  
5 of the Bankruptcy Code, and (b) does not hold or represent an interest adverse to the Debtor, or  
6 other parties in interest in the Chapter 11 Case. Dr. Haselberger will conduct an ongoing review  
7 of her files to ensure that no disqualifying circumstances arise. If any new relevant facts or  
8 relationships are discovered, Dr. Haselberger will supplement her disclosure to the Court.

9 VI.

10 **NOTICE**

11 Notice of this Application will be provided to (i) the Debtor; (ii) Debtor's counsel; (iii) the  
12 Office of the United States Trustee Region 17; and (iv) all parties that have requested to receive  
13 notice under Bankruptcy Rule 2002. Given the nature of the requested relief, the Applicant  
14 submits that no other or further notice is required.

15 **WHEREFORE**, Applicant submits that for the above reasons, the retention and  
16 employment of Dr. Haselberger to provide the Services should be approved, and requests that the  
17 Court enter an order authorizing the retention of Dr. Haselberger to provide the Services *nunc pro*  
18 *tunc* to May 1, 2025, and granting such other and further relief as may be just and proper.

19 Dated: May 9, 2025

20 **LOWENSTEIN SANDLER LLP**  
**KELLER BENVENUTTI KIM LLP**

21 By: /s/ Jeffrey D. Prol  
22 Jeffrey D. Prol  
Brent Weisenberg

23 - and -

24 Tobias S. Keller  
25 Gabrielle L. Albert

26 *Counsel for the Official Committee of*  
27 *Unsecured Creditors*

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**Exhibit A**

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13 *Creditors*

14 **UNITED STATES BANKRUPTCY COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **OAKLAND DIVISION**

17  
18 *In re:*

19 THE ROMAN CATHOLIC BISHOP OF  
20 OAKLAND, a California corporation sole,

21 Debtor.

Case No. 23-40523 WJL

Chapter 11

**[PROPOSED] ORDER GRANTING  
THE APPLICATION FOR THE  
RETENTION OF JENNIFER  
HASSELBERGER AS CONSULTANT  
AND EXPERT WITNESS**

22  
23 Upon consideration of the *Application for Order Authorizing the Retention of Jennifer*  
24 *Haselberger as Consultant and Expert Witness* (the “**Application**”), through which Lowenstein  
25 Sandler LLP (“**Applicant**”), counsel to the Official Committee of Unsecured Creditors (the  
26 “**Committee**”) of the Roman Catholic Bishop of Oakland (the “**Debtor**”), requests entry of an  
27 order, under sections 327, 330 and 1103 of title 11 of the United States Code (the “**Bankruptcy**  
28 **Code**”) and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”),



1 authorizing and approving the retention and employment of Jennifer Haselberger (“**Dr.**  
2 **Haselberger**”) to provide the Services on behalf of the Committee; and upon the *Declaration of*  
3 *Jennifer Haselberger in Support of the Application for Order Authorizing the Retention of Jennifer*  
4 *Haselberger as Consultant and Expert Witness*; and this Court having jurisdiction to consider the  
5 Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and  
6 consideration of the Application and the relief requested therein being a core proceeding pursuant  
7 to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408  
8 and 1409; and the Court being satisfied that Dr. Haselberger represents no interest adverse to the  
9 Debtor’s estate; and it appearing that the Services to be provided by Dr. Haselberger are required;  
10 and the Court having held a hearing on the Application; and after due deliberation thereon, and  
11 good and sufficient cause appearing therefor:<sup>1</sup>

12 **IT IS HEREBY ORDERED THAT:**

- 13 1. The Application is granted.
- 14 2. All objections to the Application or the relief requested therein that have not been  
15 withdrawn, waived or settled, and all reservations of rights included therein, are overruled.
- 16 3. Applicant is authorized to retain and employ Dr. Haselberger as consultant and  
17 expert witness to provide the Services as described in the Application, with such employment  
18 effective as of May 1, 2025.
- 19 4. Notwithstanding anything to the contrary in this Order, or the Application, the  
20 Court is not approving terms and conditions of Dr. Haselberger’s employment under Section  
21 328(a) of the Bankruptcy Code.
- 22 5. Dr. Haselberger shall apply for compensation for professional services rendered  
23 and reimbursement of expenses incurred beginning on May 1, 2025 in connection with the Chapter  
24 11 Case as set forth in the Application and in compliance with the provisions of the Bankruptcy  
25 Rules, the Local Rules, and any other applicable procedures and orders of this Court.

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28 <sup>1</sup> Capitalized terms not defined herein have the same meaning as ascribed to them in the Application.

1           6.       Dr. Haselberger shall provide reasonable notice to the Debtor and the U.S. Trustee  
2 of any increase of Dr. Haselberger's hourly rates as set forth in the Application.

3           7.       This Court shall retain jurisdiction to hear and determine all matters arising from  
4 or related to the implementation of this Order.

5           8.       Notwithstanding any provision in the Bankruptcy Rules to the contrary, this Order  
6 shall be immediately effective and affordable upon its entry.

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9                               \*\*END OF ORDER\*\*  
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