

Blaise S. Curet (SBN 124983)
 SINNOTT, PUEBLA, CAMPAGNE & CURET, APLC
 2000 Powell Street, Suite 830
 Emeryville, California 94608
 Telephone: (415) 352-6200
 Facsimile: (415) 352-6224
 Email: bcuret@spcclaw.com

Robin D. Craig (SBN 130935)
 LAW OFFICE OF ROBIN CRAIG
 6114 La Salle No. 517
 Oakland, CA 94611
 Telephone: (510) 549-3330
 Email: rdc@rcraiglaw.com

Harris B. Winsberg (admitted *pro hac vice*)
 Matthew M. Weiss (admitted *pro hac vice*)
 Matthew G. Roberts (admitted *pro hac vice*)
 PARKER, HUDSON, RAINER & DOBBS LLP
 303 Peachtree St NE, Suite 3600
 Atlanta, Georgia 30308
 Telephone: (404) 523-5300
 Facsimile: (404) 522-8409
 Email: hwinsberg@phrd.com
 mweiss@phrd.com
 mroberts@phrd.com

Todd C. Jacobs (admitted *pro hac vice*)
 John E. Bucheit (admitted *pro hac vice*)
 PARKER, HUDSON, RAINER & DOBBS LLP
 Two N. Riverside Plaza, Suite 1850
 Chicago, Illinois 60606
 Telephone: (312) 477-3305
 Email: tjacobs@phrd.com
 jbucheit@phrd.com

Attorneys for Westport Insurance Corporation f/k/a Employers Reinsurance Corporation

**UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF CALIFORNIA**

In re:

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

Debtor.

WESTPORT INSURANCE CORPORATION,

Appellant,

v.

THE ROMAN CATHOLIC BISHOP OF
 OAKLAND and THE OFFICIAL
 COMMITTEE OF UNSECURED
 CREDITORS

Appellees.

Chapter 11

Bankruptcy Case No. 23-40523 WJL

**APPELLANT'S STATEMENT OF ISSUES ON APPEAL AND
 DESIGNATION OF RECORD**

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, Appellant submits the following: (i) statement of issues to be considered on appeal from the *Order Granting Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit*

1 *Certain Plaintiffs' Personal Injury Claims to Proceed in State Court* [Bankr. Dkt. 2168], and all
2 other subsumed judgments, orders, and decrees brought up for review in the appeal; and (ii)
3 designation of items to be included in the record on appeal.

4 **I. Statement of Issues to be Presented on Appeal**

5 Appellant presents the following statement of issues to be considered on appeal:

- 6 1. Whether the bankruptcy court erred in granting the *Renewed Motion of the Official*
7 *Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain*
8 *Plaintiffs' Personal Injury Claims to Proceed in State Court* (the "Motion") and
9 lifting the automatic stay (11 U.S.C. § 362(a)) so that six, unspecified personal
10 injury claims can proceed against the Debtor in Judicial Council Coordinated
11 Proceeding No. 5108 (Alameda Super. Ct.) (the "JCCP"), when: (a) hundreds of
12 personal injury claims are pending against the Debtor in the JCCP (each, an
13 "Underlying Claim"); and (b) the bankruptcy court not only failed to identify which
14 of the Underlying Claims it was releasing from the automatic stay but also
15 delegated to the JCCP court the authority to make that decision.
- 16 2. Whether the bankruptcy court erred in granting the Motion when the movant, the
17 Official Committee of Unsecured Creditors, lacks standing to pursue such relief.
- 18 3. Whether the bankruptcy court erred in granting the Motion without competent
19 record evidence demonstrating cause for such relief.
- 20 4. Whether the bankruptcy court erred in granting the Motion without determining
21 whether the released Underlying Claims are representative of the pool of
22 Underlying Claims.
- 23 5. Whether the bankruptcy court otherwise erred or abused its discretion in granting
24 the Motion.

25 **II. Designation of Items to be Included in the Record on Appeal**

26 Appellant submits the following designation of items to be included in the record on appeal,
27 which includes all exhibits, appendices, and/or addenda:
28

Item	Date Filed/ Entered	Bankr. Dkt. No.	Description
1.	May 8, 2023	1	Voluntary Chapter 11 Petition for The Roman Catholic Bishop of Oakland
2.	May 8, 2023	19	Declaration of Charles Moore, Managing Directors of Alvarez & Marsal North America, LLC, Proposed Restructuring Advisor to The Roman Catholic Bishop of Oakland, in Support of Chapter 11 Petition and First Day Pleadings
3.	November 20, 2024	1460	Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
4.	November 20, 2024	1461	Declaration of Gabrielle L. Albert in Support of Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
5.	November 20, 2024	1467	Notice of: (1) Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court; and (2) the Official Committee of Unsecured Creditors' Motion for Standing to Prosecute Claims of the Debtor's Estate
6.	November 22, 2024	1471	Debtor's Application for Order Enlarging Time for Filing of Response Briefs and for Notice of Hearing on (1) the Committee's Motion to Lift the Automatic Stay, and (2) the Committee's Motion for Derivative Standing
7.	November 22, 2024	1473	Declaration of Matthew D. Lee in Support of Debtor's Application for Order Enlarging Time for Filing of Response Briefs and for Notice of Hearing on (1) the Committee's Motion to Lift the Automatic Stay, and (2) the Committee's Motion for Derivative Standing (with Exhibits)
8.	November 25, 2024	1475	The Official Committee of Unsecured Creditors' Objection to the Debtor's Application for Order Enlarging Time for Filing of Response Briefs and For Notice of Hearing on the Committee's Motions (1) to Lift the Automatic Stay and (2) for Derivative Standing

9.	November 25, 2024	1476	Declaration of Gabrielle L. Albert in Support of Motion of the Official Committee of Unsecured Creditors' Objection to the Debtor's Application for Order Enlarging Time for Filing of Response Briefs and for Notice of Hearing on the Committee's Motions (1) to Lift the Automatic Stay and (2) for Derivative Standing
10.	November 26, 2024	1481	Order Scheduling Status Conference
11.	December 5, 2024	1497	Transcript Regarding Hearing Held November 27, 2024
12.	December 23, 2024	1563	Joinder of Certain Sexual Abuse Claimants to the Committee of Unsecured Creditors' Motion for Relief from Automatic Stay
13.	December 24, 2024	1568	Transcript Regarding Hearing Held December 18, 2024
14.	December 26, 2024	1570	Joinder of the Zalkin Law Firm Claimants to the Committee of Unsecured Creditors' Motion for Relief from Automatic Stay
15.	December 26, 2024	1572	State Court Co-Liaison Counsel's Joinder in Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
16.	December 26, 2024	1573	The Panish/PCVA Claimants' Joinder to the Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
17.	December 30, 2024	1581	Debtor's Brief in Opposition to the Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
18.	December 30, 2024	1582	Declaration of Mark C. Moore in Support of Debtor's Brief in Opposition to the Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court (with Exhibits)
19.	December 30, 2024	1583	Certain Insurers' Opposition to (i) The Committee's Motion to Lift the Automatic Stay to Permit Six Abuse Claims to Proceed in State Court and (ii) Joinders Therein by Counsel for Certain Claimants

20.	December 30, 2024	1585	Westport Insurance Corporation's Opposition to (1) the Committee's Motion to Lift the Automatic Stay and (2) the Committee's Motion to Prosecute Claims Against the Insurers
21.	December 30, 2024	1589	Joinder to Westport Insurance Corporation's Opposition to (1) the Committee's Motion to Lift the Automatic Stay and (2) the Committee's Motion to Prosecute Claims Against the Insurers
22.	December 30, 2024	1591	Pacific Insurers Supplemental Opposition to (1) the Committee's Motion to Lift the Automatic Stay and (2) the Committee's Motion to Prosecute Claims Against the Insurers
23.	January 6, 2025	1603	Reply of the Official Committee of Creditors in Support of the Motion to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
24.	January 14, 2025	1630	Transcript Regarding Hearing Held January 8, 2025
25.	January 17, 2025	1645	Transcript Regarding Hearing Held January 15, 2025
26.	January 23, 2025	1659	Transcript Regarding Hearing Held January 16, 2025
27.	January 27, 2025	1667	Transcript Regarding Hearing Held January 21, 2025
28.	February 11, 2025	1721	Order on Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
29.	March 17, 2025	1830	Debtor's Third Amended Plan of Reorganization dated March 17, 2025
30.	April 4, 2025	1877	Order: (I) Approving Third Amended Disclosure Statement; (II) Establishing Procedures for Plan Solicitation, Notice, and Balloting
31.	June 25, 2025	2093	Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
32.	June 25, 2025	2094	Declaration of Gabrielle L. Albert in Support of Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court (with Exhibits)

33.	June 25, 2025	2095	Notice of Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
34.	June 25, 2025	2097	Corrected Notice of Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
35.	July 9, 2025	2112	Debtor's Opposition to the Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
36.	July 9, 2025	2113	Declaration of Thomas F. Carlucci in Support of Debtor's Opposition to the Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
37.	July 9, 2025	2114	Declaration of Mark Moore in Support of Debtor's Opposition to the Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court (with Exhibits)
38.	July 9, 2025	2115	Certain Insurers' Opposition to Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court (with Exhibits)
39.	July 9, 2025	2117	Pacific Insurers' Opposition to the Committee's Renewed Motion to Lift the Automatic Stay (with Exhibits)
40.	July 10, 2025	2120	London Market Insurers' Joinder to Pacific Insurers' Opposition to the Committee's Renewed Motion to Lift the Automatic Stay
41.	July 14, 2025	2129	The Official Committee of Unsecured Creditors' Reply in Support of its Renewed Motion to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
42.	July 14, 2025	2140	The Zalkin Claimants' Joinder to the Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court

43.	July 21, 2025	2158	Transcript Regarding Hearing Held July 16, 2025
44.	August 12, 2025	2214	Transcript Regarding Hearing Held on July 18, 2025
45.	July 26, 2025	2168	Order Granting Renewed Motion of the Official Committee of Unsecured Creditors to Lift the Automatic Stay to Permit Certain Plaintiffs' Personal Injury Claims to Proceed in State Court
46.	August 8, 2025	2201	Notice of Appeal filed by Westport Insurance Corporation
47.	August 8, 2025	2202	Notice of Appeal filed by Pacific Indemnity Company, Insurance Company of North America, Pacific Employers Insurance Company, Westchester Fire Insurance Company
48.	August 8, 2025	2203	Notice of Appeal filed by Certain Underwriters at Lloyd's of London
49.	August 11, 2025	2207	Notice of Appeal filed by Continental Casualty Company

CERTIFICATE PURSUANT TO BANKRUPTCY RULE 8009(b)(1)(B)

Appellant respectfully certifies that they are not ordering any transcripts, as the relevant transcripts have been transcribed and docketed.

Dated: August 22, 2025

PARKER, HUDSON, RAINER & DOBBS LLP

/s/ Harris B. Winsberg

By: Harris B. Winsberg (admitted *pro hac vice*)
Matthew M. Weiss (admitted *pro hac vice*)
Matthew G. Roberts (admitted *pro hac vice*)
Brian C. Aton (SBN 339266)
303 Peachtree Street NE, Suite 3600
Atlanta, GA 30308
Telephone: (404) 523-5300
Facsimile: (404) 522-8409
Email: hwinsberg@phrd.com
mweiss@phrd.com
mroberts@phrd.com
baton@phrd.com

-and-

Todd C. Jacobs (admitted *pro hac vice*)
John E. Bucheit (admitted *pro hac vice*)
Two N. Riverside Plaza, Suite 1850
Chicago, Illinois 60606

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Telephone: (312) 477-3305
Email: tjacobs@phrd.com
jbuchheit@phrd.com

**SINNOTT, PUEBLA, CAMPAGNE & CURET,
APLC**

Blaise S. Curet (SBN 124983)
2000 Powell Street, Suite 830
Emeryville, CA 94608
Telephone: (415) 352-6200
Email: bcuret@spcclaw.com

LAW OFFICE OF ROBIN CRAIG

Robin D. Craig (SBN 130935)
6114 La Salle Ave., No. 517
Oakland, CA 94611
Telephone: (510) 549-3310
Email: rdc@rcraiglawn.com

*Attorneys for Westport Insurance Corporation,
formerly known as Employers Reinsurance
Corporation*