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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

Chapter 11

**DEBTOR'S REPLY IN SUPPORT OF
PROPOSED CONFIRMATION
SCHEDULING ORDER**

Judge: Hon. William J. Lafferty

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 reply to the *Response to Debtor’s Notice Regarding*
4 *Submission of Proposed Confirmation Scheduling Order* [Docket No. 2778] filed by certain of the
5 Debtor’s Insurers (the “Insurer Response”), and in support of the form of confirmation scheduling order
6 (the “Proposed Scheduling Order”) attached as Exhibit A to the Debtor’s *Notice Regarding Submission of*
7 *Proposed Confirmation Scheduling Order* [Docket No. 2774] (the “Notice of Proposed Order”).

8 As set forth in the Notice of Proposed Order, following the status conferences held on March 10,
9 13, 20, and 25 (the “Status Conferences”), the Debtor met and conferred with both the Committee and the
10 Insurers regarding a scheduling order to reflect the schedule for plan confirmation and related proceedings
11 approved by the Court at the Status Conferences. The Debtor and Committee reached agreement on the
12 form of the Proposed Scheduling Order.

13 As noted in the Noticed of Proposed Order and in the Insurer Response, the Insurers have not
14 agreed to the form of order based on one outstanding issue. Specifically, the Insurers seek inclusion of
15 language expressly opening the door to propound additional fact discovery after the April 30, 2026,
16 deadline to complete fact discovery.

17 The basis asserted by the Insurers for this inclusion is that the deadline for filing plan supplements
18 and forms of proposed confirmation order is April 29, one day before the deadline to complete discovery.
19 No modification to the Proposed Scheduling Order is needed to address the Insurers’ concern. As the
20 Insurers acknowledge, this issue was discussed at the March 25, 2026, Status Conference. At that time,
21 the Court did not direct that the schedule be modified, or that it expressly permit discovery regarding the
22 plan supplements or proposed confirmation orders. Instead, the Court stated that “if you convince me that
23 you have to take discovery, then all bets are going to be off, and you may convince me of that.” (Transcript
24 of March 25, 2026, hearing at 44:10-11, Ex. A to Insurer Response). In other words, before seeking to
25 propound additional discovery after the fact discovery deadline, parties much seek approval of the Court.
26 This is already addressed in paragraph 4 of the Proposed Scheduling Order, which provides that the
27 schedule may be modified by agreement or for cause shown after meeting and conferring.
28

DEBTOR’S STATEMENT FOR APRIL 1, 2026 STATUS CONFERENCE

1 Additional Fact Discovery on either the plan supplement materials or the form of confirmation
2 order should not be necessary, which is why it is not expressly contemplated by the Proposed Scheduling
3 Order. The Debtor's plan supplement materials will largely mirror those previously filed and reflect the
4 terms of the Plan. The forms of confirmation order should not require findings beyond those necessary to
5 approve and implement the Plan. To the extent, however, that either the Debtor or the Committee includes
6 something in either a plan supplement or proposed confirmation order that legitimately gives rise to a need
7 for fact discovery that could not reasonably be anticipated earlier, then the Insurers or any other party can
8 seek agreement for additional discovery and if necessary bring the issue to the Court. This is exactly what
9 is provided by the Proposed Scheduling Order agreed by the Debtor and Committee.¹

10 The Insurers' proposed language would instead largely render the fact discovery deadline a nullity,
11 by expressly allowing parties to propound additional fact discovery after the deadline, without first seeking
12 agreement of the parties or approval of the Court.²

13 The Debtor therefore requests that the Court enter the Proposed Scheduling Order in the form
14 agreed by the Debtor and Committee and submitted by the Debtor.

15 DATED: April 2, 2026

Respectfully submitted,

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/s/ Shane J. Moses

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26 ¹ Indeed, the Debtor reserves its rights to seek leave for additional discovery regarding any plan
27 supplement documents and/or and proposed confirmation order filed by the Committee.

28 ² The Debtor also notes that the Insurers proposed new paragraph 4 would improperly reserve the right
to additional discovery only as to the Insurers, rather than all parties. (*See Insurer Response*, p. 3:11-14).