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In Re: THE ROMAN CATHOLIC BISHOP OF OAKLAND, a California corporation sole Debtor,	**Chapter 11** **Case No.: 23-40523 WJL**
THE ROMAN CATHOLIC BISHOP OF OAKLAND, a California corporation sole Plaintiff v. PACIFIC INDEMNITY INSURANCE COMPANY OF AMERICA, AETNA INSURANCE COMPANY, TRAVELERS INSURANCE COMPANYM CERTAIN UNDERWRITERS OF LLOYDS OF LONDON SUBSCRIBING TO SYNDICATES 2623 (AFB)) AND 632 (AFB), INSURANCE COMPANY OF NORTH AMERICA, ACE LIMITED, UNITEDE STATES FIRE INSURANCE, EMPLOYERS REINSURANCE, CAN INSURANCE COMPANY, PACIFIC EMPLOYERS INSURANCE, WESTCHESTER FIRE INSURANCE COMPANY AND CALIFORNIA INSURANCE GUARANTEE ASSOCIATION Defendants.	**Adversary Case No.: 23-04028 WJL** **[Proposed] ORDER GRANTING DEFENDANT CALIFORNIA INSURANCE GUARANTEE ASSOCIATION'S MOTION UNDER FEDERAL RULE OF CIVIL PROCEDURE RULE 12 (b) (6) TO DISMISS IT FROM THE THIRD AMENDED ADVERSARY COMPLAINT OF PLAINTIFF THE ROMAN CATHOLIC BISHOP OF OAKLAND FOR FAILURE TO STATE A CLAIM FOR RELIEF, OR ALTERNATIVELY FOR A ORDER FOR A MORE DEFINITIVE STATEMENT UNDER FEDERAL RULE OF CIVIL PROCEDURE RULE 12 (e)** Hearing Judge: Hon. William J Lafferty, III Objections Due: February 28, 2024 Hearing Date: March 13, 2024 Courtroom: 220 Time: 10:30 a.m Location: 1300 Clay Street, Oakland, CA 94612

The Motion of Defendant California Insurance Guarantee Association ("CIGA) for a Motion to Dismiss the Third Amended Adversary Complaint of Plaintiff Roman Catholic Bishop of Oakland, a California corporate sole, under Federal Rules of Civil Procedure, Rule 12 (b) (6) as to the First and Third Cause of Action of said pleading, or alternatively for an Order for a More Definitive Statement under Federal Rule of Civil Procedure Rule 12 (e) came on for hearing before undersigned on March 13, 2024. Parties appearing for said matter and their attorneys of record are as noted in the minutes and recording of those proceedings.

The Court having reviewed the Motion and its supporting papers, [Docket # ____] the Oppositions filed in response thereto, all Replies in response to said Oppositions and based on the specific facts and circumstances set forth in the Motion and for other good cause appearing:

IT IS HEREBY ORDERED that:

1. The first cause of action of the Plaintiff's Third Amended Adversary Complaint is dismissed as to CIGA ____ with ____ without leave to amend.

2. The second cause of action of the Plaintiff's Third Amended Adversary Complaint is dismissed as to CIGA ____ with ____ without leave to amend .

Alternatively, on or before _____, 2024, Plaintiff file and serve a further amended adversarial complaint setting forth, as to each of the 198 Underlying Actions referred to in paragraph 9 of the Third Amended Adversary Complaint [Docket no. 163], all facts that show how each such Underlying Actions qualifies as a "covered claim" under California Insurance Code section 1063.1.

END OF ORDER