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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. --- THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF THE ROMAN CATHOLIC BISHOP OF OAKLAND, Plaintiff, v.	Case No. 23-40523 WJL Chapter 11 Adv. Pro. 24-04053 WJL **NOTICE OF APPEAL AND STATEMENT OF ELECTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF ORDER DISMISSING FIRST AMENDED ADVERSARY COMPLAINT** [Related to Dkt. Nos. 32, 35-37, 41-43, 45, 47, 48, and 55]

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THE ROMAN CATHOLIC BISHOP OF OAKLAND, ADVENTUS, THE ROMAN CATHOLIC WELFARE CORPORATION OF OAKLAND, AND THE ROMAN CATHOLIC CEMETERIES OF THE DIOCESE OF OAKLAND, Defendants.	)

NOTICE IS HEREBY GIVEN that the Official Committee of Unsecured Creditors (the "Committee") of the Roman Catholic Bishop of Oakland (the "Debtor") in the above-captioned chapter 11 case hereby appeals, pursuant to 28 U.S.C. § 158(a)(1), from the *Order Dismissing First Amended Adversary Complaint* [Dkt. No. 55] entered on July 25, 2025, a copy of which is attached hereto as **Exhibit A** (the "Final Order").

Pursuant to 28 U.S.C. § 158(c)(1), the Committee elects to have the appeal heard by the United States District Court for the Northern District of California rather than by the Bankruptcy Appellate Panel for the Ninth Circuit.

The names of the parties to the Final Order other than the Committee, and the name, address, and telephone number of their respective attorneys, are:

Party	Counsel
The Roman Catholic Bishop of Oakland	Ann Marie Uetz Foley & Lardner LLP 500 Woodward Avenue, Ste 2700 Detroit, MI 48226-3489 Tel: (313) 234-7114 Matthew D. Lee Foley & Lardner LLP 150 E Gilman St, Ste 5000 Madison, WI 53703-1482 Tel: (608) 258-4203 Shane J. Moses Foley & Lardner LLP 555 California Street, Suite 1700 San Francisco, CA 94104-1520 Tel: (415) 438-6404 Geoffrey S. Goodman Foley & Lardner LLP 321 North Clark Street Suite 3000 Chicago, IL 60654 Tel: (312) 832-4500
Adventus	Jason Blanchard James V. Leito, IV Ryan E. Manns Norton Rose Fullbright US LLP 2200 Ross Avenue, Ste 3600 Dallas, TX 75201 214-855-8000 Rebecca J. Winthrop Norton Rose Fullbright US LLP 555 S Flower St., 41st Fl. Los Angeles, CA 90071 213-892-9346
The Roman Catholic Welfare Corporation of Oakland	Jason Blanchard James V. Leito, IV Ryan E. Manns Norton Rose Fullbright US LLP 2200 Ross Avenue, Ste 3600 Dallas, TX 75201 214-855-8000 Rebecca J. Winthrop Norton Rose Fullbright US LLP 555 S Flower St., 41st Fl. Los Angeles, CA 90071 213-892-9346

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Party	Counsel
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Dated: August 8, 2025

KELLER BENVENUTTI KIM LLP
LOWENSTEIN SANDLER LLP

By: */s/Gabrielle L. Albert*
Gabrielle L. Albert

Counsel for the Official Committee of Unsecured Creditors

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Exhibit A

Entered on Docket
EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
Docket #0055 Date Filed: 7/25/2025

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Counsel for the Debtor
and Debtor in Possession

The following constitutes the order of the Court.
Signed: July 25, 2025

William J. Lafferty, III
U.S. Bankruptcy Judge

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
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF THE ROMAN CATHOLIC BISHOP OF OAKLAND, Plaintiff, v. THE ROMAN CATHOLIC BISHOP OF OAKLAND, ADVENTUS, THE ROMAN CATHOLIC WELFARE CORPORATION OF OAKLAND, AND THE ROMAN CATHOLIC CEMETERIES OF THE DIOCESE OF OAKLAND, Defendants.	Adv. Pro. No. 24-04053 **ORDER DISMISSING FIRST AMENDED ADVERSARY COMPLAINT** Judge: Hon. William J. Lafferty Date: June 4, 2025 Time: 1:00 p.m. Place: United States Bankruptcy Court 1300 Clay Street Courtroom 220 Oakland, CA 94612

This matter came before the Court on the (1) *Debtor's Motion To Dismiss First Amended Adversary Complaint* [Docket No. 41] (the "Debtor's Motion"), filed by the Roman Catholic Bishop of Oakland, a California corporation and the debtor and debtor in possession (the "Debtor") in the above-

captioned chapter 11 bankruptcy case (the "Chapter 11 Case") and defendant in the above-captioned adversary proceeding (the "Adversary Proceeding"); and (2) the *Motion of the Roman Catholic Welfare Corporation of Oakland, the Roman Catholic Cemeteries of the Diocese of Oakland and Adventus to Dismiss the Official Committee of Unsecured Creditors' First Amended Complaint* [Docket No. 35] (the "Non-Debtor Defendant's Motion" and together with the Debtor's Motion, the "Motions to Dismiss") filed by defendants the Roman Catholic Welfare Corporation of Oakland ("RCWC"), the Roman Catholic Cemeteries of the Diocese of Oakland ("RCC"), and Adventus ("Adventus" and together with RCWC and RCC, the "Non-Debtor Defendants").

On May 6, 2025, the Official Committee of Unsecured Creditors in the Chapter 11 Case (the "Committee"), as plaintiff in the Adversary Proceeding, filed its *First Amended Adversary Complaint* [Docket No. 32] (the "First Amended Complaint"). The First Amended Complaint asserted causes of action (1) against the Debtor and RCWC for substantive consolidation of the Debtor and RCWC, (2) against the Debtor and RCC for substantive consolidation of the Debtor and RCC, (3) against the Debtor and Adventus for substantive consolidation of the Debtor and Adventus, and (4) against the Debtor and RCWC for declaratory relief, each as further set forth in the First Amended Complaint.

On May 23, 2025, the Debtor filed the Debtor's Motion, together with its notice of hearing thereon [Docket No. 42]. Also on May 23, 2025, the Non-Debtor Defendants filed the Non-Debtor Defendant's Motion, together with the declaration of Ryan E. Manns in support thereof [Docket No. 36], and notice of hearing thereon [Docket No. 37]. On May 27, 2025, the Non-Debtor Defendants filed an amended notice of hearing on the Non-Debtor Defendant's Motion [Docket No. 43]. On May 28, 2025, the Committee filed its *Omnibus Response of The Official Committee of Unsecured Creditors To (I) Debtor's Motion to Dismiss First Amended Adversary Complaint and (II) Motion of The Roman Catholic Welfare Corporation of Oakland, The Roman Catholic Cemeteries of The Diocese of Oakland and Adventus to Dismiss The Official Committee of Unsecured Creditors' First Amended Adversary Complaint* [Docket No. 45] (the "Omnibus Response"), in opposition to both Motions to Dismiss. On June 2, 2025, the Debtor filed its *Reply in Support of Debtor's Motion to Dismiss Adversary First Amended Adversary Complaint* [Docket No. 47], and the Non-Debtor Defendants filed their *Reply Memorandum in Support of The Motion of The Roman Catholic Welfare Corporation of Oakland, The Roman Catholic Cemeteries of The Diocese*

Of Oakland, and Adventus to Dismiss The Official Committee of Unsecured Creditors' First Amended Complaint [Docket No. 48].

The Motions to Dismiss came duly for hearing before this Court on June 4, 2025, at 1:00 p.m. (the "Hearing"). The Court having reviewed and considered the Motion to Dismiss, all filings in support of or opposition to the Motion to Dismiss, the record in this Adversary Proceeding and the Chapter 11 Case, and the arguments of counsel at the Hearing; the Court having issued an oral ruling on the record pursuant to Fed. Rule Bankr. Proc. 7052 on July 16, 2025 (the "Oral Ruling"); the Court concluding it has jurisdiction over this matter and venue in this Court is proper; and after due deliberation,

IT IS HEREBY ORDERED:

1. For the reasons set forth on the record in the Oral Ruling, each of the Motions to Dismiss is granted and the First Amended Complaint is dismissed, with prejudice.

2. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of or interpretation of this Order.

*** END OF ORDER ***

APPROVED AS TO FORM:

LOWENSTEIN SANDLER LLP

By: */s/ Michael A. Kaplan*
Michael A. Kaplan

Attorneys for the Official Committee of Unsecured Creditors

NORTON ROSE FULBRIGHT US LLP

By: */s/ Ryan E. Manns*
Ryan E. Manns

Attorneys for Adventus, The Roman Catholic Welfare Corporation of Oakland, and The Roman Catholic Cemeteries of the Diocese of Oakland

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