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Plaintiffs' Co-Liaison Counsel
On Behalf of All Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY CASES

Alameda County Lead Case No: HG20053992

JCCP No. 5108
Judge: Honorable S. R. Chatterjee
Coordination Trial Judge
Dept: 21

Applies to All Cases In JCCP 5108:

DECLARATION OF RICHARD J SIMONS IN SUPPORT PETITION FOR AN ORDER TO SHOW CAUSE AND FOR DISCOVERY SPECIFIC TO WHY ATTORNEY MART OLLER SHOULD NOT BE SANCTIONED FOR WILFUL VIOLATION OF RULES OF PROFESSIONAL CONDUCT 3.2 AND 3.3

Date: July 23, 2025
Time: 2:30 p. m.
Reservation #: A-20053992-006

DECLARATION OF RICHARD J. SIMONS, ESQ.

I, RICHARD SIMONS, hereby declare:

1. I am an attorney license to practice law in the Courts of the State of California, am Plaintiffs' Co-Liaison Counsel in this Northern California Clergy Cases Judicial Council Coordination Proceeding ("JCCP 5108") and am personally familiar with the facts of this case and the contents of this Declaration, and if called upon, could and would competently testify as to its

contents.

2. On May 28, 2024, in the late afternoon before the next day's regularly scheduled May 29th monthly JCCP 5108 Case Management Conference ("CMC"), I was notified by Attorney Mart Oller IV, Counsel of record in these proceedings for the Roman Catholic Bishop of Fresno, A Corporation Sole, commonly known as the Diocese of Fresno or The Bishop of Fresno, that the Diocese of Fresno would be filing for Chapter 11 Reorganization Bankruptcy imminently. The Court was advised at the next day's CMC. At the time of the announcement there was a global mediation in progress with the Diocese of Fresno and its survivors, under the supervision of experienced and knowledgeable Judge Gale Andler (Retd.). The May 29th CMC Joint CMC Statement ("CMC SM") filed on May 24th by Plaintiffs' and Institutional Defendants' Liaison Counsel, a true and correct copy of which is attached to this Declaration as **Exhibit 1**, had identified twelve cases involving Diocese of Fresno for bellwether trials. Two were in Round Two, one of which was settled and the other set for remand on July 12, 2024 (Ex 1, 3:14-16 and 27-28). Five more cases had previously been set for remand in Round Four of Trials, with remand dates between February 28, 2025, and May 2, 2025 (Ex. 1, 5: 4-18). An additional five cases involving the Diocese of Fresno were jointly proposed for trial remand assignment dates to be determined at the current or following CMCs (Ex. 1, 6:14-23).

3. At the CMC, Mr. Oller represented to the Court that the Diocese of Fresno would be filing for Chapter 11 bankruptcy. The CMC discussion between the Court. Liaison Counsel, and Mr. Oller is set forth in the attached **Exhibit 2**, the transcript of May 29th, 2024, CMC, pages 9:19- to 12:4. On page 10 line 3 Mr. Oller states the time frame for the filing is "during the month of August, 2024." I believe the attached copy of the Court Reporter's transcript of the May 29th CMC, and all of the following CSR transcript excerpts in this Declaration and the attached exhibits, are true and accurate records of the proceedings, all of which I personally attended. Mr. Oller advised the Court that the "Diocese of Fresno announced that it intended to file for Chapter 11 bankruptcy during the month of August, 2024" (Ex. 2 10:1-3). The Court's ensuing Case Management Conference Order of May 29, 2024, attached as **Exhibit 3**, did not include the proposed five additional Fresno cases, but made no specific reference to the existing trial remand dates in cases

involving the Diocese of Fresno. However, the Court did order that "discovery is immediately open" in the cases that were set for trial remand at the CMC (Ex 3, 2:4). By announcing its "August" bankruptcy filing, Mr. Oller deprived Plaintiffs in those cases of the immediate right to conduct discovery.

4. No Case Management Conference was held in June, 2024, due to the Court being in the middle of a trial, and no CMC Statement filed for June. The next CMC was held on July 24, 2024. In the Joint CMC Statement filed in advance of the CMC, Liaison Counsel jointly modified the bellwether trial schedule. The remaining Round Two case, *Rios v. Roman Catholic Bishop of Fresno,* was off calendar by stipulation of the parties because "Fresno has announced its imminent filing of bankruptcy." Attached is a true and correct copy is the July 24, 2024 Joint CMC Statement as **Exhibit 4**, 3:11-13. The remaining five Fresno cases already scheduled for Round Four were changed to identify "Bankruptcy" but the remand dates not removed (Ex. 4 .4:22-5:11). The five cases that had been proposed for trial remand dates jointly by Liaison Counsel were dropped entirely from the list of Bellwether trials.

5. At the July 24, 2024 CMC, Plaintiffs' Liaison Counsel requested the Court to keep discovery open in the Fresno cases until an actual filing of a bankruptcy petition occurred and an automatic stay occurred. The discussion in found in the transcript of the July 24, 2024 CMC, attached as **Exhibit 5**, at 16:21-19:27. No ruling was made and the Court suggested additional meet and confer or an Informal Discovery Conference. My request was made because of concerns based on undocumented and as of then unsubstantiated hearsay reports passed on to me that the Diocese of Fresno was not intending to file its Petition in August as represented. While it was my belief that the reports may or may not have been true, I proposed keeping discovery open as a method of allowing counsel in the bellwether cases to exercise their own judgment on behalf of individual clients as to whether to conduct discovery in each case.

6. No Petition for Chapter 11 reorganization was filed by the Fresno diocese in August, 2024. At the September 25, 2024 CMC, Mr. Oller represented to the Court that the filing would be pushed to October, or November 1. A true and correct copy of the September 25, 2024 CMC transcript is attached as **Exhibit 6**, 7:11-8:8.

7. At the November 12, 2024 CMC, still no Petition for Bankruptcy had been filed. The transcript excerpts of the CMC are attached as **Exhibit 7**. At that CMC, Mr. Oller represented to Counsel and the Court "with confidence" that the proposed Petition would be filed "by mid January" (14:25-15:1).

8. On January 22, 2025 CMC, current Coordination Trial Judge the Hon. R. Chatterjee held his first Case Management Conference. In the Joint Case Management Conference Statement filed Plaintiffs' Liaison requested a hearing by issuance of an Order to Show Cause as to the reasons why the "mid January" date had not been met and what the cause for the delays was. Mr. Oller's response was that "notwithstanding these 'unexpected' delays, the Diocese expects to file the Chapter 11 by early to mid-February." Attached as **Exhibit 8** is a true and correct copy of the CMC Statement filed January 21, 2025 and attached as **Exhibit 9** is a true and correct copy of the transcript, 3:13-4:18; quote at 4:16-18. The Court heard from both sides, and stated that it was not prepared to issue any relief, but that plaintiffs would be reasonable to proceed as if there was no stay (Ex 9, 13:12-17:19, at 17:5-11).

9. Following the CMC of January 22, Attorney Timothy Hale, Plaintiff's Counsel in one of the Fresno cases, noticed the deposition of the Bishop of Fresno. At this point discovery was now open in all Bucket 1 cases, including all Fresno cases, and all Fresno case parties were eligible to participate through their counsel pursuant to the Court's Order Approving Non-Expert Deposition Protocol of March 23, 2022. The details of Mr. Hale's unsuccessful efforts to obtain the deposition of the Bishop in the face of Mr. Oller's frivolous demand for a Protective Order- in a Coordination Proceeding where the rules for depositions had already been clearly established by previous Court Orders- are set forth in his Declaration, submitted with this Motion.

10. There is evidence that suggests the delay of over one year, and possibly the departure of the financial department employees of the Bishop corporation as revealed by Mr. Oller in the September 25, 2024 CMC (Ex. 6, 7:16-24) ; and November 12, 2024 CMC (Ex. 7, 14:9-24), is directly related to fraudulent financial manipulations of funds under the control of The Bishop, with counsel's knowledge and consent, in an effort to protect and hide assets from the child sex abuse survivors who will be the sole unliquidated creditors in the Chapter 11. Delays of over a year in the

filing of the Petition, which exceed 90 days after financial transactions, limit the U. S, Trustee's and the Survivor Creditors' rights to claw back Pre Petition transfers. All of this would constitute fraud on this Court in the representations of the reasons for the delays in filing for Chapter 11, and the delays of over a year in the obtaining of discovery and trial dates by Plaintiffs. There is evidence that The Bishop is running a solicitation on the internet and presumably in person at one or more local parishes and councils to raise funds directly into the "Capital Campaign", which advertises "The money in the trust will be protected from bankruptcy proceedings." A true and correct copy of pages from the internet of this fundraising solicitation for Holy Spirit Parish and the Roman Catholic Charitable Trust are attached as **Exhibit 10**. In addition, construction is being conducted for various new facilities and existing church repairs, as shown by the Press Release dated July 3, 2024, attached as **Exhibit 11**. There is an unsubstantiated report through an individual case counsel from one of the Diocese of Fresno's vendor's employees that vendors are being paid well in advance to build up credits and reduce the available assets for survivors once bankruptcy is filed. It is unknown how much truth, if any, there are to these reports, but the picture is clear- there is both a financial motive to move and hide assets to keep them away from the only creditors in the future bankruptcy- the survivors of childhood sexual assault in these pending cases. This would provide a strong financial motive for The Bishop and his attorneys to delay the filing of their Petition for as long as possible by misrepresenting the filing date to preclude discovery and trials that would increase the Diocese of Fresno's exposure. The additional motive for otherwise unsupported delay is that during these long delays, some of the survivors with pending lawsuits die, usually at a very young age. At least three of the Fresno survivor Plaintiffs have died while these actions are pending, one at age 27 and the other two in their 60s. Documentation of their deaths is attached as **Exhibit 12**. There are likely other Plaintiffs who have died during these delays, whose passings have not yet been reported to Liaison Counsel.

11. The Plaintiffs do not state with certainty beyond a reasonable doubt that there has been fraud on the court and Counsel in the repeated delays and inaccurate representations of Mr. Oller. But they do believe and assert there is substantial reason to permit discovery by deposition and document production of whether the repeated incorrect representations to the Court and counsel of

"imminent filing" of bankruptcy, which have denied Plaintiffs discovery and trials and delayed their lawsuits for over a year, as well as terminated the Fresno Diocese mediation process before it began, may all constitute a lack of candor to the Court and delayed and prolonged these cases without any substantial purpose, all in clear and blatant violation of Rules of Professional Conduct 3.2 and 3.3.

I hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: June 30, 2025

RICHARD SIMONS, ESQ SBN 72676
FURTADO, JASPOVICE & SIMONS
CO-PLAINTIFF LAISION COUNSEL

EXHIBIT 1

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Institutional Defendants' Liaison Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY CASES

Alameda County Lead Case No: HG20053992

JCCP NO. 5108
Judge: Honorable Noel Wise
Coordination Trial Judge
Dept: 21

Applies to All Cases In JCCP 5108:

MULTIPLE PLAINTIFFS' AND INSTITUTIONAL DEFENDANTS' JOINT CASE MANAGEMENT STATEMENT [C.R.C. 3.541]

Date: May 29, 2024
Time: 1:30 p. m.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY CASES

Alameda County Lead Case No: HG20053992

JCCP NO. 5108
Judge: Honorable Noel Wise
Coordination Trial Judge
Dept: 21

Applies to All Cases In JCCP 5108:

MULTIPLE PLAINTIFFS' AND INSTITUTIONAL DEFENDANTS' JOINT CASE MANAGEMENT STATEMENT [C.R.C. 3.541]

Date: May 29, 2024
Time: 1:30 p. m.

This Case Management Statement is filed on behalf of Liaison Counsel for Plaintiffs and the Institutional Defendants. The Statement is abbreviated to address only the issues before the Court for this specific CMC.

I. MOTIONS AND INDIVIDUAL CASE ISSUES BEFORE THE COURT

1st Issue

Plaintiff John Doe J. C. H. and his successors request that the Order of February 14, 2024 issuing a stay of the action # 22 CV 021625 of 90 days to substitute a successor in interest for the recently deceased named Plaintiff, be vacated. The Institutional Defendant "Doe Archdiocese" is in Chapter 11 proceedings and the filing of the amended pleading likely violates the automatic Bankruptcy stay of state court proceedings. The original Order is attached as Ex. 1, and A [Proposed] Order Vacating the Stay Order as Ex. 2. There is no opposition. Separate copies of Ex. 2 in word.doc and pdf will be provided to the Court with the courtesy copy of the CMC statement.

2nd Issue

Plaintiff 1586 (John Doe 13) was originally filed as a Los Angeles case and added to JCCP 5101. The case is in the process of being transferred to 5108 following issuance of the Order To Transfer signed by Coordination Judge Cunningham in JCCP 5101 dated July 24, 2023 (Attached as Ex. 3). However, Counsel has not been able as of this time to secure an Alameda County case number to complete the transfer. If the issue is not resolved by Counsel's communications with the Clerk's office, the guidance of the Court is requested.

3rd Issue

Defendant Santa Catalina School has filed three (3) motions for good faith settlement determinations pursuant to C.C.P. sections 877 and 877.6. The three motions were filed in the following three actions: Jane Doe JS v. Doe Diocese, et al., Case No. 22CV022525; Jane Doe NN v. Doe Diocese, et al., Case No. 22CV022530; and Jane Doe RW v. Doe Diocese, et al., Case No. 22CV022529. All three motions are set for hearing on May 29, 2024 at 1:30 p.m. in Department 21.

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II. [PROPOSED] OMNIBUS ORDER TO ADD ON CASES WITH ONE OR MORE DEFENDANTS IN BANKRUPTCY

As discussed at the last CMC, and addressed by the Court in its April 25, 2024 Case Management Conference Order at page 2 lines 3-12, the parties have prepared and submit an Omnibus Add On Order identifying 435 cases where pending stipulations to add on individual cases have been pending up to a year over questions of the application of the Bankruptcy stay. The Proposed Order is attached as Exhibit 4, and separate copies will be delivered to the Court by email in pdf and word.doc formats, with hard courtesy copies, prior to the hearing date.

III. STATUS OF DESIGNATED BELLWETHER TRIALS

ROUND TWO OF TRIALS

Currently set cases include:

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Institutional Defendants Case #D: *Joseph Doe 556 v Doe Diocese, et al.* Alameda County Case #22CV021731, Matrix #569.	Fresno	SETTLED	
Institutional Defendants Case #*A: John MR Doe 1272 v Doe 1, et al.* Alameda County Case #22CV02 1922, Matrix #1454.	Monterey	SETTLED	
Institutional Defendants Case #B: *John Doe BD v Doe 1, et al.* Santa Clara Case #22CV408599: Alameda County Case #23CV032180, Matrix #1588.	Santa Clara	TBD BY SANTA CLARA COURT	Aug. 15, 2024
Plaintiff Case #11: Gilbert *Damian and John Doe 102 v Doe 1, a Corporation Sole, et al.* Alameda County Case #21CV005251, Matrix #96A and 96B.		The Diocese of Sacramento has filed for Chapter 11	
Institutional Defendants Case #E: *Joseph Doe S 501 v Doe 1, et al.* Alameda County Case #22CV019026, Matrix #1020.		The Diocese of Sacramento has filed for Chapter 11	
Plaintiff Case #8: *Jane Doe J.W. v Doe1 Diocese et al.* Alameda County Case #22CV024870, Matrix #915.	Monterey	TBD By Monterey Superior Court PJ	12-2-24
Maria Rios v. RCBF (Alameda # 23 CV030029), Matrix# 1507.	Fresno	8/19/24 or 8/26/24	7/12/24

ROUND THREE OF TRIALS

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe BCS 1125 v. Brothers of the Christian Schools (Alameda Case # 22 CV 016880)	Alameda County	**SETTLED**	
John Doe 88 v. Doe Alameda County Case #22CV024808 Matrix #1043	Sacramento County.	September 9, 2024	August 19, 2024
John Doe SALS 1492 v. The Salesian Society (Alameda action #. 22 CV 018907	San Francisco County.	**SETTLED**	
John Doe SALS 1076 v The Salesian Society & Don Bosco Technical High School (SF Case # CGC-21-591187; Alameda Case # 21 CV 002726) Plaintiff # 214 *John Doe SALS 1451 v. The Salesian Society & Don Bosco Technical High School* (Alameda Case # 22 CV 014181).	San Francisco	**SETTLED**	
Milton Johnson v. West Contra Costa County Salesian Boys and Girls Club, Inc. (Plaintiff # 00184, Contra Costa Superior Court, Case No. MSC21-02165, Alameda # HG 20 0053992	Contra Costa Superior Court	**SETTLED**	

ROUND FOUR OF TRIALS

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Church Victim v. Bellarmine College Preparatory. et al.. Alameda Case # 20CV364510. Matrix #29	Santa Clara	To be set by Santa Clara PJ	2/28/25
John Doe 588 v. Doe Diocese. et al; Alameda Case # 22CV018408. Matrix #300	Monterey	To be set by Monterey PJ	2/28/25
John Doe BCS 1936 v. Brothers of the Christian Schools. et al.; Alameda Case # 22CV023627. Matrix# 787	Napa	To be set by Napa PJ	3/28/25
Jane Doe (D.M.) v. Doe Archdiocese. et al.; Alameda Case # 22CV024190. Matrix # 388	Monterey	To be set by Monterey PJ	3/28/25

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe CLG03340 v. Doe Diocese et al.; Alameda Case# 22CV023495, Matrix# 802	Monterey	To be set by Monterey PJ	5/2/25
John Doe CLG03358 v. Doe Diocese (Fresno); Alameda Case # 22CV023924, Matrix# 181	Fresno	To be set by Fresno PJ	2/28/25
Joseph Doe FR 595 v. Doe 1 (Fresno); Alameda Case# 22CV019005, Matrix # 945	Fresno	To be set by Fresno PJ	3/28/25
A.P. v. Doe 1 (Fresno); Alameda Case# 23CV032290, Matrix# 712	Fresno	To be set by Fresno PJ	5/2/25
Jennifer Doe FR 437 v. Doe 1 (Fresno), Alameda Case # 22CV019008. Matrix # 937	Fresno	To be set by Fresno PJ	5/2/25
John Doe v. Doe 1(Fresno); Alameda Case # 22CV015918, Matrix# 299	Fresno	To be set by Fresno PJ	3/28/25
John Doe SALS 1081 v The Salesians of Don Bosco (Salesian Society) et al. SF case # CGC -21-594097; Alameda case# 22 CV 009831, Matrix # 122	SF	To be set by San Francisco PJ	2/28/25
Jane HT Roe v. Roman Catholic Bishop of Fresno, et al.; Alameda Case #23CV038795, Matrix# 847	Fresno	To be set by Fresno PJ	5/2/25
John Doe M.V. v. Doe 1, Alameda Case No. RG20075050, Matrix# 58	Monterey	To be set by Monterey PJ	2/28/25

IV. ADDITIONAL TRIAL SETTINGS

A. Trial Cases For Setting On May 29 – ROUND FIVE – TEN MORE CASES

Subsequent to the April CMC, Liaison Counsel have met and conferred and continue to meet and confer about both current and future trial setting in JCCP 5108. An additional ten (10) cases below have been identified for trial setting this month with discovery to be opened at the May 2024 Case Management Conference:.

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe 153 v Doe Diocese 1, et al.; Alameda Case No. 22CV019060. Matrix # 330	Monterey	To be set by Monterey PJ	TBD
Jane Doe (T.M.) v. Doe Archdiocese, et al.; Alameda Case No. 22CV022163. Matrix # 386	Monterey	To be set by Monterey PJ	TBD
John Doe 633 v. Doe Diocese, et. al..; Alameda Case No. 22CV023689, # ____. Matrix#579	Monterey	To be set by Monterey PJ	TBD
John Doe 524 v. Doe Archdiocese, et al.; Alameda Case No. 22CV018525, Matrix # 575	Monterey	To be set by Monterey PJ	TBD
John CB Roe MONT v. Doe 1, Alameda Case No. 22CV023887, Matrix # 501	Monterey	To be set by Monterey PJ	TBD
LL John Doe v. Doe Diocese; Alameda Case No. 22CV019259, Matrix #1562	Fresno	To be set by Fresno PJ	TBD
Jane HT Roe v. Doe Diocese; Alameda Case No. 23CV038795, Matrix #847	Fresno	To be set by Fresno PJ	TBD
John Doe v. Doe Diocese; Alameda Case No. 22CV013877, Matrix #201	Fresno	To be set by Fresno PJ	TBD
John Doe 1211 v. Doe Diocese; Alameda Case No. 23CV020512, Matrix #1328	Fresno	To be set by Fresno PJ	TBD
Jane Doe 2744 v. Doe Diocese; Alameda Case No. 22CV023127, Matrix #521	Fresno	To be set by Fresno PJ	TBD

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EXHIBIT 2

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

BEFORE THE HONORABLE NOËL WEISS, JUDGE

DEPARTMENT 21

IN RE NORTHERN CALIFORNIA CLERGY CASES. No. JCCP5108

_____/

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Wednesday, May 29, 2024

Taken via Zoom Meeting before CHRISTY CURRY, CSR

Certified Shorthand Reporter No. 13982

State of California

July for a check-in, and then maybe get back on our regular schedule. Let me go off the record again just because when people are looking at calendars it can become tricky.

(Off-the-record conversation was held.)

THE COURT: Okay. Why don't we go ahead and take the 11th because nothing else is on calendar. So we'll have a check-in on that day. And just so we don't lose track, I realize it's only a couple of weeks later, we'll keep our regular date from that point, forward. So July 24th, and the fourth Wednesday of the month thereafter. But I'll set you at 9:30 on the 11th. And then I'm going vacate June 26th.

MR. GASPARI: Your Honor, am I understanding you correctly? We will do 9:30 on July 11th, and 1:30 on July 24th?

THE COURT: Correct.

MR. GASPARI: Okay.

THE COURT: All right. Then going to the issues for case management generally, is there anything that has changed beyond what was reflected in the updated case management statement?

MR. OLLER: Yes, Your Honor.

MR. SIMONS: Yes.

MR. OLLER: This is Mart Oller speaking, if I could address this Court at this time for the Diocese of Fresno.

THE COURT: Sure.

MR. OLLER: Thank you. Yesterday afternoon the Diocese of Fresno announced that it intended to file for Chapter 11 bankruptcy during the month of August, 2024. So that is a significant change in the CMC status statement, if you will.

Just following up on that, I did have a chance to speak with counsel for the Fresno bellwether that is coming up in August, and under the circumstances he was agreeable to moving the trial date to October 21st, with the remand date of October 4th, and that is on page 3 of the CMC statement at the very bottom, entitled Rios versus RCBF.

THE COURT: When I was reviewing this, I took note of that case, which was the only one in the round 2 that was connected with Fresno County. But when we moved to round -- and everything in round 3 with the exception of John Doe 88 has already settled. But once we get to round 4 and the additional trial setting round 5, in each of those instances, essentially about half of the cases are all right now scheduled for -- they are Fresno County cases. Have you thought about how to backfill for them?

MR. SIMONS: If that question is directed towards plaintiffs, Your Honor, yes, we have had thoughts. But because we only received this news yesterday afternoon, and Mr. Zamora and I have had substantial discussions on generally how we were going to proceed, we didn't really reach any specific

conclusion as to how to backfill those cases.

MR. ZAMORA: Yeah. Your Honor, we have had no discussions about backfilling. We both -- Mr. Simons and I both learned about this after 4:00 p.m. yesterday, so my suggestion would be that we can discuss it in a meet and confer after today's CMC.

But at least for the time being, it's up to Your Honor if you want to vacate the dates or, you know, do what you want with the Diocese of Fresno slots.

THE COURT: Well, I understood that with regards to the Rios matter, there is already an agreement to switch those dates to October. I assume based on the, you know, proximity of when you learned about this, you don't already have an agreement as to handle the dates that are in the rest of the time.

But frankly based on the anticipation of the bankruptcy being in August, all of these dates would have been beyond that anyway. So, you know, I don't know, and nor do I expect you to tell me at this point, you know, but I think really the question becomes, what counties are left where there is really momentum and the opportunity to have cases set where the threat of bankruptcy isn't imminent?

And, you know, it's obviously something the Court is thinking about, and I'd, you know, just like to get information about that as soon as you know about it.

MR. SIMONS: Your Honor --

MR. GASPARI: Your Honor, this is Paul Gaspari.

EXHIBIT 3

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY CASES	No. JCCP 5108 No. HG20-053992 CASE MANAGEMENT CONFERENCE ORDER DATE 5/29/24 TIME 1:30 DEPT 21

The Court, having on 5/29/24 conducted a Case Management Conference ("CMC") in the above proceedings, and having reviewed the parties' Joint Case Management Conference Statement, reviewed submitted documents, and heard from counsel, finds and orders as follows:

The CMC statement at page 6 in the table on "Additional Trial Settings" identified cases in Monterey. These cases are:

- John Doe 153 v Doe Diocese 1, et al.; Alameda Case No. 22CV019060. Matrix #330
- Jane Doe (T.M.) v. Doe Archdiocese, et al.; Alameda Case No. 22CV022163. Matrix #386
- John Doe 633 v. Doe Diocese, et. al..; Alameda Case No. 22CV023689, Matrix#579

- John Doe 524 v. Doe Archdiocese, et al.; Alameda Case No. 22CV018525, Matrix #575
- John CB Roe MONT v. Doe 1, Alameda Case No. 22CV023887, Matrix # 501

At the CMC the parties agreed that discovery is immediately open in the above cases. The pre-trial discovery will be in the JCCP. Pre-trial dispositive motions will be in the JCCP. The cases must be "trial ready" when they are transferred. (See Orders of 12/12/22 and 7/18/23.)

Dated: May 31, 2023

Noël Wise
Judge of the Superior Court

Superior Court of California, County of Alameda
Department 21, Administration Building

Case Number: JCCP005108
Case Name: Northern California Clergy Cases

CASE MANAGEMENT CONFERENCE ORDER

DECLARATION OF ELECTRONIC SERVICE

I certify that I am not a party to these cases and that a true and correct copy of the foregoing document was served electronically pursuant to "Order Authorizing Electronic Service", entered in these coordinated proceedings on January 25, 2021, via the CASE ANYWHERE system. Execution of this certificate occurred at 1221 Oak Street, Oakland, California.

Executed on May 29, 2024

Executive Officer/Clerk of the Superior Court

By *Nicole Hall*
Deputy Clerk

EXHIBIT 4

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY CASES

Alameda County Lead Case No: HG20053992

JCCP NO. 5108
Judge: Honorable Noel Wise
Coordination Trial Judge
Dept: 21

Applies to All Cases In JCCP 5108:

MULTIPLE PLAINTIFFS' AND INSTITUTIONAL DEFENDANTS' JOINT CASE MANAGEMENT STATEMENT [C.R.C. 3.541]

Date: July 24, 2024
Time: 1:30 p. m.

This Case Management Statement is filed on behalf of Liaison Counsel for Plaintiffs and the Institutional Defendants. The Statement is abbreviated to address only the issues before the Court for this specific CMC.

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This Case Management Statement is filed on behalf of Liaison Counsel for Plaintiffs and the Institutional Defendants. The Statement is abbreviated to address only the issues before the Court for this specific CMC.

I. MOTIONS AND INDIVIDUAL CASE ISSUES BEFORE THE COURT

A Motion for Entry of Judgment and to Vacate Voluntary Dismissal in John Doe SC1410 (22 CV 022324) is before the Court, brought by The County of Santa Clara, and continued from July 11th.

II. ORDERS TO ADD ON CASES

Multiple individual cases were not Added On under the Omnibus Order entered following the last CMC. Plaintiff's Co-Liaison counsel has prepared a further Omnibus Order based on information received since the June CMC. There is an issue with some out-of-county cases as they are missing an Alameda County Case number, which is required to add-on, and which can only be obtained from the Clerk's Office via an add-on stipulation. The Court's assistance in streamlining this process if possible is requested, and the Order specifically authorizes parties to file the Order Adding On as an initial pleading in Alameda County to obtain an Alameda County case number.

Attached and provided in word and pdf under separate cover and in hard copy by hand delivery with this CMC statement are the Proposed Add On Order, with an Exhibit A identifying 23 cases with Alameda County case numbers, and Exhibit B identifying 9 cases without Alameda County case numbers.

The Court is requested to remind individual Plaintiff Counsel that there are no individual CMCs for Clergy Cases in Department 21.

III. STATUS OF DESIGNATED BELLWETHER TRIALS

ROUND TWO OF TRIALS

Currently set cases include:

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Institutional Defendants Case #D: *Joseph Doe 556 v Doe Diocese, et al.* Alameda County Case #22CV021731, Matrix #569.	Fresno	SETTLED	
Institutional Defendants Case #*A: John MR Doe 1272 v Doe 1, et al.* Alameda County Case #22CV021922, Matrix #1454.	Monterey	SETTLED	

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Institutional Defendants Case #B: *John Doe BD v Doe 1, et al.* Santa Clara Case #22CV408599: Alameda County Case #23CV032180. Matrix #1588.	Santa Clara	**SETTLED**	
Plaintiff Case #11: *Gilbert Damian and John Doe 102 v Doe 1, a Corporation Sole, et al.* Alameda County Case #21CV005251, Matrix #96A and 96B.		The Diocese of Sacramento has filed for Chapter 11	
Institutional Defendants Case #E: *Joseph Doe S 501 v Doe 1, et al.* Alameda County Case #22CV019026. Matrix #1020.		The Diocese of Sacramento has filed for Chapter 11	
Plaintiff Case #8: *Jane Doe J.W. v Doe1 Diocese et al.* Alameda County Case #22CV024870. Matrix #915. (P Atty Boucher/Campbell)	Monterey	TBD By Monterey Superior Court PJ	12-2-24
Maria Rios v. RCBF (Alameda # 23 CV030029), Matrix# 1507.	Fresno	Fresno has filed announced its imminent filing of Bankruptcy	Off Calendar

ROUND THREE OF TRIALS

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe BCS 1125 v. Brothers of the Christian Schools, Alameda Case # 22 CV 016880,	Alameda County	**SETTLED**	
John Doe 88 v. Doe, Alameda County Case #22CV024808 Matrix #1043 (P atty. J. George Jr.)	Sacramento County.	September 9, 2024	August 19, 2024
John Doe SALS 1492 v. The Salesian Society (Alameda action #. 22 CV 018907	San Francisco County.	**SETTLED**	
John Doe SALS 1076 v The Salesian Society & Don Bosco Technical High School (SF Case # CGC-21-591187; Alameda Case # 21 CV 002726) Plaintiff # 214 *John Doe SALS 1451 v. The Salesian Society & Don Bosco Technical High School* (Alameda Case # 22 CV 014181).	San Francisco	**SETTLED**	

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Milton Johnson v. West Contra Costa County Salesian Boys and Girls Club, Inc. (Plaintiff # 00184, Contra Costa Superior Court, Case No. MSC21-02165, Alameda # HG 20 0053992	Contra Costa Superior Court	**SETTLED**	

ROUND FOUR OF TRIALS

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Church Victim v. Bellarmine College Preparatory, et al., Alameda Case # 20CV364510. Matrix #29 (P Atty. H Francke)	Santa Clara	To be set by Santa Clara PJ	2/28/25
John Doe 588 v. Doe Diocese, et al; Alameda Case # 22CV018408, Matrix #300 (P Atty. Winer & E. Scott)	Monterey	To be set by Monterey PJ	2/28/25
John Doe BCS 1936 v. Brothers of the Christian Schools, et al.; Alameda Case # 22CV023627, Matrix# 787 (P Atty. Simons)	Napa	To be set by Napa PJ	3/28/25
Jane Doe (D.M.) v. Doe Archdiocese, et al.; Alameda Case # 22CV024190, Matrix # 388 (P Atty Pfau/Panish)	Monterey	To be set by Monterey PJ	3/28/25
John Doe CLG03340 v. Doe Diocese et al.; Alameda Case# 22CV023495, Matrix# 802 (P Atty De La Cerda)	Monterey	To be set by Monterey PJ	5/2/25
John Doe CLG03358 v. Doe Diocese (Fresno); Alameda Case # 22CV023924, Matrix# 181	Fresno	Bankruptcy	2/28/25
Joseph Doe FR 595 v. Doe 1 (Fresno); Alameda Case# 22CV019005, Matrix # 945	Fresno	Bankruptcy	3/28/25
A.P. v. Doe 1 (Fresno); Alameda Case# 23CV032290, Matrix# 712	Fresno	Bankruptcy	5/2/25

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Jennifer Doe FR 437 v. Doe 1 (Fresno), Alameda Case # 22CV019008. Matrix # 937	Fresno	Bankruptcy	5/2/25
John Doe v. Doe 1 (Fresno); Alameda Case # 22CV015918, Matrix# 299	Fresno	Bankruptcy	3/28/25
John Doe SALS 1081 v The Salesians of Don Bosco (Salesian Society) et al. SF case # CGC -21-594097; Alameda case# 22 CV 009831, Matrix # 122 (P Atty Simons)	SF	To Be Set by San Francisco PJ	2/28/25
Jane HT Roe v. Roman Catholic Bishop of Fresno, et al.; Alameda Case #23CV038795, Matrix# 847	Fresno	Bankruptcy	5/2/25
John Doe M.V. v. Doe 1, Alameda Case No. RG20075050, Matrix# 58 (P Atty Boucher, Campbell)	Monterey	To be set by Monterey PJ	2/28/25

ROUND FIVE OF TRIALS- SET MAY 29th

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe 153 v Doe Diocese 1, et al.; Alameda Case No. 22CV019060. Matrix # 330 (P Atty Winer/ E Scott)	Monterey	To be set by Monterey PJ	TBD
Jane Doe (T.M.) v. Doe Archdiocese, et al.; Alameda Case No. 22CV022163. Matrix # 386 (P Atty Pfau/Panish)	Monterey	To be set by Monterey PJ	TBD
John Doe 633 v. Doe Diocese, et. al.; Alameda Case No. 22CV023689, Matrix#579 (P Atty Winer/Scott)	Monterey	To be set by Monterey PJ	TBD
John Doe 524 v. Doe Archdiocese, et al.; Alameda Case No. 22CV018525, Matrix # 575 (P Atty Winer/Scott)	Monterey	To be set by Monterey PJ	TBD
John CB Roe MONT v. Doe 1, Alameda Case No. 22CV023887, Matrix # 501 (P Atty Zalkin)	Monterey	To be set by Monterey PJ	TBD

IV ADDITIONAL PROPOSED TRIALS

A. Agreed Cases for Trial Setting

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe JS v. RCB San Jose: Alameda case #22CV 024202 Matrix 925, P Atty. Saunders	Santa Clara		
M.K. v. DOE 1 (St Aloysius Retreat, et al. Santa Clara 21CV392393; P # 1564 (P atty Herman Law)	Santa Clara		
John Doe 139 v. Oblates of St. Francis De Salle Alameda case # 22 CV 021386, Matrix # 591. (P Atty Winer, E Scott); D Atty Steve Greene)	San Joaquin		
John Doe MR 1006 *v RCBM & CB Hawaii (Damien School),* Monterey County Case #: 19CV005258; Alameda County Case #: 20CV005169. Matrix # 31. Filed December 2019. (P Atty Anderson)	Monterey		

B. Plaintiffs' Proposed 5 Year Cases – Defendants Objects

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John M-1 Doe v Doe 1, San Francisco County Case #: CGC20583959; Alameda County Case #: 20CV005461. Matrix # 4. Filed March 2020 (P Atty Manly)	DISPUTED - Monterey or San Francisco		
Cantrell v BCS, RCB Monterey, CB Hawaii (Damien School), Monterey County Case #: 20CV001879; Alameda County Case #: 22 CV000261. Matrix # 108. Filed July 2020. (P Atty Pfau/Panish)	Monterey		

John Doe (CA) v Doe 1, Monterey County Case #: 20CV002191; Alameda County Case #s: 22CV000261, 22CV010183, 22CV000261. Matrix #s 107A, B and C. Filed August 2020. (P Attys Pfau/Panish)	Monterey		

C. Additional P Proposed Cases- D objects

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe SALS 1120 v. Salesian Society, et al; Alameda Case Number 22CV09659, Matrix # 185. Filed April 2022 Consolidated for trial with *John Doe SALS 2024 v. Salesian Society, et al*; Alameda County Case # 22CV024865, Matrix # 795. Filed December 2022 (P Atty Simons)	San Francisco		

Defendant Salesian Society's Objections to Plaintiff's Proposed Case John M-1 Doe v Doe 1, San Francisco County Case #: CGC20583959; Alameda County Case #: 20CV005461. Matrix # 4. Filed March 2020 (P Atty Manly)

This matter is not an appropriate selection as a Bellwether case for the following reasons. Numerous cases in which the Salesians were a defendant have been selected as Bellwether cases, and to date, all but one have settled. John Doe SALS 1081 v The Salesians of Don Bosco (Salesian Society) et al. SF case # CGC -21-594097; Alameda case# 22 CV 009831, Matrix # 122 was set for trial in the Fourth Round and is scheduled for transfer on February 28, 2025. Procedurally, it is likely this case was identified for selection due to the fact that it was filed in 2020 and the five year statute will expire soon. However, the five year has been extended by Covid tolling and it will not expire until late September 2025. The Salesians are willing to waive the five year statute and try this case

if and when appropriate after other Bellwether trials are completed. Substantively, this matter involves claims against a religious order (the Salesian Society), an archdiocese and a non- Salesian school, requiring the presentation of different and overlapping theories of individual and shared liability. As most of the cases in 5108 do not include three defendants, this matter is not representative. In addition, the parties' attorneys have attended global mediation sessions with mediator Jeff Krivis. The parties are engaged in selecting a new global mediator since Mr. Krivis is unavailable due to health reasons and we expect to schedule additional global mediation sessions aimed at resolving the remaining lawsuits, if possible. However, the settlement of the prior cases has caused severe financial difficulties for the Salesians. If additional Salesians cases are selected for trial, and the Salesians are forced to incur the fees and costs associated with discovery, the Salesians will have no choice but to file for bankruptcy. The Salesians have conveyed the state of their finances to the previous mediator and will provide the same information to the next mediator for review to assist resolution.

PLAINTIFFS' LIAISON COUNSEL RESPONSE: Counsel for the parties may address these issues.

Defendant Salesian Society's Objections to Plaintiff's Proposed Case John Doe SALS 1120 v. Salesian Society , et al; Alameda Case Number 22CV09659, Matrix # 185; Consolidated for trial with John Doe SALS 2024 v. Salesian Society, et al; Alameda County Case # 22CV024865, Matrix # 795.

These cases should not be selected for trial, and in particular, should not be tried as consolidated cases for the following reasons: The dates of abuse alleged in John Doe SALS 1120 (1980-1983) and John Doe SALS 2024 (1957-1958) are more than twenty years apart, requiring the introduction of evidence from separate and distinct eras; the alleged locations of abuse in John Doe SALS 1120 (Sts. Peter and Paul Church in North Beach, San Francisco) and John Doe SALS 2024 (Salesian Boys Camp in Middletown, Lake County) are different in nature as well as geographically.

and the severity and nature of the alleged abuse in each case is dissimilar. These significant differences between these two cases will lead to a confusion of the factual and legal issues, a lack of judicial economy, and prevent the development of representative case valuations.

Plaintiffs' Liaison Counsel's Response: The differences between the two nominated subject cases pale in comparison to the good cause for consolidation. Both cases involve the notorious Salesian Brother Salvatore Billante, who is the perpetrator in about 60 cases included in JCCP 5108. Until his arrest and imprisonment in San Quention in 1989, Billante engaged in a twenty plus-year career of hundreds upon hundreds of child sexual assaults in Salesian schools, camps, Boys Clubs, field trips, and a Salesian staffed school operated by the Archdiocese of San Francisco. He was indicted by a Grand Jury in 2002 on 189 counts of felony child abuse, but the charges were dismissed under the

2002 U.S. Supreme Court's ex post facto ruling in *Stogner v. California*. His activity in joining other Salesian Priests in their assaults on minors is documented in *Piscitelli v. Salesian Society* (2008) 166 Cal. App. 4th 1.

Plaintiff SALS 2024 was one of Billante's earliest known victims, abused in approximately 1957-8 at a Salesian Camp, before Billante was ordained. Plaintiff SALS 1120 was one of Billante's later victims, molested between 1980 and 1983 at the Salesian Boys Club in North Beach, San Francisco. The span of time provides an opportunity to have the same jury assess the differences in both liability issues and damage issues for similar conduct perpetrated against similarly situated boys many years apart. This information is important to assist all parties in evaluating the wide range of cases and conduct involving this perpetrator, to avoid the necessity to have another and another individual trial of Br. Sal survivors over many years. Judicial economy and common issues of law and fact, the touchstones of Consolidation for trial, support consolidating these two cases for efficient

discovery and to benefit resolution of the many many remaining Billante cases.

Respectfully submitted:

PLAINTIFFS' CO-LIAISON COUNSEL:

DATED: July 19, 2024

FURTADO, JASPOVICE & SIMONS
By: /s/ Rick Simons SBN 72676
Rick Simons
Plaintiffs' Co-Liaison Counsel

INSTITUTIONAL DEFENDANTS' LIAISON COUNSEL:

DATED: July 19, 2024

WEINTRAUB TOBIN

By: /s/ Daniel Zamora
Daniel Zamora, Esq.
Institutional Defendants' Liaison Counsel

By: /s/ Paul Gaspari
Paul Gaspari
Institutional Defendants' Liaison Counsel

EXHIBIT 5

BEFORE THE HONORABLE NOËL WISE, JUDGE

DEPARTMENT 21

IN RE NORTHERN CALIFORNIA CLERGY CASES. No. JCCP5108

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

Wednesday, July 24, 2024

Taken via Zoom Meeting before CHRISTY CURRY, CSR

Certified Shorthand Reporter No. 13982

State of California

THE COURT: All right. And those cases, just so that I'm clear, are all the ones from Monterey County that are listed. And the one on page 3, the two on page 4, I think it's six on page 5 --

MR. ZAMORA: Actually, Your Honor, those cases have all been open for discovery. The five cases that Mr. Simons and I were referring to appear on the top of page 6.

THE COURT: I was just going to get to that. All right. So the ones that need to be open now are the ones -- the first five on page 6.

MR. ZAMORA: Correct.

THE COURT: All right. And I understand there is an agreement about that now. So those will be opened for discovery to be initiated, and that you're going to meet and confer with regards to all of those cases to start thinking about transfer dates --

MR. ZAMORA: Well, remand dates.

THE COURT: -- dates for trial.

MR. ZAMORA: Yes.

THE COURT: Okay. Anything else you want to address today?

MR. SIMONS: Your Honor, I would like to address the question of whether or not in the Fresno cases discovery should remain open until such time as the stay is issued by the bankruptcy court on the Chapter 11 filing.

Mr. Oller and I have had some discussions about

this, and have a different perspective from each other on that question. But there are some very practical reasons why I think that the stay normally going into effect at the time of the Chapter 11 filing should be the stay that we observe, and not a stay on discovery reinstituted in those now eight or nine cases that Fresno has on the trial calendar.

MR. OLLER: Your Honor, may I be heard?

THE COURT: Yes. Go ahead. I'm sorry if you didn't hear me.

MR. OLLER: Thank you. Yeah. Mr. Simons and I did have a chance to meet and confer briefly this morning, and I pointed out to him that the plaintiffs' liaison committee in all the other cases involving pre-announcement of an actual filing of bankruptcy by a diocese all agreed to the interval time period being stayed.

And I had pointed out that that was as recent as of Sacramento's filing this year, in April, and that Mr. Simons was on the record explaining the need for the Diocese of Sacramento to have a couple of months to get the paperwork in order and also do all the other necessary things, which are substantial, and that it was agreed that a stay would be in place.

So I asked Mr. Simons to issue the courtesy -- the similar agreement, and he indicated that he was not in a position to reach such an agreement. I also pointed out that I have a one-month vacation during the

next two months, my son is graduating, we are going on a lengthy trip, and that it would be nearly impossible for me, and I'm responsible for handling the discovery for the diocese to respond.

I did have a chance to speak, as I mentioned, with plaintiff's counsel in the Rios case and he was fine with that proposal. I spoke with Mike Reck of the Anderson Firm, and he didn't have any objection to that type of situation. I have had not a chance to meet and confer with all the other plaintiffs' attorneys and so I'm not able to say that that --

(Brief interruption.)

MR. OLLER: -- that that was their agreement, but --

THE COURT: We have somebody who is not muted. Hold on a moment.

Thank you. Go ahead.

MR. OLLER: In any event, I'm not able to say that they are agreeable or not agreeable, but I don't know if this is being treated as a motion for stay or not, or if you wanted formal pleadings.

But I certainly -- as our -- it is our position that it should be stayed. And if it's not, unfortunately, I fear that we will be having a fair amount of motion work before you requesting a stay, et cetera, because of the circumstances I just mentioned.

THE COURT: Here is what I'm going to suggest about this. This is a discovery-related issue, but at

first I want to -- I'm not sure if you have had enough of a chance given how recently this information was shared to really fully meet and confer and see if you can make some agreement about this. So I would suggest that you start there.

If you cannot reach an agreement about that, I'd suggest that you reach out to the department for an IDC. There is also potentially another IDC in play as it relates to San Jose. And we can see if we can assist there.

And if at the end of all of that there is still a conflict about it, then we can figure out how and when to deal with it in some sort of a motion practice. But why don't we we begin there? Again, it sounds like it's been less than 24 hours for you to even have a chance to think about this, and generally it seems like things have been pretty collegial, and you can figure most things out.

I understand you might have a legitimate difference of opinion here, and there might be reasons why the facts should be different in this case versus others, but we have pretty good availability here to address these issues in an IDC. So let us know if you need our help.

MR. OLLER: Very good. Thank you, Your Honor.

MR. SIMONS: We would schedule that, Your Honor, through Madam Clerk, or through Mr. Obbard, or how?

THE COURT: Back on -- send an email to both.

EXHIBIT 6

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

BEFORE THE HONORABLE NOEL WISE, JUDGE

DEPARTMENT 21

IN RE: NORTHERN CALIFORNIA CLERGY CASES.	)	NO. JCCP5108

Reporter's Transcript of Proceedings

Wednesday, September 25, 2024

Reported by:
Roseleen Louise O'Brien, CSR 11670

assume it will be combined with the other issues that the Court will take up or other things the Court needs to address before we meet next month.

MR. ZAMORA: That's fine, Your Honor.

MR. SIMONS: Yes, Your Honor.

One additional issue before we move to the various trial lists. And that's, as Mr. Oller indicated earlier, a report on the still-not-yet-filed Fresno Diocese bankruptcy. Mr. Oller and I have discussed it, and I believe he would like to address the Court on that subject.

THE COURT: That was actually what I was starting to ask right then, which is that I understand that there's an update with regards to Fresno. And if I could get that now?

MR. OLLER: Yes, Your Honor. Thank you.

Mart Oller for Fresno Diocese.

Our plan was to have the Chapter 11 bankruptcy filing on file this month. Unfortunately, due to a recent development with the loss of a key person in our accounting department, we need to add some additional weeks to that filing. That has been a bit of a setback, but we do intend to go forward and proceed. And we have made substantial progress. But again, that was unanticipated. And we've hired a replacement person, but, as you can imagine, it is taking a little bit of time for that person to get up to speed.

THE COURT: Counsel, were you able to hear me?

MR. OLLER: No.

THE COURT: My question was, so it sounds like that's going to happen in October instead of September?

MR. OLLER: That's correct. It might be pushed to November 1st. And the only reason that that would occur for that particular date, it's my understanding that it would give us the advantage of closing the month out. And then it would also coincide with the payroll cycle. The prior payroll cycle is in the middle of October. Not sure if we'll make it by then but definitely by November 1st is the plan.

THE COURT: Okay. Thank you for that.

Is there anything else before we move to the case management?

MR. SIMONS: Not from plaintiffs' side, Your Honor.

MR. ZAMORA: Not from the institutional defense side, Your Honor.

THE COURT: Then I'm going to utilize the parties' joint case management statement as a reference tool. I'm starting on the things that you've queued up for the Court that are on page 2.

The stipulation for the good faith settlement, the Court's already addressed.

The Court's also already addressed the Request to be Relieved as Counsel.

On page 3, you have the reference to the round two of trial. The only one that is left there for the Court's attention, plaintiffs' case number 8, Jane Doe. It's a Monterey case with a transfer date right now that's anticipated as December 2nd.

Is there anything else that the Court needs to be aware of as it relates to that?

MS. CAMPBELL: Yes, Your Honor.

EXHIBIT 7

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
BEFORE THE HONORABLE NOËL WISE, JUDGE
DEPARTMENT 21

IN RE NORTHERN CALIFORNIA CLERGY CASES. No. JCCP5108

_____/

REPORTER'S TRANSCRIPT OF PROCEEDINGS
Tuesday, November 12, 2024

Taken via Zoom Meeting before CHRISTY CURRY, CSR
Certified Shorthand Reporter No. 13982
State of California

APPEARANCES VIA ZOOM

PLAINTIFFS' ATTORNEYS

ANTHONY MODARELLI, ATTORNEY AT LAW, Dimarco, Araujo & Montevideo, 1324 North Broadway, Santa Ana, California 92706, appeared as counsel on behalf of Various Plaintiffs.

COURTNEY KIEHL, ATTORNEY AT LAW, Paul Mones, PC, 13101 West Washington Boulevard, Los Angeles, California 90066, appeared as counsel on behalf of Various Plaintiffs.

HERMAN FRANCK, ATTORNEY AT LAW, Franck & Associates, Attorney at Law, 910 Florin Road, Suite 212, Sacramento, California 95831, appeared as counsel on behalf of Various Plaintiffs.

JENNIFER STEIN, ATTORNEY AT LAW, Jeff Anderson & Associates, PA, 11812 San Vicente Boulevard, Suite 503, Los Angeles, California 90017, appeared as counsel on behalf of 5108 Clergy Plaintiffs.

PEDRO "PETER" DE LA CERDA, ATTORNEY AT LAW, Matthews & Associates, appeared as counsel on behalf of Various Plaintiffs.

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RICHARD SIMONS, ATTORNEY AT LAW, Furtado, Jaspovice and Simons, 6589 Bellhurst Lane, Castro Valley, California 94552, appeared as liaison counsel on behalf of Various Plaintiffs.

DEFENDANTS' ATTORNEYS

DANIEL ZAMORA and PAUL GASPARI, ATTORNEYS AT LAW, Weintraub Tobin, 475 Sansome Street, Suite 510, San Francisco, California 94111, (415)433-1400, appeared as Institutional Defendants' Liaison Counsel on behalf of the Roman Catholic Archbishop of San Francisco.

MARK R. MITTELMAN, ATTORNEY AT LAW, Law Offices of Mark R. Mittelman, P.C., 575 Lennon Lane, Suite 150, Walnut Creek, California 94598, (925)256-0677 appeared on behalf of Defendant Stephen Kiesle.

MART OLLER, ATTORNEY AT LAW, McCormick Barstow, LLP, 7647 North Fresno Street, Fresno, California 93720, (559)433-1300, marty.oller@mccormickbarstow.com appeared as counsel on behalf of the Defendant Diocese of Fresno.

STEPHEN GREENE, ATTORNEY AT LAW, GREENE & ROBERTS, 455 Capitol Mall, Suite 405, Sacramento, California 95814, (916)753-1300, sjg@greeneroberts.com, specially appeared for the Defendant Catholic Diocese of Sacramento.

OTHERS PRESENT:

ASHLEIGH KASPER; BRIAN PERKINS; CHELSIE WARNER; COURTNEY PENDRY; DAVID P. COLELLA; ELIZABETH LEITZINGER; EMIL KHATCHATOURIAN; EMMANUEL JIMENEZ; ERIKA SCOTT; GARY PARTAMIAN; JASON CHEUNG; JASON BROWN; JOSEPH SAUNDERS; KELSEY CAMPBELL; LAURIE DEYOUNG; MACKENZIE JOHNSON; MARIA LAFORET; MARIAH OGDEN; MARY PARKER; MATTHEW FREEMAN; NANCY MCPHERSON; NICK DEMING; PARKER ESTENSON; PATRICK HUGHES; PETER DRAFTER; RAYMON DOLEN; REBECCA KIM; RYAN MCINTOSH; SAMANTHA MERTZ; SCOTT BONAGOFSKY; SEAN MANEE; SHAUNA IMANAKA; TOBIN J. TROBOUGH; VON R. REYES; WILFRID LEMANN; and WILLIAM DONAHOO.

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least you know what the bookends are.
MS. DE YOUNG: Your Honor, this is Lori Young.
THE COURT: Sure.
MS. DE YOUNG: I may have missed when I couldn't hear you about are we -- is the Court asking us to meet and confer with plaintiff counsel about one of the five cases?
THE COURT: Well, what I will say is, at a minimum the Court would set one for trial for a bellwether case. It might make sense to do something that is different from that. It might make sense for two cases to be consolidated for some reason. It might not. There might be reasons why the parties agree on the case but don't agree on something like consolidation.
That is fine. Whatever you agree on, I'd like to know. And whatever you don't, indicate in your next case management statement and the Court will act accordingly.
MS. DE YOUNG: Thank you. And I hope that we have a mediation date to tell the Court by next month. I don't think -- I don't think that that will be an issue, scheduling it within the next month.
THE COURT: Okay. I don't think that there is much more for the Court to do here other than to hear what the other issues are about what is happening, unless I missed something.
MR. SIMONS: Your Honor, with regard to the

Salesians, I think that does resolve or at least address all of the concerns raised by both sides.
THE COURT: Okay. You said there were some other things you would like to discuss, however.
MR. SIMONS: Yes. I know Mr. Oller would like to give the Court an update with regard to the status of the Fresno bankruptcy filing.
THE COURT: Okay.
MR. OLLER: Good afternoon, Your Honor. Mart Oller appearing on behalf of the diocese of Fresno. At the last CMC I had reported that unfortunately the diocese had lost a key position in its accounting department. We were able to fill that position with an experienced individual in October, and we were hoping to file a bankruptcy petition for Chapter 11 this month.
Unfortunately it has taken this new controller to -- some time to learn the, you know, complex processes of the diocese. It's a very large organization. And also since my last report to the Court, our long-term banking relationship with our bank has suffered some delays by some actions that they have taken. And so we are trying to focus on smoothing that relationship out so that we can process payment of our vendor bills and pay our employees on a timely basis.
So because of those factors, unfortunately we are not going to be able to file this month. The best estimate that I can give you, and I can say with confidence, actually, is that we'll be able to file by

mid January. Mechanically even if we were able to file sometime in mid or later -- late December, that would really be a very difficult time for the diocese because that is the busiest time of the year for all the personnel and et cetera. So, again, we will be in a position to file by mid January.
THE COURT: Is there anything else in terms of updates?
THE COURT REPORTER: Your Honor, may I have you repeat that?
THE COURT: I said, is there anything else with regards to updates?
MR. SIMONS: With regard to Fresno? Or generally?
THE COURT: Generally.
MR. SIMONS: No, Your Honor. I think that addresses the items that (audio distortion) --
THE COURT: Off the record.
(Recess taken.)
THE COURT: We are back on the record. Go ahead.
MR. SIMONS: Yes, Your Honor. I think that addresses all of the issues that the parties have raised and that would be before the Court today.
MR. SAUNDERS: Your Honor, this is Joe Saunders. I'm a plaintiff's counsel in an individual case, and I do have a motion to amend, on today, my complaint in John Doe JD 4411 that got consolidated with this CMC.

THE COURT: Okay. Let me --
MR. SAUNDERS: So I'd like to see if I can get that motion heard and granted if possible today.
THE COURT: Off the record.
(Recess taken.)
THE COURT: All right. Back on. Can you hear me?
MR. SAUNDERS: Yes, I can.
THE COURT: The Court issued a tentative ruling in that indicating that the motion for leave to file a third amended complaint is granted. Did you see that?
MR. SAUNDERS: I didn't see that. I tried to look at the docket today, but I didn't see it.
THE COURT: Is there anybody who has anything to say about it?
MR. SAUNDERS: The defendants have not appeared yet in the case.
THE COURT: And I take it you are fine with the tentative?
MR. SAUNDERS: Yeah. If it grants the motion, absolutely.
THE COURT: It does. So we will go ahead and affirm it.
MR. SAUNDERS: Very well. Thank you, Your Honor.
THE COURT: All right. You are welcome. Anything else?
MR. SIMONS: We do not have a date yet for our

EXHIBIT 8

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY CASES

Alameda County Lead Case No: HG20053992

JCCP NO. 5108
Judge: Honorable S. R. Chatterjee
Coordination Trial Judge
Dept: 21

Applies to All Cases In JCCP 5108:

MULTIPLE PLAINTIFFS' AND INSTITUTIONAL DEFENDANTS' JOINT CASE MANAGEMENT STATEMENT [C.R.C. 3.541]

Date: January 22, 2025
Time: 1:30 p. m.

This Case Management Statement is filed on behalf of Liaison Counsel for Plaintiffs and the Institutional Defendants. The Statement is abbreviated to address only the issues before the Court for this specific CMC.

I. MOTIONS AND INDIVIDUAL CASE ISSUES BEFORE THE COURT

A. CMCs in Counties of Original Venue

One issue that has arisen, and exemplified by the case of *M.O. v. Doe 1 Diocese (Diocese of Sacramento)* **34-2021-00301220-CU-PO-GDS; Alameda action # 21CV005502, matrix # 116,** involves Trial Courts, in spite of the cases being transferred from and stayed in the original venue, continuing to hold CMCs and impose Local Rules regarding service deadlines on Plaintiffs whose cases have been added to the JCCP 5108 coordination. In *M.O.*, the Trial Court issued an OSC Order requiring the personal appearance of the survivor Plaintiff for an OSC in a case added to this coordination and subject to a bankruptcy stay following the filing of a Chpt. 11 Petition by the Defendant Diocese. The Order is attached as Ex. 1 to this statement. Plaintiff Counsel in *M.O.* requests an Order from this Court to address the burden of duplicate management, particularly where the original venue's Orders require personal appearances by abuse survivor plaintiffs.

B. Discovery Dispute Resolution Process

The parties jointly request guidance from the Court on the process it prefers to follow on discovery disputes in cases set for trial and, thus, opened for discovery. The previous Coordination Trial Judges often utilized the Informal Discovery Process (IDC), mandated by Alameda Rule of Court, Rule 3.31, for individual case disputes, and, through the agreement and stipulation of Liaison Counsel, could decide questions applying to groups of cases generally, with letter briefs submitted by Liaison Counsel. The Court's view as to how to resolve discovery disputes or other procedural issues will assist all parties in moving cases and 5108 forward.

C. Motions to Withdraw as Counsel

Certain individual cases have specific issues that have arisen that require a Motion to Withdraw as Counsel. Statutory and Rules of Professional Conduct impose specific standards for such motions, both to provide protection to clients and moving attorneys and to preserve the confidentiality of privileged information from adverse parties and the public. Given the sensitive and

private nature of these childhood sexual assault cases, the Court is requested to clarify whether it prefers hearing such motions in a separate proceeding apart from the CMCs, holding in camera hearings, and whether a general Order sealing all documents at the time of filing is appropriate.

D. EX PARTE APPLICATION TO APPOINT SPECIAL PROCESS SERVICE

The case of *John SV Roe Tij v. Doe 1* (Alameda case # 22CV 022675, Matrix # 433), requires an international service of process of a Doe Defendant. The practice of prior Coordination Trial Judges has been to permit various unopposed procedural motions to be addressed at the CMCs. Attached as Exhibit 2A is the Ex Parte Application for the appointment, and attached as Exhibit 2B in word.doc and pdf format is the Proposed Order. Counsel for Plaintiff will have an attorney participating in the CMC to respond to any questions from the Court.

II. STATUS OF THE FRESNO DIOCESE FUTURE BANKRUPTCY FILING

PLAINTIFFS' VIEW: The Roman Catholic Bishop of Fresno, A Corporation Sole, is a named defendant or designated as a Doe Defendant in approximately 150 cases pending in 5108. Several bellwether cases were set for trial, and a global mediation as well as mediation of certain individual cases were proceeding before Retired Judge Gail Andler. Several months ago, the Bishop announced that the Diocese would be filing for Chapter 11 reorganization. The trial cases were informally taken off calendar and discovery abated by agreement based on that representation and their attorney's representations to the Court and Plaintiffs Liaison Counsel that filing was imminent. Each month the Diocese has notified Plaintiffs' Co-Liaison Counsel shortly before the CMC that the filing is delayed. It is now January, and the filing has not occurred. The delay of several months has caused prejudice and hardship to the Fresno survivors, and inconvenience to the Court in the administration of this JCCP. Progress that could have been made on individual settlements of specific cases and trials in designated cases, as well as discovery that could accelerate the bankruptcy process-already known for its glacial pace and expensive monthly bills and expenditures incurred by Debtor Diocese throughout the state, all at the expense of survivors, has been frustrated. Some of these cases

now are closing in on 5 year filing issues without having commenced trial or even completing discovery for trial.

Plaintiffs' request the Court issue an Order to Show Cause why the Bishop of Fresno should not be sanctioned for these delays and the resulting harm suffered by Plaintiff survivors from the failure to fulfill its representations to the Court of imminent filing, and to motivate the Bishop to act without further delay.

DIOCESE OF FRESNO'S POSITION: The Fresno Diocese has made substantial progress toward finalizing its Chapter 11 filing. Unfortunately, in December, the Diocese unexpectedly lost its replacement Controller, which is a critical position in the Accounting Department, and this has delayed the process. The recently retained new Controller, who is working through a temporary employment agency, is currently being evaluated with the hope that she will be a good fit such that the Diocese will be able to hire her on as a full-time employee before filing Chapter 11. Further, as a result of the Chapter 11 announcement by the Diocese, its long term banking relationship with its bank was affected, which has resulted in the interruption/delay in consummating banking transactions with Diocesan employees and vendors. A new banking relationship has been pursued with the goal being to finalize the new relationship before the Chapter 11 filing. Notwithstanding these unexpected delays, based on the significant progress to date, the Diocese expects to file the Chapter 11 by early to mid-February.

III. STATUS OF DESIGNATED BELLWETHER TRIALS

ROUND TWO OF TRIALS

Currently set cases include: [Cases No Longer Active Shaded in Gray]

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Institutional Defendants Case #D: *Joseph Doe 556 v Doe Diocese, et al.* Alameda County Case #22CV021731, Matrix #569.	Fresno	SETTLED	
Institutional Defendants Case #*A: John MR Doe 1272 v Doe 1, et al.* Alameda County Case #22CV02 1922, Matrix #1454.	Monterey	SETTLED	

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Institutional Defendants Case #B: *John Doe BD v Doe 1, et al.* Santa Clara Case #22CV408599: Alameda County Case #23CV032180, Matrix #1588.	Santa Clara	SETTLED	
Plaintiff Case #11: *Gilbert Damian and John Doe 102 v Doe 1, a Corporation Sole, et al.* Alameda County Case #21CV005251, Matrix #96A and 96B.		The Diocese of Sacramento has filed for Chpt 11	
Institutional Defendants Case #E: *Joseph Doe S 501 v Doe 1, et al.* Alameda County Case #22CV019026, Matrix #1020.		The Diocese of Sacramento has filed for Chpt 11	
Plaintiff Case #8: *Jane Doe J.W. v Doe1 Diocese et al.* Alameda County Case #22CV024870, Matrix #915. (P Atty Boucher/Campbell)	Monterey	SETTLED	12-2-24
Maria Rios v. RCBF (Alameda # 23 CV030029), Matrix# 1507.	Fresno	Fresno has filed announced its imminent filing of Bankruptcy	Off Calendar

ROUND THREE OF TRIALS

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe BCS 1125 v. Brothers of the Christian Schools, Alameda Case # 22 CV 016880,	Alameda County	SETTLED	
John Doe 88 v. Doe, Alameda County Case #22CV024808 Matrix #1043 (P atty. J. George Jr.)	Sacramento County.	September 9, 2024	August 19, 2024 **REMAND ORDER ISSUED**
John Doe SALS 1492 v. The Salesian Society (Alameda action #. 22 CV 018907	San Francisco	SETTLED	
John Doe SALS 1076 v The Salesian Society & Don Bosco Technical High School (SF Case # CGC-21-591187; Alameda Case # 21 CV 002726) Plaintiff # 214 *John Doe SALS 1451 v. The Salesian Society & Don Bosco Technical High School* (Alameda Case # 22 CV 014181).	San Francisco	SETTLED	

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Milton Johnson v. West Contra Costa County Salesian Boys and Girls Club, Inc. (Plaintiff # 00184, Contra Costa Superior Court, Case No. MSC21-02165, Alameda # HG 20 0053992	Contra Costa Superior Court	SETTLED	

ROUND FOUR OF TRIALS

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Church Victim v. Bellarmine College Preparatory, et al., Alameda Case # 20CV3645 1 0. Matrix #29 (P Atty. H Francke)	Santa Clara	To be set by Santa Clara PJ	2/28/25
John Doe 588 v. Doe Diocese, et al; Alameda Case # 22CV018408, Matrix #300 (P Atty. Winer & E. Scott)	Monterey	To be set by Monterey PJ	Currently 2/28/25- BUT SUBJECT OF STIPULATED CONTINUANCE TO 3/31/25
John Doe BCS 1936 v. Brothers of the Christian Schools, et al.; Alameda Case # 22CV023627, Matrix# 787 (P Atty. Simons)	Napa	To be set by Napa PJ	10/6/25
Jane Doe (D.M.) v. Doe Archdiocese, et al.; Alameda Case # 22CV024190, Matrix # 388 (P Atty Pfau/Panish)	Monterey	To be set by Monterey PJ	3/28/25
John Doe CLG03340 v. Doe Diocese et al.; Alameda Case# 22CV023495, Matrix# 802 (P Atty De La Cerda)	Monterey	To be set by Monterey PJ	5/2/25
John Doe CLG03358 v. Doe Diocese (Fresno); Alameda Case # 22CV023924, Matrix# 181	Fresno	Bankruptcy	2/28/25
Joseph Doe FR 595 v. Doe 1 (Fresno); Alameda Case# 22CV019005, Matrix # 945	Fresno	Bankruptcy	3/28/25
A.P. v. Doe 1 (Fresno); Alameda Case# 23CV032290, Matrix# 712	Fresno	Bankruptcy	5/2/25

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
Jennifer Doe FR 437 v. Doe 1 (Fresno), Alameda Case # 22CV019008. Matrix # 937	Fresno	Bankruptcy	5/2/25
John Doe v. Doe 1 (Fresno); Alameda Case # 22CV015918, Matrix# 299	Fresno	Bankruptcy	3/28/25
John Doe SALS 1081 v The Salesians of Don Bosco (Salesian Society) et al. SF case # CGC -21-594097; Alameda case# 22 CV 009831, Matrix # 122 (P Atty Simons)	SF	**SETTLED**	
Jane HT Roe v. Roman Catholic Bishop of Fresno, et al.; Alameda Case #23CV038795, Matrix# 847	Fresno	Bankruptcy	5/2/25
John Doe M.V. v. Doe 1, Alameda Case No. RG20075050, Matrix# 58 (P Atty Boucher, Campbell)	Monterey	To be set by Monterey PJ	Currently 2/28/25, BUT SUBJECT OF STIPULATED CONTINUANCE TO 5/30/25

ROUND FIVE OF TRIALS- SET MAY 29th

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe 153 v Doe Diocese 1, et al.; Alameda Case No. 22CV019060. Matrix # 330 (P Atty Winer/ E Scott)	Monterey	To be set by Monterey PJ	Fresno co-defendant filing BK
Jane Doe (T.M.) v. Doe Archdiocese, et al.; Alameda Case No. 22CV022163, Matrix # 386 (P Atty Pfau/Panish)	Monterey	To be set by Monterey PJ	July 25, 2025
John Doe 633 v. Doe Diocese, et. al.; Alameda Case No. 22CV023689, Matrix#579 (P Atty Winer/Scott)	Monterey	To be set by Monterey PJ	August 18, 2025
John Doe 524 v. Doe Archdiocese, et al.; Alameda Case No. 22CV 022581, Matrix # 575 (P Atty Winer/Scott)	Monterey	To be set by Monterey PJ	August 25, 2025

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John CB Roe MONT v. Doe 1, Alameda Case No. 22CV023887, Matrix # 501 (P Atty Zalkin)	Monterey	To be set by Monterey PJ	September 22, 2025

ROUND SIX- CASES SET FOR TRIAL AT JULY 2024 CMC

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe JS v. RCB San Jose; Alameda case #22CV 024202 Matrix 925, P Atty. Saunders	Santa Clara		October 27, 2025
M.K. v. DOE 1 (St Aloysius Retreat, et al. Santa Clara 21CV392393; P # 1564 (P atty Herman Law)	Santa Clara		**REMANDED FROM 5108**
John Doe 139 v. Oblates of St. Francis De Salle Alameda case # 22 CV 021386, Matrix # 591. (P Atty Winer, E Scott); D Atty Steve Greene			October 27, 2025
John Doe MR 1006 *v RCBM & CB Hawaii (Damien School),* Monterey County Case #: 19CV005258; Alameda County Case #: 20CV005169. Matrix # 31. Filed December 2019. (P Atty Anderson)			November 17, 2025
Cantrell v BCS, RCB Monterey, CB Hawaii (Damien School), Monterey County Case #: 20CV001879; Alameda County Case #: 22 CV000261. Matrix # 108. Filed July 2020. (P Atty Pfau/Panish)	Monterey		November 10, 2025
John Doe (CA) v Doe 1, Monterey County Case #: 20CV002191; Alameda County Case #s: 22CV000261, 22CV010183, 22CV000261. Matrix #s 107A, B and C. Filed August 2020. (P Attys Pfau/Panish)	Monterey		November 10, 2025

ROUND SEVEN- Cases set for Trial at September 25, 2024 CMC

CASE	COUNTY	REQUESTED TRIAL DATE	REMAND DATE
1 Plaintiff - *John GD Roe Mont v. Doe 1*, Case No. 22CV022970; P Atty. Zalkin	Monterey	To be set by Monterey PJ	December 2, 2025
1 Plaintiff - *John Doe D.K.K. v. Doe 1 Diocese, et al.* Case No. 22CV020376; P Atty. Boucher LLP	Monterey	To be set by Monterey PJ	Decem ber 9, 2025
1 Plaintiff – *John Doe JT v. Defendant Doe 1*, et al., Case no. 21CV000272; P Atty. Paul Mones	Monterey	To be set by Monterey PJ	December 16, 2025
1 Plaintiff – *Siobhann Shore v. Diocese of San Jose*, Case No. 20CV368718; P. Atty. Waters Kraus	Santa Clara		To be Determined

CASES FOR TRIAL SETTING FROM OCTOBER 2024 CMC

There are multiple cases which were brought before Judge Wise in the last CMCs before her confirmation to the United States District Court bench. Liaison Counsel request an opportunity to use this CMC to discuss the issues of trial setting that are before the Court, including the effects of various bankruptcies, motions in those proceedings to grant relief from stay to return certain cases to the state courts for trial, the effect of the 5 year mandatory dismissal statute on trial settings, and the factors relevant to both the dates and venues of future trial settings and the different processes that has been employed in trial settings up to this time.

A. Additional P Proposed Cases- D objects- Continued from July CMC

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe SALS 1120 v, Salesian Society , et al; Alameda Case Number 22CV09659, Matrix # 185. Filed April 2022 Consolidated for trial with	San Francisco		TBA

John Doe SALS 2024 v. Salesian Society, et al; Alameda County Case # 22CV024865, Matrix # 795. Filed December 2022 (P Atty Simons)			TBA

B. Additional Cases Proposed for Trial Setting at a Future CMC

For the Court's reference, below are a list of 10 cases that Plaintiffs have proposed setting for trial. The Court is not being requested to rule on setting them for trial at the 1-22-25 CMC. Several of these cases are objected to for trial setting by the Institutional Defendants and will be the subject of meet and confer after this CMC. One case below, "Jane Doe Seven", implicates two different Chapter 11 Bankruptcy Stays and questions of (1) whether the scope and effect of the stay should be decided by the Bankruptcy Judges in the first instance, or this Court, and (2) whether the stays apply to co-defendants. The Institutional Defendants note that these bankruptcy questions would require briefing and that the two prior coordination trial judges sitting in Department 21, Judges Evelio Grillo and Noel Wise, deferred to the Bankruptcy Courts to make the determinations on whether the stays apply.

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Doe 122 v. Doe Diocese (Monterey) Alameda 22CV014737 (Matrix 237) P atty Winer Burritt	Monterey		TBA
John Doe J. T. v. Doe Religious Order (Salesian Society) Alameda 22 CV 024017 (Matrix # 455) P Atty Mary Alexander	Contra Costa		TBA
John Doe SALS 1077 & 1078 v. Salesians Don Bosco et al. (P # 121B and C) Alameda 21 002726; SF case # CGC-21-591187 (P Atty Simons)	San Francisco		TBA
John Doe 1094 v. Doe Diocese, et al.; Case No. 22CV020697; P Atty. Mathews & Assoc. (matrix # 539)	Monterey		TBA
John Roe 46 v. Doe Diocese, et al.; Case No. 22CV021079; P. Atty. Slater (matrix # 703)	Monterey		TBA

CASE	COUNTY	REQUESTED TRIAL DATE	TRANSFER DATE
John Roe 302 v. Doe Diocese (Monterey), et al.; Case No. 22CV021087; P. Atty. Slater (matrix # 704)	Monterey		TBA
Jane Doe Seven v. Doe 1; Case No RG20065264; P Atty: Van Blois, (matrix #85)	Alameda		
John Doe SJ 1148 v. Doe 1, et al. (San Jose); Case No 22CV020290; P Atty: Anderson, (matrix # 1202).	Santa Clara		
John Doe SJ 1122 v. Doe 1, et al. (San Jose); Case No 22CV020072; P Atty: Anderson, (matrix # 1148)	Santa Clara		
John Doe SJ 1027 v Doe 1 (San Jose); Case No RG21086068; P Atty: Anderson, (matrix #0089)	Santa Clara		

Objection of the Salesian Society to Setting Cases for Trial: The Salesian Society and related Salesian Defendants' Objections to Trial Setting of Its Cases Pending Global Mediation and To Avoid Salesian Defendants From Tilting into Bankruptcy:

The Salesians started in global mediation with late mediator Jeff Krivis who recently passed away. The Salesians diligently met and conferred with the Plaintiffs' counsels and have agreed to mediate globally with mediator Roger Kramer. The parties are now working on selecting dates for mediation in late winter or early spring, depending on the parties' and the mediator's availability. The Salesians view the next global sessions to be a make or break as to whether it can settle all cases with its very limited resources and insurance or direct their remaining resources towards the filing of bankruptcy. Salesians are also in the process of obtaining formal appraisals of its assets to be able to share accurate financial information to the mediator. The settlements of the prior cases, including but not limited to several Bellwether cases, were not insured or minimally insured; along with the cost of litigation, they have caused severe financial difficulties for the Salesians. If additional Salesians cases are selected for Bellwether trials at this time, such that the Salesians will be forced to incur further fees and costs associated with discovery, moving towards bankruptcy will

be inevitable. The Salesians have conveyed the state of their finances and available insurance to the previous mediator and will provide the same updated information to Roger Kramer.

Specifically as to each case proposed for Bellwether designation, Salesian Defendants submit the following:

- Plaintiff's Proposed Case John Doe SALS 1120 v. Salesian Society, et al; Alameda Case Number 22CV09659, Matrix # 185; Consolidated for trial with John Doe SALS 2024 v. Salesian Society, et al; Alameda County Case # 22CV024865, Matrix # 795 (Billante Cases).

General comments about Br. Billante. Billante is implicated in more than 50 cases, 95% of which are stayed by the bankruptcy filing of the Archdiocese of San Francisco. Billante spent the majority of his time at Corpus Christi Church in San Francisco from 1971-1979 and from 1982-1989. The cases in which he is accused during those years are stayed by the bankruptcy stay. The Salesians have filed claims for indemnity against the Archdiocese of San Francisco in those cases. Other than his time at Corpus Christi Church, Billante spent two years from 1980-1982 as Program Director of Salesian Boys' Club in San Francisco. The cases identified by Plaintiffs on this CMC Statement are those that fall within the years that Br. Billante was affiliated with the Salesians but not San Francisco—or years in which there is no evidence that Billante was affiliated with the Salesian Society at all. Trying these cases outside of bankruptcy will implicate unresolved issues of access to San Francisco Archdiocese related witnesses, development of facts based on Billante's history at Corpus Christi, notice, and potential indemnity issues. Thus, at the risk of inconsistent rulings, non-manageable trial plans, and the real possibility of violating the stay in bankruptcy due to the Archdiocese's inevitable involvement in discovery and trial, the Salesians request that it be given the opportunity to attend global mediation (or even mediation of all Billante cases) and try to settle them without the threat of imminent trial or potential bankruptcy more fully discussed below. The dates of abuse alleged in John Doe SALS 1120 (1980-1983) and John Doe SALS 2024 (1957-1958) are more than 20 years apart, requiring the introduction of evidence from separate and distinct eras; the alleged locations of abuse in John Doe SALS 1120 (Sts. Peter and Paul Church in

North Beach, San Francisco) and John Doe SALS 2024 (Salesian Boys Camp in Middletown, Lake County) are different in nature as well as geographically, and the severity and nature of the alleged abuse in each case is dissimilar. These significant differences between these two cases will lead to a confusion of the factual and legal issues, a lack of judicial economy, and prevent the development of representative case valuations. Additionally, Plaintiffs' counsel's reasoning for attempting to consolidate the two cases, "to show the jury the 'bookends' of the abuse" is *de facto* prejudicial because it could confuse the jury into believing that the Salesian Society had notice of all conduct between the two 'bookend' cases.

- Defendant Salesian Society's Objections to Plaintiff's Proposed Case John Doe J. T. v. Doe Religious Order (Salesian Society) Alameda 22 CV 024017 (Matrix # 455).

This case is another Billante case. It names not the Salesian Society per se but a related Salesian Defendant West Contra Costa Boys and Girls Club, Inc. This Salesian Defendant falls under the same limited insurance policies as the Salesian Society. Accordingly, this case should not be selected for trial for the same reasons stated for the above 2 cited directly above . Also, it is unclear whether this matter, involving the same accused, it presented for selection AND consolidation or whether it is submitted on its own. If it is proposed as a consolidated matter, for the same reasons cited above, it is inappropriate for trial at this time. If the Court selects this matter for remand and trial setting, it will further deplete the Salesian's resources and likely force the order into bankruptcy.

- Defendant Salesian Society's Objections to Plaintiff's Proposed Cases John Doe SALS 1077 & 1078 v. Salesians Don Bosco et al. (P # 121B and C) Alameda 21 002726; SF case # CGC-21-591187

For the same reasons discussed throughout this process, the Salesian Society has limited resources to defend and settle these matters. The Parties are actively engaged in settlement negotiations in the John Doe SALS 1077 and 1078 matter. We expect a settlement in the John Doe 1078 matter imminently. Setting these cases now for Bellwether will derail settlement discussions. Plaintiffs recently inappropriately and prematurely noticed the depositions of multiple defense witnesses for deposition in these cases before this court has even issued Bellwether designations orders or lifted stay of discovery. Further with respect to these 2 matters, the Salesians Defendants are attempting

to simultaneously address insurance coverage related issues in order to be able to advance the settlement discussions. Salesians Defendants ask that the Court provide additional time to the Salesians to complete its direct settlement negotiations on these cases and if those fail, ask that the Court allow the parties to complete their meet and confer relating to the selection of the new mediator.

If the Court selects any of the five Salesian cases identified by liaison counsel in this CMC Statement, it will result in the Salesians having to file for bankruptcy. To date, Salesian Defendants have successfully worked towards resolving cases without having to file bankruptcy and desire to continue doing so including by resuming global mediation. Counsel for the Salesians are engaged in discussions with its principals and are collecting financial information relating to its current financial condition, including valuation of its assets (real property) and other potential sources of funds for use in mediation. The Salesian Society previously provided this information to Mr. Krivis and has agreed to provide the information and grant further access to its financials to Mr. Kramer.

Accordingly, Salesian Defendants respectfully ask that this Court at minimum delay the setting of any of its cases to trial pending its efforts to select a new mediator and to proceed towards global resolution of all its cases in order to secure resolution of all its cases while avoiding the expensive and long process (for both victims and Salesians) of a bankruptcy filing.

PLAINTIFFS' RESPONSE TO SALESIANS OBJECTIONS: The Salesian Society's lengthy argument and objections are a near exact repeat of the objections made in the July 24, 2024, CMC Statement. The objections are that The Society cannot afford trials and will have to file for bankruptcy, global mediation is being scheduled, and the individual cases are not appropriate. Months of Plaintiffs' asking for certified financial information and insurance documents- provided to Plaintiffs under mediation privilege by those institutional defendants participating in global mediation in good faith- have been ignored. A bankruptcy filing will require such information and is preferable to hollow statements of good intentions.

As of this date, no Salesian global mediation has commenced. No settlements have been

reached with The Society to date except for individual cases that were set for trial. The cases proposed for joint trial setting follow the outline of the Court's Order on Consolidation of Cases for Trial dated August 25. 2022- same perpetrator, same m.o. of the perpetrator, same defendant, similar location and circumstances, and jointly relevant timelines.

The months of delay in setting Salesian Society cases for trial based on the ephemeral promise of global mediation and the accompanying threat of bankruptcy have wasted considerable time without any results. There is no reason to delay further. On the contrary, experience shows that the setting of cases for trial stimulates resolution rather than impeding it. It appears from the actual conduct, as opposed to Counsel's representations to the Court, that trials are the only method that makes any progress in resolution of Salesian Society cases, including those cases before the Court in which no bankruptcy by any defendant has been filed. Survivors have rights too, including the right to trials.

Respectfully submitted:

PLAINTIFFS' CO-LIAISON COUNSEL:

DATED: January 20, 2025

FURTADO, JASPOVICE & SIMONS

By: /s/ Rick Simons SBN 72676
Rick Simons
Plaintiffs' Co-Liaison Counsel

INSTITUTIONAL DEFENDANTS' LIAISON COUNSEL:

DATED: January 20, 2025

WEINTRAUB TOBIN

By: /s/ Daniel Zamora
Daniel Zamora, Esq.
Institutional Defendants' Liaison Counsel

By: /s/ Paul Gaspari
Paul Gaspari
Institutional Defendants' Liaison Counsel

EXHIBIT 9

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

BEFORE THE HONORABLE RAJ CHATTERJEE, JUDGE

DEPARTMENT 21

IN RE NORTHERN CALIFORNIA CLERGY CASES. No. JCCP5108

_____/

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Taken via Zoom Meeting before CHRISTY CURRY, CSR

Certified Shorthand Reporter No. 13982

State of California

Wednesday, January 22, 2025

authority.

MR. HADDOCK: Yes, Your Honor. Understood.

THE COURT: So I'm not -- I think those are two different concepts you put together. But I think the most effective way forward is to -- to the extent there is no dispute here -- file an ex parte application with a little bit more of a fulsome memorandum setting forth why you need it and the grounds for it, and I'll take a look at that. Okay? And if I have further questions, I'll schedule a hearing for it. Okay?

MR. HADDOCK: Thank you, Your Honor.

THE COURT: Okay. Now, with regard to the Fresno Diocese future bankruptcy filings, I'm not sure, Mr. Simons, what you want me to do. I'm not ready to sanction anybody at this point from what I heard. I don't think I can sanction -- I don't think I have grounds to sanction. And I appreciate the parties trying to work together and avoid costs for possible impending bankruptcy.

And as I understand it, Fresno said that they are going to file for bankruptcy, hasn't yet, and might say they are saying they might do it. If they -- someone figured out that if they indicate they might file for bankruptcy, there might be some banking problems. And so maybe they will file for bankruptcy, maybe they won't. I think at this -- at this point we proceed as if there is no bankruptcy. And if there is a bankruptcy filing, fine, if it gets stayed. But I don't

know what else to do at this point.

MR. OLLER: Well, if I could be heard. This is Mart Oller appearing on behalf of the Roman Catholic Bishop of Fresno Corporation Sole. As stated in our position in the CMC statement, we do -- we will be filing bankruptcy, and we have information that our banking issue will be resolved by the end of this week. So that hurdle is now removed or will be removed.

And while we are still trying to find a suitable replacement for controller, we anticipate we will be able to file our Chapter 11 by the middle of February.

THE COURT: Okay.

MR. SIMONS: Your Honor, the Court inquired as to what relief we were looking for. And I didn't expect sanctions to issue today; however, I think an order to show cause is appropriate. We have had multiple bankruptcies. I think this is the sixth or seventh of various institutional defendants.

This one was told to us by Mr. Oller as imminent back in, I believe, August, six months ago. And all of the cases that were in progress where discovery was ongoing, where trial dates were set, where mediation of individual cases were in progress stopped because that is what we had been doing when some institutional defendant advises us that bankruptcy is imminent.

Now we have lost six months. And we have -- we have clients. We have people who have survived childhood sexual assault. And they are entitled to move

their case along. If it goes to bankruptcy, fine. But to sit around for six months and hear from Mr. Oller, cordial as he is, you know, once a month or less on, Oh, well, we've still got more problems, is unfair to the plaintiffs' side.

It's unfair to the individual persons whose case is in various stages of progress. And I think there should be some judicially-imposed incentive that will make sure that, you know, if they are going to file, fine, file.

But don't string us out for, you know, six or eight months with nothing happening, no progress on any fronts while our people wait and, you know, some of them die, and some get even more discouraged after five years.

It's -- we have waited patiently for a long time, and I think that the Court if it was to issue an order to show cause for the February CMC, then -- why action hasn't been taken to progress cases that were set for trial, and discovery, et cetera, then that might help Mr. Oller in his task of trying to get all this together and filed so that we can then pursue this in the next venue.

MR. OLLER: Your Honor, if I may be heard. I appreciate Mr. Simons' and the plaintiffs' patience. It does take many months to put together a bankruptcy. And Fresno has taken longer than the norm for other dioceses. We have had things, again, that have surfaced

that were unexpected.

But I can represent to the Court that we have hired all the necessary consultants and experts. We are working very, very hard to put this together, and we have been. And we have every incentive to have this on file as soon as possible. So I really don't think that under these circumstances based on where we are at today, that any action by the Court is necessary.

THE COURT: Mr. Zamora, Mr. Gaspari, anything you want to add?

MR. ZAMORA: Your Honor, as defense liaison counsel, I accept the representations of Mr. Oller. I know that he has been having problems with his controller, and, you know, I think the order to show cause and sanctioning Mr. Oller for his client not filing for bankruptcy seems to be a little -- a little bit extreme.

THE COURT: Okay. Mr. Simons -- Mr. Simons, I understand your frustration and the frustrations of plaintiffs here. I'm -- I don't think I'm going to reach out and issue an OSC in this situation. My read of the situation is that Marty has tried to work together and that the representation that the present diocese would file a bankruptcy petition -- things happen as they do with institutional clients. I hear it -- meaning diocese -- and things took some time and whatnot.

So I'm not sure whether some kind of form of

sanctions is appropriate here. There might be -- there is reasonable different ways to proceed here. I certainly want the parties to work together informally and work together ultimately -- hold their commitments.

But I think it would be reasonable for the plaintiffs to say, We are not going to act as if there is a stay until the bankruptcy court issues its notice of staying. In other words, you know, if you're going to file for bankruptcy, file. But until then, we proceed. And that is probably -- that is one reasonable way to go forward to avoid this problem.

But I -- I guess from a pure legal perspective I'm not quite sure what the grounds for the sanction would be. And, you know -- but that is where we are, Mr. Simons. I think that is the best guidance I can give at this point.

MR. SIMONS: Very helpful, Your Honor. Thank you.

MR. OLLER: Thank you, Your Honor.

THE COURT: Okay. So is there anything else that counsel want to take up before I kind of give you my big picture on this?

MR. SIMONS: Yes, Your Honor. I think we need to discuss several matters related to the trial settings, the trial calendars, the Court's general view of how it wants to proceed. We know how Judge Wise was planning to proceed.

She is not here, so we need to incorporate this

EXHIBIT 10

Capital Campaign "Our Continuing Dream"

WELCOME TO OUR CAPITAL CAMPAIGN PAGE *"OUR CONTINUING DREAM"*

CLICK ANY METHOD BELOW FOR THE *"CAPITAL IMPROVEMENT PROJECT FORM"*

CLICK HERE FOR THE
ROMAN CATHOLIC CHARITABLE TRUST FORM

roman_catholic_charitable_trust_form.pdf
Download File

OUR CONTINUING DREAM
CAPITAL CAMPAIGN IMPORTANT UPDATE

A charitable trust, known as the Roman Catholic Charitable Trust, has been established for donations specific to parish building projects within the Diocese. Donations for Our Continuing Dream project at Holy Spirit Church can and should be put into this trust. The money in the trust will be protected from bankruptcy proceedings.

Please follow the instructions below when making donations specifically for Our Continuing Dream Multi-Purpose construction project.

1. Click Here to download the "Capital Improvement Project Donation Form". The form is also

HOLY SPIRIT PARISH

CAPITAL IMPROVEMENT PROJECT
DONATION FORM

This CAPITAL IMPROVEMENT PROJECT DONATION FORM (this "Form") is submitted to the above parish on _____ _____, 20____ by:

_____,
[PRINTED NAME(S) OF DONOR(S)]

who/whom states the following:

Statement of Purpose

WHEREAS, I/we, being the person(s) whose name(s) appears above, hereby state(s) my/our desire that $_____ ("Funds")[1], donated by me/us to this parish, be given to the acting co-trustees of that certain California irrevocable charitable trust known as the **ROMAN CATHOLIC CHARITABLE TRUST** (the "Trust"), which Trust was created on December 4, 2023, to be held and administered under the terms of the Trust for the planning, construction, improvement, maintenance and beneficial operation of the project identified by my/our hand immediately below (the "Project"), which Project is intended to support the administration of religious, education and charitable activities, services and programs:

Holy Spirit Parish - Fresno (Multipurpose Building Construction).

WHEREAS, being the donor of the amount set forth by my/our hand above in this document, I/we desire that the co-trustees of the Trust shall use said Funds for the planning, construction, improvement, maintenance and beneficial operation of the Project for such charitable purposes.

NOW, THEREFORE, I/we do hereby irrevocably assign, convey, transfer and deliver to the Trust the amount of Funds, to be held and administered by the terms of the Trust for the specific purpose of planning, construction, improvement, maintenance and beneficial operation of the Project, in accordance with the following terms, which, by my/our signature(s) below, are acknowledged by me/us:

A. **Irrevocable Trust**. Once donated by me and accepted by the co-trustees of the Trust in accordance with its purpose, the Funds shall become non-returnable/non-refundable to me/us.

B. **Management of Funds**. The Trust shall hold, manage, invest and reinvest the Funds. It is my/our intent that, subject to certain fees and expenses, the income created by the Funds (held in the Trust) and any portion of the Funds, up to and including all of the Funds, shall be used by the co-trustees of the Trust for the planning, construction, improvement, maintenance and beneficial operation of the Project.

[1] Funds donated by check should be made out to the "Roman Catholic Charitable Trust".

HOLY SPIRIT PARISH

C. **Payment of Fees/Expenses**. The co-trustees of the Trust are able to use a portion of the Funds (along with other donated monies) to pay for services, professional fees (including, but not limited to, accountants, financial advisors and attorneys) and administrative costs reasonably necessary to administer the Trust.

D. **Commingling of Funds**. The Funds may be commingled with donations from other persons for the same or other projects benefiting the above parish and/or other parishes located within the Diocese of Fresno, but an amount equivalent to Funds (less any fees/expenses/administrative costs) will be used for the Project as identified above by me.

E. **Applicable Law**. This Form and the Trust shall be interpreted in a manner consistent with the Federal tax law and any regulations issued therein. The Trust shall be administered in and under the laws of the State of California, and this Form and the validity thereof shall be governed by and constructed in accordance with the laws of the State of California and the Canon law of The Roman Catholic Church.

F. **Creditors' Claims**. The interests of the beneficiaries in the Project under the Trust are indented to not be transferable by voluntary or involuntary assignment or by operation of law, and shall be free from the claims of creditors and from attachment, execution, bankruptcy, and other legal process, to the maximum extent permitted by law. No interest in the principal or income of any trust created under the Trust shall be anticipated, assigned, encumbered, or subjected to a creditor's claim or legal process before the actual receipt by any beneficiary of the benefit thereof.

IN WITNESS WHEREOF, the Donor states the foregoing is valid on the date first stated above.

DONOR

By:_____

Printed Name:_____

ADDITIONAL DONOR (if applicable)

By:_____

Printed Name:_____

EXHIBIT 11

CATHOLIC CHURCH

Construction begins on new Catholic church in Clovis

It was officially established as a parish in 2016 under the direction of Bishop Armando Ochoa.

Wednesday, July 3, 2024

Construction has begun on a new Catholic church in Clovis.

CLOVIS, Calif. (KFSN) -- Construction has begun on a new Catholic church in Clovis.

A sign at the intersection of Ashlan and Thompson Avenues says "future home of Divine Mercy Catholic Church."

The new building has been 14 years in the making.

Divine Mercy celebrated its first mass in 2010 as a "Mission Church" to Our Lady of Perpetual Help, currently located inside the multipurpose room at Clovis East High School.

It was officially established as a parish in 2016 under the direction of Bishop Armando Ochoa.

Parishioners have been raising money for the new facility for more than a decade.

Members say with the growth and expansion of Clovis, it became apparent that more than one Catholic Church was necessary to meet the needs of the Catholic community.

Report a correction or typo

Related Topics

EXHIBIT 12

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY of FRESNO
DEPARTMENT OF PUBLIC HEALTH
FRESNO, CALIFORNIA

3052024163383 — STATE FILE NUMBER

CERTIFICATE OF DEATH
STATE OF CALIFORNIA
USE BLACK INK ONLY - NO ERASURES, WHITEOUTS OR ALTERATIONS
VS-11 REV 7/24

3202410004563 — LOCAL REGISTRATION NUMBER

DECEDENT'S PERSONAL DATA

1. NAME OF DECEDENT–FIRST (Given)	2. MIDDLE	3. LAST (Family)
FRANCISCO	JAVIER VASQUEZ	CRUZ

AKA. ALSO KNOWN AS – Include full AKA (FIRST, MIDDLE, LAST)

4. DATE OF BIRTH mm/dd/ccyy	5. AGE Yrs.	IF UNDER ONE YEAR Months	Days	IF UNDER 24 HOURS Hours	Minutes	6. SEX
02/09/1962	62					M

9. BIRTH STATE/FOREIGN COUNTRY	10. SOCIAL SECURITY NUMBER	11. EVER IN U.S. ARMED FORCES?	12. MARITAL STATUS/SRDP* (at Time of Death)	7. DATE OF DEATH mm/dd/ccyy	8. HOUR (24 Hours)
BC, MX	563-94-8322	[ ] YES [X] NO [ ] UNK	MARRIED	07/28/2024	2048

13. EDUCATION – Highest Level/Degree (see worksheet on back)	14/15. WAS DECEDENT HISPANIC/LATINO/A/SPANISH? If yes, see worksheet on back	16. DECEDENT'S RACE – Up to 3 races may be listed (see worksheet on back)
BACHELOR	[X] YES MEXICAN [ ] NO	MEXICAN AMERICAN

17. USUAL OCCUPATION – Type of work for most of life. DO NOT USE RETIRED	18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.)	19. YEARS IN OCCUPATION
FIELD REPRESENTATIVE	STATE OF CALIFORNIA	15

USUAL RESIDENCE

20. DECEDENT'S RESIDENCE (Street and number, or location)				
1491 N. FARRIS AVE				
21. CITY	**22. COUNTY/PROVINCE**	**23. ZIP CODE**	**24. YEARS IN COUNTY**	**25. STATE/FOREIGN COUNTRY**
FRESNO	FRESNO	93728	15	CA

INFORMANT

26. INFORMANT'S NAME, RELATIONSHIP	27. INFORMANT'S MAILING ADDRESS (Street and number, or rural route number, city or town, state and zip)
JENNY AMARO, WIFE	1491 N. FARRIS AVE, FRESNO, CA 93728

SPOUSE/SRDP AND PARENT INFORMATION

28. NAME OF SURVIVING SPOUSE/SRDP*–FIRST	29. MIDDLE	30. LAST (BIRTH NAME)	
JENNY	-	AMARO	
31. NAME OF PARENT–FIRST	**32. MIDDLE**	**33. LAST (BIRTH NAME)**	**34. BIRTH STATE**
JESUS	JOSE MEDINA	CRUZ	ZAC, MX
35. NAME OF PARENT–FIRST	**36. MIDDLE**	**37. LAST (BIRTH NAME)**	**38. BIRTH STATE**
MARIA	-	VASQUEZ	ZAC, MX

FUNERAL DIRECTOR/ LOCAL REGISTRAR

39. DISPOSITION DATE mm/dd/ccyy	40. PLACE OF FINAL DISPOSITION		
08/01/2024	RESIDENCE OF JENNY AMARO 1491 N. FARRIS AVE, FRESNO, CA 93728		
41. TYPE OF DISPOSITION(S)	**42. SIGNATURE OF EMBALMER**		**43. LICENSE NUMBER**
CREMATE/RESIDENCE	▸ NOT EMBALMED		-
44. NAME OF FUNERAL ESTABLISHMENT	**45. LICENSE NUMBER**	**46. SIGNATURE OF LOCAL REGISTRAR**	**47. DATE mm/dd/ccyy**
LISLE FUNERAL HOME	FD176	▸ RAIS VOHRA, MD	08/01/2024

PLACE OF DEATH

101. PLACE OF DEATH	102. IF HOSPITAL, SPECIFY ONE	103. IF OTHER THAN HOSPITAL, SPECIFY ONE
CLOVIS COMMUNITY MEDICAL CENTER	[X] IP [ ] ER/OP [ ] DOA	[ ] Hospice [ ] Nursing Home/LTC [ ] Decedent's Home [ ] Other

104. COUNTY	105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location)	106. CITY
FRESNO	2755 HERNDON AVE	CLOVIS

CAUSE OF DEATH

107. CAUSE OF DEATH — Enter the chain of events — diseases, injuries, or complications — that directly caused death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE.

		Time Interval Between Onset and Death	108. DEATH REPORTED TO CORONER?	
IMMEDIATE CAUSE (Final disease or condition resulting in death) →	(A) HEPATORENAL SYNDROME	(AT) DYS	[X] YES [ ] NO	INVESTIGATION NUMBER 24-07-0371
Sequentially, list conditions, if any, leading to cause on Line A. Enter UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST	(B) END STAGE LIVER DISEASE	(BT) DYS	109. BIOPSY PERFORMED? [ ] YES [X] NO	
	(C) LIVER TUMOR	(CT) DYS	110. AUTOPSY PERFORMED? [ ] YES [X] NO	
	(D) ALCOHOLIC LIVER DISEASE	(DT) WKS	111. USED IN DETERMINING CAUSE? [ ] YES [ ] NO	

112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107
NONE

113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (If yes, list type of operation and date.)	113A. DECEDENT PREGNANT IN LAST YEAR?
NO	[ ] YES [X] NO [ ] UNK

PHYSICIAN'S CERTIFICATION

114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.	115. SIGNATURE AND TITLE OF CERTIFIER	116. LICENSE NUMBER	117. DATE mm/dd/ccyy
	▸ MUHAMMAD HASSAN, MD	A173970	07/31/2024

Decedent Attended Since (A) mm/dd/ccyy	Decedent Last Seen Alive (B) mm/dd/ccyy	118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE
07/18/2024	07/28/2024	MUHAMMAD HASSAN, MD 2755 HERNDON AVE, FRESNO, CA 93611

CORONER'S USE ONLY

119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.

MANNER OF DEATH	120. INJURED AT WORK?	121. INJURY DATE mm/dd/ccyy	122. HOUR (24 Hours)
[ ] Natural [ ] Accident [ ] Homicide [ ] Suicide [ ] Pending Investigation [ ] Could not be determined	[ ] YES [ ] NO [ ] UNK		

123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)

124. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)

125. LOCATION OF INJURY (Street and number, or location, and city, and zip)

126. SIGNATURE OF CORONER / DEPUTY CORONER	127. DATE mm/dd/ccyy	128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER
▸		

STATE REGISTRAR	A	B	C	D	E	FAX AUTH.#	CENSUS TRACT

CERTIFIED COPY OF VITAL RECORDS
STATE OF CALIFORNIA, COUNTY OF FRESNO

This is a true and exact reproduction of the document officially registered and placed on file in the Vital Records Section, Fresno Co. Department of Public Health.

001553906

AUG 05 2024
DATE ISSUED

Rais Vohra MD
RAIS VOHRA, M.D.
FRESNO COUNTY LOCAL REGISTRAR

This copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

JOHN D. WINER, ESQ., SBN 091078
ERIKA J. SCOTT, ESQ., SBN 244724
ABIGAIL J. MULLETT, ESQ., SBN 347325
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F: (510) 433-1001
Email: abigail@wmlawyers.com

Attorney for PLAINTIFF
JANE DOE 101

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

Coordination Proceeding
Special Title (Rule 3.550)

NORTHERN CALIFORNIA CLERGY CASES

This Matter Relates to:

JANE DOE 101,

Plaintiff,

vs.

DOE DIOCESE; DOE PARISH; and DOES 1 to 500, inclusive,

Defendants.

Alameda County Case No.: 22CV018482

JCCP NO.: 5108
Judge: Honorable Evelio Grillo
Coordination Trial Judge
Department: 21

NOTICE OF DEATH AND REQUEST FOR STAY OF PROCEEDINGS

Plaintiff No. 304

TO THE HONORABLE COURT:

Plaintiff JANE DOE 101 (#304) passed away on or about February 25, 2023.

Counsel for Plaintiff requests that the case and all case-related deadlines and dates be stayed until a personal representative and/or successor-in-interest may be substituted into the case.

Dated: May 17, 2023 WINER, BURRITT & SCOTT, LLP

By: Abby Mullett

JOHN D. WINER
ERIKA J. SCOTT
ABIGAIL J. MULLETT
Attorneys for Plaintiff

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC HEALTH

3052023244351 — STATE FILE NUMBER

CERTIFICATE OF DEATH
STATE OF CALIFORNIA
USE BLACK INK ONLY / NO ERASURES, WHITEOUTS OR ALTERATIONS
VS-11 (REV 3/06)

3202319054338 — LOCAL REGISTRATION NUMBER

DECEDENT'S PERSONAL DATA

1. NAME OF DECEDENT– FIRST (Given)	2. MIDDLE	3. LAST (Family)
JASON	MICHAEL	LOWART

AKA. ALSO KNOWN AS – Include full AKA (FIRST, MIDDLE, LAST):

4. DATE OF BIRTH mm/dd/ccyy	5. AGE Yrs.	IF UNDER ONE YEAR Months	Days	IF UNDER 24 HOURS Hours	Minutes	6. SEX
04/22/1996	27					M

9. BIRTH STATE/FOREIGN COUNTRY	10. SOCIAL SECURITY NUMBER	11. EVER IN U.S. ARMED FORCES?	12. MARITAL STATUS/SRDP* (at Time of Death)	7. DATE OF DEATH mm/dd/ccyy	8. HOUR (24 Hours)
CA	604-90-3069	☐ YES ☒ NO ☐ UNK	NEVER MARRIED	11/05/2023	1634

13. EDUCATION – Highest Level/Degree (see worksheet on back)	14/15. WAS DECEDENT HISPANIC/LATINO(A)/SPANISH? (If yes, see worksheet on back)	16. DECEDENT'S RACE – Up to 3 races may be listed (see worksheet on back)
HS GRADUATE	☐ YES ☒ NO	CAUCASIAN

17. USUAL OCCUPATION – Type of work for most of life. DO NOT USE RETIRED	18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.)	19. YEARS IN OCCUPATION
ACTOR	ENTERTAINMENT	5

USUAL RESIDENCE

20. DECEDENT'S RESIDENCE (Street and number, or location): 21530 CALIFA ST APT #211 — 1 OF 2

21. CITY	22. COUNTY/PROVINCE	23. ZIP CODE	24. YEARS IN COUNTY	25. STATE/FOREIGN COUNTRY
WOODLAND HILLS	LOS ANGELES	91367	9	CA

INFORMANT

26. INFORMANT'S NAME, RELATIONSHIP	27. INFORMANT'S MAILING ADDRESS (Street and number, or rural route number, city or town, state and zip)
BRETT LOWART, FATHER	80488 OLD RANCH TRAIL SOUTH, LA QUINTA, CA 92253

SPOUSE/SRDP AND PARENT INFORMATION

28. NAME OF SURVIVING SPOUSE/SRDP*–FIRST	29. MIDDLE	30. LAST (BIRTH NAME)
-	-	-

31. NAME OF FATHER/PARENT–FIRST	32. MIDDLE	33. LAST	34. BIRTH STATE
BRETT	ALAN	LOWART	CA

35. NAME OF MOTHER/PARENT–FIRST	36. MIDDLE	37. LAST (BIRTH NAME)	38. BIRTH STATE
KAREN	THERESE	CASTANOS	CA

FUNERAL DIRECTOR/ LOCAL REGISTRAR

39. DISPOSITION DATE mm/dd/ccyy	40. PLACE OF FINAL DISPOSITION
11/10/2023	RESIDENCE OF BRETT LOWART 80488 OLD RANCH TRAIL SOUTH, LA QUINTA, CA 92253

41. TYPE OF DISPOSITION(S)	42. SIGNATURE OF EMBALMER	43. LICENSE NUMBER
CREMATE/RESIDENCE	▸ NOT EMBALMED	-

44. NAME OF FUNERAL ESTABLISHMENT	45. LICENSE NUMBER	46. SIGNATURE OF LOCAL REGISTRAR	47. DATE mm/dd/ccyy
GATES KINGSLEY & GATES PRAISWATER MORTUARY	FD1066	▸ MUNTU DAVIS MD	11/09/2023

PLACE OF DEATH

101. PLACE OF DEATH	102. IF HOSPITAL, SPECIFY ONE	103. IF OTHER THAN HOSPITAL, SPECIFY ONE
RESIDENCE	☐ IP ☐ ER/OP ☐ DOA	☐ Hospice ☐ Nursing Home/LTC ☒ Decedent's Home ☐ Other

104. COUNTY	105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location)	106. CITY
LOS ANGELES	21530 CALIFA STREET APT #211	WOODLAND HILLS

CAUSE OF DEATH

107. CAUSE OF DEATH — Enter the chain of events --- diseases, injuries, or complications --- that directly caused death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE.

		Time Interval Between Onset and Death
IMMEDIATE CAUSE (Final disease or condition resulting in death)	(A) DEFERRED	(AT) -
Sequentially, list conditions, if any, leading to cause on Line A. Enter UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST	(B)	(BT)
	(C)	(CT)
	(D)	(DT)

108. DEATH REPORTED TO CORONER?	109. BIOPSY PERFORMED?	110. AUTOPSY PERFORMED?	111. USED IN DETERMINING CAUSE?
☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☐ NO
REFERRAL NUMBER 2023-15181			

112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107: NONE

113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (If yes, list type of operation and date.)	113A. DECEDENT PREGNANT IN LAST YEAR?
NO	☐ YES ☒ NO ☐ UNK

PHYSICIAN'S CERTIFICATION

114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.	115. SIGNATURE AND TITLE OF CERTIFIER	116. LICENSE NUMBER	117. DATE mm/dd/ccyy
Decedent Attended Since (A) mm/dd/ccyy; Decedent Last Seen Alive (B) mm/dd/ccyy	118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE		

CORONER'S USE ONLY

119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.	120. INJURED AT WORK?	121. INJURY DATE mm/dd/ccyy	122. HOUR (24 Hours)
MANNER OF DEATH ☐ Natural ☐ Accident ☐ Homicide ☐ Suicide ☒ Pending Investigation ☐ Could not be determined	☐ YES ☐ NO ☐ UNK		

123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)

124. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)

125. LOCATION OF INJURY (Street and number, or location, and city, and zip)

126. SIGNATURE OF CORONER / DEPUTY CORONER	127. DATE mm/dd/ccyy	128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER
▸ EVONNE R-JACKSON	11/09/2023	EVONNE R-JACKSON, DEP CORONER

STATE REGISTRAR	A	B	C	D	E	FAX AUTH.#	CENSUS TRACT

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

This is a true certified copy of the record filed in the County of Los Angeles Department of Public Health if it bears the Registrar's signature in purple ink.

004113124

Health Officer and Registrar — DATE ISSUED DEC 11 2023

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.

DO 25

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE