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

In re: THE ROMAN CATHOLIC BISHOP of OAKLAND, a California corporation sole, Debtor and Debtor in Possession	Case No.: 23-40523 – WJL Chapter 11 NOTICE OF MOTION AND MOTION TO ALLOW FILING OF LATE PROOF OF CLAIM Date: August 19, 2026 Time: 10:30 a.m. Location: 1300 Clay Street, Ctrm. 220, Oakland, CA 94612 (via Zoom or in-person) Judge: Hon. William J. Lafferty, II
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**NOTICE OF MOTION AND MOTION BY JOHN DOE AO TO ENLARGE THE CLAIMS BAR
DATE TO ACCEPT A LATE FILED PROOF OF CLAIM**

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This Motion is brought on behalf of Movant-Claimant JOHN DOE AO¹ (“Movant”), who hereby respectfully moves this Court under Title 11 of the United States Bankruptcy Code §105(a) of and the Federal Rules of Bankruptcy Procedure (3003(c) and 9006(b)(1), for an Order authorizing the above-referenced Movant to enlarge the Bar Date in this Chapter 11 proceeding to allow Movant to file a late proof of claim. In support thereof, Movant respectfully asserts as follows:

JURISDICTION

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b) (2). The statutory and legal foundations for the relief sought herein are § 105(a) of the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure 3003(c) and 9006(b)(1) (hereafter “Bankruptcy Rules”). This Motion is brought before this Court pursuant to Bankruptcy Local Rules 9013-1, 9013-2, and 9013-3, with a hearing sought pursuant to Local Rules 9014-1(b)(2) and 9014-1(c)(2).

FACTUAL BACKGROUND

The Movant

2. Movant was born in 1988 and is 37 years old. Movant Resides in San Francisco, California, and asserts a claim for childhood sexual abuse against the Roman Catholic Bishop of

¹ Due to the extremely traumatic, sensitive and deeply personal nature of Movant’s claim, he was referred to in this pleading as “John Doe AO” to protect his privacy, or “Movant.” Movant has or will disclose his identity to Debtor’s counsel, the UCC Committee counsel and intervenor insurance counsel per the process established in this bankruptcy and subject to the protections afforded sexual abuse claimants along with the protocols that ensure his identity is kept out of the public record.

Oakland (“Debtor”). *See* Declaration of John Doe AO ¶ 2.

Movant’s Abuse and Disclosure

3. In approximately 2000, when Movant was approximately 12 years old, he was a parishioner, student and altar boy of St. Edward’s Church and School (“St. Edward’s”) of the Diocese of Oakland in Newark, California. Father Jeff Finley (“Fr. Finley”) was a priest of the Diocese of Oakland and joined St. Edward’s Church and School around 1990. The Roman Catholic Bishop of Oakland, at all times referenced herein, supervised, controlled, and otherwise was responsible for St. Edward’s Parish and Father Jeff Finley. Decl. John Doe AO.at ¶ 3-4.

4. While a student, parishioner, and altar boy at St. Edward’s, Movant was sexually abused by Fr. Finley, as enumerated and defined in California Code of Civil Procedure § 340.1(c), on at least six occasions from approximately 2000 through 2004. Decl. John Doe AO.at ¶ 4-6

5. Movant attended Catechism classes, at St. Edward’s to prepare for his Sacraments. Fr. Finley isolated and sexually assaulted Movant on more than one occasion in the mornings before CCD classes. Decl. John Doe AO.at ¶ 6.

6. Movant also served as an altar boy under Fr. Finley’s supervision at St. Edward’s. Fr. Finley sexually assaulted Movant in the Sacristy before church. Decl. John Doe AO.at ¶ 4.

7. Fr. Finley sexually assaulted Movant on no less than six occasions while Movant was both a CCD student and an altar boy from approximately 2000 to approximately 2004. Fr. Finley forced Movant to kiss and hug him; to orally copulate Fr. Finley; orally copulated Movant; and anally, digitally penetrated Movant with Fr. Finley’s fingers. Decl. John Doe AO.at ¶¶ 5-6.

8. Movant was an altar boy when the abuse began. As part of Movant’s responsibilities as an altar boy, Movant assisted with Fr. Finley’s robes in the Sacristy, an area in the back of the church which provided seclusion for Fr. Finley’s prurient activities. As was custom, one night before

services, Movant entered the Sacristy to assist with Fr. Finley's robes. On this occasion, Movant saw Fr. Finley's erect penis under Fr. Finley's pants. Decl. John Doe AO.at ¶¶ 4,6.

9. The next time Movant was an altar boy and again was sequestered alone with Fr. Finley, Fr. Finley massaged his own penis, then grabbed Movant's hand and placed it on Fr. Finley's erect penis, forcing Movant to assist in the masturbation. Decl. John Doe AO.at ¶¶ 4,6.

10. Fr. Finley's abuse escalated to forcing Movant to kiss Fr. Finley's penis, which further escalated to oral copulation of and by Fr. Finley; Fr. Finley using his fingers to anally penetrate Movant, forced kissing and hugging; and Fr. Finley sticking his tongue in Movant's anus. Decl. John Doe AO.at ¶ 4.

11. The records indicate that Fr. Finley was a priest within The Roman Catholic Bishop of Oakland Diocese ("RBCO") before, during, and after his sexual abuse of Plaintiff, John Doe AO. Newark, CA 94560.

Debtor's History

12. Debtor filed its Chapter 11 bankruptcy petition with this Court on May 8, 2023 (the "Petition Date") Dkt. 1. A notice of Chapter 11 Bankruptcy Case was filed on May 11, 2023. On July 25, 2023, this Court entered an order (*Order Establishing Deadlines for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereto*, hereinafter the "Bar Date Order," Dkt. 293 which established September 11, 2023, as the deadline for filing proofs of claim in this bankruptcy proceeding (the "Bar Date"). The Bar Date Order states that it applies to any "Sexual Abuse Claimant"—meaning any individual asserting a claim arising from sexual abuse that occurred when the claimant was a minor and asserted against Debtor under any theory of liability. *See* Bar Date Order at 4.

13. Previously, the Debtor had filed two proposed Plans and Disclosure Statements. Dkt.

1444, 1445, 1594, 1595. The Debtor filed its Third Amended Plan and Disclosure Statement on March 17, 2025, and on April 4, 2025, the Court entered the Order (I) Approving Third Amended Disclosure Statement; (II) Establishing Procedures for Plan Solicitation, Notice, and Balloting. Dkt. 1877. On March 29, 2026, the Debtor filed its Fourth Amended Disclosure Statement and Plan. Dkt. 2758, 2759, 2760.. As of today's filing of this motion, the Court has not yet Confirmed Debtor's Fourth Amended Plan. Debtor's Notice of Filing of Proposed Order Confirming Debtor's Modified Fourth Amended Plan of Reorganization, filed on April 29, 2026, proffers June 16, 2026 as the date the matter shall be heard and [proposed] Confirmed. Dkt. 2866. Ulrich Decl., ¶ 10

14. Counsel's June 26, 2026, review of the docket revealed five motions to accept late filed proofs of claim. The first motion for eighteen claimants due to an internal law firm calendaring error that was filed within 24 hours of the Bar Date deadline (Dkt. 607) (granted). The second motion, for a single claimant, whose claim was overlooked administratively because it was not consolidated in the JCCP 5108 coordinated proceeding (Dkt. 1081) (unopposed, granted). The third motion, for a single claimant, filed April 1, 2025 (Dkt. 1865), was granted August 4, 2025 (Dkt. 2189). The fourth motion for two claimants, filed July 14, 2025 (Dkt. 2130) was still under review by the Court following the August 13, 2025. hearing taken off calendar to allow the parties to discuss a stipulation. The fifth motion was filed on June 12, 2026, with hearing calendared for August 5, 2026. Ulrich Decl., ¶ 9

Delay in Filing Motion

15. Movant is represented by the law firm of Waters Kraus Paul & Siegel ("WKPS"). WKPS is a litigation firm located in Los Angeles, California. Susan M. Ulrich is a partner at WKPS and is responsible for overseeing all of the firm's sexual abuse cases, including clergy abuse cases, specifically those related to Movant. Ulrich, Decl. ¶ 2-3

16. Pursuant to California Code of Civil Procedure § 340.11 victims of childhood sexual abuse must file a claim against the individuals and institutions responsible prior to turning 40 years old. The Statute of Limitations in John Doe AO's case will not expire until June 22, 2028.

17. John Doe AO did not know that he could file a claim for the abuse he suffered as a child and did not know that the Diocese of Oakland filed for bankruptcy until recently. He does not regularly watch or read the news and did not see any announcements regarding the Diocese's bankruptcy. Ulrich Decl., ¶ 6

18. After he discovered that he could file a claim against the Diocese of Oakland, John Doe AO retained Waters Kraus Paul & Siegel to explore whether he could file a lawsuit against the diocese. Our firm was retained by Movant on or about October 9, 2025, but lost contact with John Doe AO for several months. Ulrich Decl., ¶ 7

19. When Counsel was able to locate Mr. [REDACTED], we provided Mr. [REDACTED] with information regarding the bankruptcy, and he authorized my firm to file a Motion to Enlarge the Claim Bar Date to Accept a Late Filed Proof of Claim.

20. Debtor has filed multiple plans and disclosure statements but to date no disclosure statement has been approved. Debtor most recently filed a Fourth Amended Disclosure Statement on March 29, 2026 (docket entry 2759). To date, there is no confirmed plan, nor motions for approvals of settlements, or any other filing that would result in unfairness to the Debtor by the acceptance of Movant's proof of claim. Ulrich Decl., ¶ 10

21. On April 22, 2026, a jury awarded \$16,000,000 to a Plaintiff who sued the Diocese of Oakland for abuse he suffered decades ago at the hands of Father Stephen Kiesle.

22. On April 30, 2026, Debtor filed its Notice of Amended Fourth Disclosure and Plan. Objections to confirmation of the Plan, if any, including objections to the Plan Supplement

Documents, must be filed with the Court and served **May 8, 2026**. No plan has been approved, and a settlement has not been reach with the Diocese of Oakland to date.

23. John Doe AO's Motion to Enlarge the Claim Bar Date To Accept a Late Filed Proof of Claim was filed as expeditiously as possible and the Debtor will suffer not prejudice if Plaintiff is allowed to file a claim. The Statute of limitation in John Doe AO's case against the Diocese of Oakland will not expire until 2028. Ulrich Decl., ¶ 13

RELIEF REQUESTED

24. Movant respectfully requests the entry of an Order consistent with § 105(a) of the Bankruptcy Code and Bankruptcy Rules 3003(c) and 9006(b)(1), authorizing the filing of a Proof of Claim and ordering the Debtor and its claims agent to accept that filing under the confidentiality protocols in place in this bankruptcy for child abuse survivor proofs of claim and voluntary supplements.

25. Movant further requests an instruction in the Order that nothing in the Motion or the Order shall be deemed or construed: (a) as a waiver of the Debtor's right to dispute or otherwise object to the Claim on any grounds or basis other than the timeliness of the Claim, (b) as a waiver of the Debtor's right to dispute or otherwise object to any claim on any other basis, or (c) to waive or release any right, claim, defense, or counterclaim of the Debtor, or to estop the Debtor from asserting any right, claim, defense, or counterclaim. Furthermore, nothing in the Motion or this Order shall be construed as a waiver, release or estoppel of any claims or rights of Movant including, without limitation, the right to dispute any objection to the Claim or any right or defense as to any counterclaim of the Debtor.

MEMORANDUM OF POINTS AND AUTHORITIES

INTRODUCTION

26. Movant did not knowingly delay or fail to file a proof of claim by the Bar Date in this bankruptcy. Movant was not aware of his legal rights to file such a claim or that such a bankruptcy claim existed until approximately October, 2025. Ulrich Decl., ¶ 6. This motion was filed as soon as practicable following Movant's discovery, disclosure, and retention of counsel. Movant's claim would currently be considered timely on its face under under Cal. Code Civ. Pro. § 340.11 because the Plaintiff does not turn 40-years-old until June 23, 2028. Ulrich Decl., ¶ 13

27. Debtor has filed multiple plans and disclosure statements but to date no disclosure statement has been approved. Debtor most recently filed a Fourth Amended Disclosure Statement on March 29, 2026 (docket entry 2759). To date, there is no confirmed plan, nor motions for approvals of settlements, or any other filing that would result in unfairness to the Debtor by the acceptance of Movant's proof of claim. Under the standards set out in *Pioneer Investment Services Co. v. Brunswick Associates Limited Partnership (Pioneer)*, 507 U.S. 380.395 (1993), and *In re Dix*, 95 B.R. 134, 138 (9th Cir. BAP 1988), Movant's motion should be granted. Ulrich Decl., ¶ 10

28. Debtor's Notice of Filing of Proposed Order Confirming Debtor's Modified Fourth Amended Plan of Reorganization, filed on April 29, 2026, proffers June 16, 2026 as the date the matter shall be heard and [proposed] Confirmed. Dkt. 2866.

29. Federal Rule of Bankruptcy Procedure 9006(b) allows the court to extend the time to act after the specified time period has expired if "the failure to act within that period resulted from excusable neglect." The Supreme Court found 9006(b) to "encompass[] both simple, faultless omissions to act and . . . omissions caused by carelessness." *Pioneer Inv. Services Co. v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380, 388 (1993).

ARGUMENT

30. Pursuant to Bankruptcy Rule 9006, a bankruptcy court is permitted to enlarge the time to complete an action after a deadline has passed “where the failure to act was the result of excusable neglect.” F. R. Bankr. Proc. Rule 9006(b)(2). In *Pioneer*, the Supreme Court explained that “neglect” in the context of the failure to file a timely proof of claim “encompasses both simple, faultless omissions to act and more commonly, omissions caused by carelessness.” *Pioneer*, 507 U.S. at 388. This liberal standard allowed for the accepting of a late filed proof of claim even where a party “had received notice of the bar date and could have complied,” but failed to do so because the party’s lawyer had been experiencing personal and professional difficulties. *Id.* at 385. The Court held that the power to enlarge time was part of the bankruptcy courts’ “broad equitable powers to balance the interests of the effected parties,” and that the exercise of this power in Chapter 11 cases should be exercised in an equitable fashion, “taking account of all relevant circumstances surrounding the party’s omission.” *Id.*, at 389, 395.

31. The *Pioneer* Court set out four criteria to guide this equitable inquiry into the facts and circumstances of a party’s failure to file a timely proof of claim: “[1] the danger of prejudice to the debtor, [2] the length of the delay and its potential impact on judicial proceedings, [3] the reason for the delay, including whether it was within the reasonable control of the movant, and [4] whether the movant acted in good faith. *Id.* at 395 (numbering added).

32. Prior to *Pioneer*, and cited by the Supreme Court in its opinion, the Ninth Circuit’s *In re Dix*, 95 B.R. 134 (9th Cir. BAP 1988), used the factors outlined above (as well as the factor of whether the fault was that of the party’s counsel, not applicable here) to hold that lack of actual notice of the claim bar date can be sufficient—when the other factors are satisfied—to support a finding of excusable neglect to enlarge the Bar Date in Chapter 11 cases. *Dix*, 95 B.R. at 139. *Dix*

likewise held that even when a plan had been approved, if the plan was confirmed with the late claim having been allowed over the debtor's objection, there was no prejudice to the debtor. *Id.* at 138.

33. Turning first to prejudice, no plan or disclosure statement has been approved. The parties are engaged in mediation per this Court's orders, but apart from that bare fact, all other information about any such proceedings is covered by the privilege. Thus, no prejudice can be reasonably or legitimately articulated by the Debtor here in the context of adding a single claim to group of the sexual abuse creditors. "[P]rejudice requires more than simply having to litigate the merits of, or to pay, a claim. There must be some legal detriment to the party opposing." *In re JFSF Corp.*, 344 B. R. 94,102 (9th Cir. BAP, 2006); aff. *In re JSJF Corp.*, 277 Fed. App. 718 (9th Cir. 2008). Nor is there prejudice to other creditors in the sense of them having voted for a plan with a fixed distribution in mind. *In re Any Mountain, Inc.*, No. 04-12989, 2007 WL 622198, at *2 (Bankr. N.D. Cal. Feb. 23, 2007) ("Generally speaking, prejudice is not established just because a creditor's dividend will be reduced to the amount it would have received if a late action had been timely. *In re Arnold*, 252 B.R. 778, 786–88 (9th Cir.BAP2000)"). Without accepted plan, there is no prejudice to the Debtor in having to consider one additional claim in whatever it does eventually file.

34. The second factor, the length of delay and its impact, is likewise negligible here. Other bankruptcy courts have determined that the filing of a claim prior to the solicitation of votes for a plan did not result in any prejudice to the debtor or adverse impact on court administration. *In re Broadmoor Country Club Apartment*, 158 B.R.146, 149 (Bankr. W.D.Mo. 1993). The Bar Date was set for October 20, 2023. Movant did not become aware of the bankruptcy proceedings until approximately October 2025, when he first began seeking legal representation for his potential civil claims. Despite inadvertent delays due to Movant's trauma (Decl. John Doe AO ¶ 8.), this motion was filed as promptly as reasonably possible thereafter, as soon as counsel's schedule reasonably

permitted. Decl. Ulrich at ¶ 8. The late filing of Movant's claim will have no negative impact on the Debtor. Debtor's recently filed Notice of Filing of Plan Supplement in Connection with Debtor's Modified Fourth Amended Plan of Reorganization states "Objections to confirmation of the Plan, if any, including objections to the Plan Supplement Documents, must be filed with the Court and served so as to be actually received not later than May 8, 2026." Dkt. 2867 No prejudice can be reasonably or legitimately asserted by Debtor by the addition of a single claim of a sexual abuse creditor.

35. The plan has not yet been confirmed. "[P]rejudice requires more than simply having to litigate the merits of, or to pay, a claim. There must be some legal detriment to the party opposing." *In re JFSF Corp.*, 344 B. R. 94,102 (9th Cir. BAP, 2006); aff. *In re JSJF Corp.*, 277 Fed. App. 718 (9th Cir. 2008). Nor is there prejudice to other creditors in the sense of them having voted for a plan with a fixed distribution in mind. *In re Any Mountain, Inc.*, No. 04-12989, 2007 WL 622198, at *2 (Bankr. N.D. Cal. Feb. 23, 2007) ("Generally speaking, prejudice is not established just because a creditor's dividend will be reduced to the amount it would have received if a late action had been timely. *In re Arnold*, 252 B.R. 778, 786–88 (9th Cir.BAP2000)"). Without a confirmed plan, there is no prejudice to the Debtor in having to consider one additional claim in whatever plan eventually does go out for a vote.

36. Movant's claim will not hamper the Court's administration of the case. Cases construing Pioneer make clear that the mere length of delay alone is not in any way dispositive, except to the extent that the delay affects judicial proceedings. *In re Premier Membership Servs., LLC*, 276 B.R. 709, 715 (Bankr. S.D. Fla. 2002). Citing to *Sacred Heart Hospital*, 186 B.R. at 895 (even a long and logically unjustified delay which has no significant impact on the debtor's case should often be deemed excusable). Movant's single claim is unlikely to change the recently filed Amended Fourth Plan in such a way as to impact or delay these proceedings.

37. The third factor, the reason for the delay, strongly favors the Movant. Indeed, Movant was unaware of any legal claim he might bring against the Diocese, this Chapter 11 proceeding, or the existence or significance of the Bar Date in this proceeding before learning of all of these matters in or around October 2025. Decl. John Doe AO ¶ 8. Even prior to *Pioneer*, “[m]ost of the cases allowing late filing of claims involve creditors who did not receive notice of the claims bar deadline.” *In re Coastal Alaska Lines, Inc.*, 920 F.2d 1428, 1433 (9th Cir. 1990). Movant did not receive actual notice from any source before the Bar Date. Moreover, the bankruptcy statutes allow for equivalent distribution to even late-filed claims where the creditor “did not have notice or actual knowledge of the case in time for timely filing of a proof of such claim[.]” 11 U.S.C. § 726(a)(2)(c). Movant had only begun to recover his memories in 2023 and was dealing with the physical, mental, and emotional effects of such a traumatic discovery, which included for the first time drawing a correlation between Movant’s abuse and consequential negative occurrences in Movant’s life. As such, he had no knowledge of the bankruptcy proceeding prior to October 2025 when he sought out legal representation for his potential civil claims. *Id.* at ¶ 8. Given the reason for Movant’s failure to file a timely proof of claim, there is no equitable reason to deny allowance of the claim as timely filed.

38. The final factor, good faith of the Movant, is objectively evident here. Movant has affirmatively stated that he was in no way withholding or waiting to file his claim. Decl. John Doe AO ¶ 8 He did not become aware of the bankruptcy proceeding until approximately October 2025. As explained below, John Doe AO’s claim is viable under the California statute of limitations until, at the earliest, January 2028, notwithstanding the closing of the revival window in December 2022, and therefore theoretically could be filed as a future claim under whatever plan that is eventually confirmed in this bankruptcy. There is nothing in this set of facts and circumstances to indicate anything but good faith from Movant, and the absence of any attempt to use the delayed filing of a

proof of claim to his strategic advantage. In a similar Diocesan bankruptcy, the bankruptcy court found that “[n]ot permitting the belated proof of claim under these circumstances would undeniably result in a forfeiture by [claimant] contrary to one of the underlying goals of the reorganization process.” *In re Roman Catholic Diocese of Syracuse*, New York, 638 B.R. 33, 40 (Bankr. N.D.N.Y., 2022). The Debtors and their insurance carriers should not be granted a windfall because Movant was unaware of this proceeding and acted as promptly as possible to be included herein. Decl. John Doe AO ¶ 8.

39. California Code of Civil Procedure § 340.1 was amended in 2019 to allow claims to be brought by survivors of childhood sexual abuse until the age of 40. Cal. Code Civ. Proc. § 340.1(a). Movant does not turn 40 until 2028. Ulrich Decl., ¶ 13

40. California Code of Civil Procedure § 340.11 became effective on January 1, 2025. And states “in an action for recovery of damages suffered as a result of childhood sexual assault that occurred before January 1, 2024, the time for commencement of the action shall be within 22 years of the date the plaintiff attains the age of majority or within five years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the age of majority was caused by the sexual assault, whichever period expires later.”

41. The Debtor filed its Chapter 11 Petition on March 13, 2023, which caused an automatic stay to take effect. At the time the bankruptcy Petition was filed, and today, the Movant’s action could be timely commenced in state court under Code of Civil procedure 340.11.

42. Movant’s action remains capable of being timely filed in California state court until June of 2028.

43. Movant’s repressed memories prevented him from recognizing the nexus between his injuries and the childhood sexual abuse. John Doe AO ¶ 8. Until his memories began to fully

resurface, Movant could not have reasonably discovered or appreciated that connection, and shortly after doing so retained Counsel, on or about October of 2025. Accordingly, Movant's claim is timely under Section 340.1(a) until January 2028 at the earliest, regardless of the expiration of any statutory revival period. Prior to the resurfacing of his memories, his disclosure of the abuse to therapists, and his subsequent recognition of the causal connection between the abuse and his injuries, Movant had no knowledge of his cause of action or his ability to pursue recovery against the Debtor.

CONCLUSION

44. All the criteria set forth in the *Pioneer* case weigh in favor of Movant's claim being allowed as a late filed claim. There is clearly no prejudice to the Debtor at this point in the bankruptcy process in dealing with these claims. The plan has not been confirmed in this bankruptcy case. The delay in the filing of Movant's claim was not extensive and will not interfere with the administration of this case. Finally, there is nothing that would indicate any lack of good faith on behalf of Movant.

45. For the foregoing reasons, Movant prays this Court enlarge the time by which he may submit a confidential proof of claim to the Debtor's claims agent, and that such filing be deemed timely if filed in accordance with this Court's orders.

Respectfully submitted,

Dated: July 10, 2026

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

In re:

Case No.: 23-40523-WJL

THE ROMAN CATHOLIC BISHOP

Chapter 11

OF OAKLAND, a California corporation sole,

Debtor and Debtor in Possession

**DECLARATION OF MOVANT JOHN DOE AO IN SUPPORT OF MOTION TO
ENLARGE THE CLAIMS BAR DATE TO ACCEPT A LATE FILED PROOF OF CLAIM**

I, JOHN DOE AO¹, declare as follows:

1. I have authorized my lawyers at Waters Kraus Paul & Siegel (“WKPS”) to bring this Motion to Enlarge the Claims Bar Date to Accept a Late Proof of Claim in this bankruptcy proceeding.

2. I was born on June 23, 1988 and I am 37-years-old. I currently live in San Francisco, California. I am competent to testify, and if called as a witness, my testimony under oath would be as follows:

¹ I understand that my attorneys have created this pseudonym so that I can proceed without revealing my name in the public record.

3. From on or about 1995 to approximately 2009, I lived in Newark, California with my family. My family was Catholic. In approximately 2000, when I was approximately 12 years old, I was parishioner, student, and altar boy at St. Edward's Catholic Church and School.

4. I met Father Jeff Finley at Saint Edwards. I was an altar boy and as part of my responsibilities, I helped Father Finley put on his robes prior to mass. We typically put on the robes in the Sacristy, a secluded area in the back of the church. One day while preparing for mass I went to help him put his robes on and saw that his penis was erect. It made me very uncomfortable, but I didn't know what to do. The next time I was an altar boy, we were in the Sacristy and Father Finley began to massage his penis and then grabbed my hand and made me massage his erect penis.

5. Father Finley abuse continued, and he started making me kiss his penis. Eventually, he made me put his penis in my mouth and suck on it. He inserted his fingers and tongue into my anus and would hug and kiss me when it was over.

6. Father Finley sexually assaulted me in the above-described manner approximately six times, in the Sacristy and in a classroom where he conducted catechism classes.

7. I did not know that I could file a claim for the abuse he suffered and did not know that the Diocese of Oakland filed for bankruptcy until recently. I do not regularly watch or read the news and did not see any announcements regarding the Diocese's bankruptcy.

8. When I found out that I was able to pursue claim against the diocese, I retained the legal services of Waters Kraus Paul & Siegel in approximately October 2025. I began the intake process and provided information about my abuse but shortly after, due to the ongoing trauma from the abuse, I fell out of communication with WKPS. Talking about the abuse is very difficult for me and it took time for me to get back in touch with WKOS.

9. In early 2026, I began communicating with WKPS again, at which point Susan Ulrich

advised me I could not file a lawsuit because the diocese went bankrupt. She also advised me that the deadline to file a claim had passed but that I could file a motion to request to file a late claim.

10. Because of the above, I was not aware of the bankruptcy or the Bar Date until after it had already passed. Had I known, I would have submitted a claim before the Bar Date passed. I did not intentionally delay submitting a claim, nor am I trying to prejudice anyone by bringing a late claim.

11. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 9, 2026

By: _____


JOHN DOE AO
Declarant

kloew@waterskraus.com

SUSAN M. ULRICH, ESQ., CA Bar No. 302253

sulrich@waterskraus.com

WATERS KRAUS PAUL & SIEGEL

11601 Wilshire Blvd, Suite 1900

Los Angeles, CA 90025

310-414-8146 Telephone

310-414-8156 Facsimile

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

In re:

Case No.: 23-40523-WJL

THE ROMAN CATHOLIC BISHOP

Chapter 11

OF OAKLAND, a California corporation sole,

Debtor and Debtor in Possession

DECLARATION OF SUSAN M. ULRICH IN SUPPORT OF MOTION BY JOHN DOE AO

TO ENLARGE THE CLAIMS BAR DATE TO ACCEPT A

LATE FILED PROOF OF CLAIM

I, Susan M. Ulrich, declare as follows:

1. I am an attorney of law duly licensed to practice law in the State of California. I am familiar with the matters as set forth herein and if called upon could competently testify thereto.

2. I am a partner at Waters Kraus Paul & Siegel (WKPS), located at 11601 Wilshire Blvd., Suite 1900, Los Angeles, California 90025. I am responsible for overseeing the firm's Clergy Abuse cases, including John Doe AO ("Movant"), who is the subject of this Motion to Allow Filing of Late Proof of Claim (the "Motion").

3. Pursuant to the confidentiality protocol providing that sexual abuse claims shall be

held and treated as strictly confidential in this Court's *Order Establishing Deadlines for Filing Proofs of Claim Approving the Form and Manner of Notice Thereof* [Docket 293] the Claimant is identified for purposes of this Motion by the pseudonym John Doe AO.

4. John Doe AO was born on June 23, 1988. They are thirty-seven years old.

5. Pursuant to California Code of Civil Procedure § 340.11 victims of childhood sexual abuse must file a claim against the individuals and institutions responsible prior to turning 40 years old. The Statute of Limitations in John Doe AO's case will not expire until June 22, 2028.

6. John Doe AO did not know that they could file a claim for the abuse they suffered and did not know that the Diocese of Oakland filed for bankruptcy until recently. They do not regularly watch or read the news and did not see any announcements regarding the Diocese's bankruptcy.

7. After they discovered that they could file a claim against the Diocese of Oakland, John Doe AO retained Waters Kraus Paul & Siegel to explore whether they could file a lawsuit against the diocese. Our firm was retained by Movant on or about October of 2025, but lost contact with John Doe AO for several months.

8. When Counsel was able to locate Movant, we provided Movant with information regarding the bankruptcy, and they authorized my firm to file a Motion to Enlarge the Claim Bar Date To Accept a Late Filed Proof of Claim.

9. My review of the docket revealed three motions to accept late filed proofs of claim. (docket entries 607, 1081, and 1865), and two additional pending motions. (docket entries 2130, and 3215).

10. Debtor has filed multiple plans and disclosure statements but to date no disclosure statement has been approved. Debtor most recently filed a Fourth Amended Disclosure Statement

on March 29, 2026 (docket entry 2759). To date, there is no confirmed plan, nor motions for approvals of settlements, or any other filing that would result in unfairness to the Debtor by the acceptance of Movant's proof of claim.

11. On April 22, 2026, a jury awarded \$16,000,000 to a Plaintiff who sued the Diocese of Oakland for abuse he suffered decades ago at the hands of Father Stephen Kiesle.

12. On April 30, 2026, Debtor filed its Notice of Amended Fourth Disclosure and Plan. Objections to confirmation of the Plan, if any, including objections to the Plan Supplement Documents, must be filed with the Court and served **May 8, 2026**. No plan has been approved, and a settlement has not been reached with the Diocese of Oakland to date.

13. John Doe AO's Motion to Enlarge the Claim Bar Date to Accept a Late Filed Proof of Claim was filed as expeditiously as possible. The Statute of limitation in John Doe AO's case against the Diocese of Oakland will not expire until 2028.

14. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: July 10, 2026

WATERS KRAUS PAUL & SIEGEL

By: 
Susan M. Ulrich, Esq. (SBN 302253)
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re: Case No.: 23-40523 – WJL
THE ROMAN CATHOLIC BISHOP of Chapter 11
OAKLAND, a California corporation sole,
Debtor and Debtor in Possession

CERTIFICATE OF SERVICE

I, Stephanie Stehling, am employed in the City of Los Angeles, State of California. I am over the age of 18 and not a party to the action. My business address is 11601 Wilshire Blvd., Suite 1900, Los Angeles, CA.

On July 13, 2026, I caused to be served the following documents:

- NOTICE OF MOTION AND MOTION TO ALLOW FILING OF LATE PROOF OF CLAIM
- NOTICE OF HEARING ON MOTION TO ALLOW FILING OF LATE PROOF OF CLAIM
- DECLARATION OF MOVANT-CLAIMANT JOHN DOE AO IN SUPPORT OF MOTION TO ALLOW FILING OF LATE PROOFS OF CLAIM
- DECLARATION OF SUSAN M. ULRICH IN SUPPORT OF MOTION TO ALLOW FILING OF LATE PROOF OF CLAIM

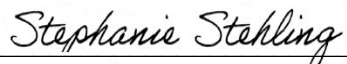
on each party listed below in the following manner:

[X] by email transmission upon the parties as set forth on **Exhibit 1**, attached hereto.

[X] by First Class Mail transmission upon the parties as set forth on **Exhibit 2**, attached hereto.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this declaration was executed on July 13, 2026, at Los Angeles, California.

Dated: July 13, 2026



Stephanie Stehling, Paralegal to
Susan M. Ulrich
Counsel for Claimant John Doe AO

EXHIBIT 1

Electronic Mail Notice List for Case 23-40523

The following is the list of parties who are currently on the list to receive email notice/service for this case.

Joseph M. Breall - jmbreall@breallaw.com

Thomas F. Carlucci - tcarlucci@foley.com

Geoffrey Goodman - ggoodman@foley.com

David Goroff - dgoroff@foley.com

Matt Lee - mdlee@foley.com

Elizabeth Price Mazzocco - emazzocco@foley.com

Nora J. McGuffey - nora.mcguffey@foley.com

Mark Moore - mmoore@foley.com

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Eileen Ridley - eridley@foley.com

Karen Rinehart - krinehart@omm.com

Mary Rofaeil - mary.rofaeil@foley.com

Jonathan Michael Thomas - jmthomas@foley.com

Ann Marie Uetz - auetz@foley.com

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Trevor Ross Fehr - trevor.fehr@usdoj.gov

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Jane Kim - jkim@kbkllp.com

Nathan Mark Kuenzi - nkuenzi@burnsbair.com

Jeffrey D. Prol - jprol@lowenstein.com

Erin Quick - equick@burnsbair.com

Colleen Restel - crestel@lowenstein.com

Jullian Sekona - jsekona@kbkllp.com

Cristina G. Stewart - cstewart@lowenstein.com

Brent Weisenberg - bweisenberg@lowenstein.com

EXHIBIT 2

The Roman Catholic Bishop of Oakland 2121 Harrison Street Suite 100 Oakland, CA 94612 Joseph M. Breall Breall & Breall LLP 3625 California Street San Francisco, CA 94118 Thomas F. Carlucci Foley & Lardner LLP 555 California Street Ste 1700 San Francisco, CA 94104-1520 Geoffrey Goodman Foley & Lardner LLP 321 N. Clark Street Suite 2800 Chicago, IL 60654 David Goroff Foley & Lardner LLP 321 N. Clark Street Suite 3000 Chicago, IL 60654 312-832-4500 Email: dgoroff@foley.com Matt Lee Foley & Lardner LLP Suite 5000 150 East Gilman Street Elizabeth Price Mazzocco Foley & Lardner LLP 321 N. Clark St. Ste 2800 Chicago, IL 60654 Nora J. McGuffey	Christopher A. Dernbach Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 Nicole M. Fulfree Lowenstein Sandler One Lowenstein Drive Roseland, NJ 07068 Eric Jesse Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 Michael A. Kaplan Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 Tobias S. Keller Keller Benvenuti Kim LLP 101 Montgomery Street Suite 1950 San Francisco, CA 94104 Jane Kim Keller Benvenuti Kim LLP 101 Montgomery Street Suite 1950 San Francisco, CA 94104 Nathan Mark Kuenzi Burns Bair LLP 10 E. Doty Street Suite 600 Madison, WI 53703 Jeffrey D. Prol Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068
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Foley & Lardner LLP 321 N. Clark St., Suite 3000 Chicago, IL 60654 312-832-4500 Email: nora.mcguiffey@foley.com Mark Moore Foley & Lardner LLP 2021 McKinney Avenue Suite 1600 Dallas, TX 75201 Shane J. Moses Foley & Lardner LLP 555 California Street Ste 1700 San Francisco, CA 94705 Eileen Ridley Foley & Lardner LLP 555 California Street Suite 1700 San Francisco, CA 94104 Karen Rinehart Law Offices of O'Melveny and Myers 400 S Hope St. Los Angeles, CA 90071-2899 Mary Rofaeil Foley & Lardner LLP 2021 McKinney Avenue Suite 1600 Dallas, TX 75201 Jonathan Michael Thomas Foley & Lardner LLP 2021 McKinney Avenue Ste 1600 Dallas, TX 75201 Ann Marie Uetz Foley & Lardner LLP 500 Woodward Ave., Suite 2700	Erin Quick Burns Bair LLP 10 East Doty Street Suite 600 Madison, WI 53703 Colleen Restel Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 Jullian Sekona Keller Benvenuti Kim LLP 650 California Street Ste 1900 San Francisco, CA 94108 Cristina G. Stewart Lowenstein Sandler One Lowenstein Drive Roseland, NJ 07068 Brent Weisenberg Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 Phillip John Shine DOJ-Ust 280 South First St. Suite 268 San Jose, CA 95113 Gabrielle L. Albert Keller Benvenuti Kim LLP 101 Montgomery Street Suite 1950 San Francisco, CA 94104 Jesse Bair Burns Bair LLP 10 E. Doty Street Suite 600 Madison, WI 53703
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Detroit, MI 48226-3489 Responsible Ind Bishop Michael J. Barber, SJ 2121 Harrison St. Suite 100 Oakland, CA 94612 (510) 893-4711 U.S. Trustee Office of the U.S. Trustee/Oak Office of the United States Trustee Phillip J. Burton Federal Building 450 Golden Gate Ave. 5th Fl., #05-0153 San Francisco, CA 94102 (415) 252-2080 Jason Blumberg Office of the U.S. Trustee 501 I St. #7-500 Sacramento, CA 95814 Jared A. Day Office of the U.S. Trustee 300 Booth St. #3009 Reno, NV 89509 Trevor Ross Fehr Office of the U.S. Trustee 501 I Street, Suite 7-500 Sacramento, CA 95814 Deanna K. Hazelton DOJ-Ust 2500 Tulare Street Ste 1401 Fresno, CA 93721 Gregory S. Powell U.S. Department Justice Office of the U.S. Trustee 2500 Tulare St., #1401 Fresno, CA 93721	Lynda Bennett Lowenstein Sandler One Lowenstein Drive Roseland, NJ 07068 Timothy W. Burns Burns Bair LLP 10 E. Doty Street Suite 600 Madison, WI 53703 Rasmeet Kaur Chahil Lowenstein Sandler One Lowenstein Drive 07068 Roseland, NJ 07068 Jeffrey Cohen Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 Richard F. Connors, III Lowenstein Sandler LLP One Lowenstein Drive Roseland, NJ 07068 M. Tyler Davis Keller Benvenutti Kim LLP 101 Montgomery Street Ste 1950 San Francisco, CA 94104
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