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9 Proposed Attorneys for Debtor and Debtor in Possession,  
10 Franciscan Friars of California, Inc.

11 **UNITED STATES BANKRUPTCY COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **OAKLAND DIVISION**

14  
15 In re:

16 FRANCISCAN FRIARS OF  
17 CALIFORNIA, INC.

18 Debtor.

Case No. 23-41723 WJL

Chapter 11

Date: January 10, 2024

Time: 1:30 pm

Place: 1300 Clay Street, Courtroom 220  
Oakland, California

Judge: Honorable Judge Lafferty

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20 **NOTICE OF HEARING ON SHORTENED TIME FOR FIRST DAY MOTIONS**

21 TO THE HONORABLE WILLIAM J. LAFFERTY, III UNITED STATES BANKRUPTCY  
22 JUDGE, ALL CREDITORS, ALL PARTIES IN INTEREST, AND THEIR COUNSEL OF  
23 RECORD:

24 **PLEASE TAKE NOTICE THAT** a hearing will be held on January 10, 2024, at 1:30 pm  
(the "First Day Hearing"), and will take place at the United States Bankruptcy Court, 1300 Clay Street,  
25 Courtroom 220, Oakland, California, before the Honorable William J. Lafferty, III, United States  
Bankruptcy Judge, to consider the following motions (the "First Day Motions") filed by Franciscan  
26 Friars of California, Inc., Debtor and Debtor in Possession herein (the "Debtor" or "FFCI") in the  
above-captioned chapter 11 bankruptcy case (the "Bankruptcy Case"):

- 27 a. DEBTOR'S MOTION FOR INTERIM AND FINAL ORDERS (1) AUTHORIZING  
28 CONTINUED USE OF EXISTING CASH MANAGEMENT SYSTEM, OPERATIONAL

1 BANK ACCOUNTS AND RELATED INVESTMENT ACCOUNTS; (2)  
2 AUTHORIZING MAINTENANCE OF EXISTING BUSINESS FORMS, (3) EXCUSING  
3 COMPLIANCE WITH SECTION 345(b); (4) AUTHORIZING CONTINUED USE OF  
CURRENT INVESTMENT POLICY; AND (5) SCHEDULING A FINAL HEARING  
(the “Cash Management Motion”);

4 b. DEBTOR’S MOTION FOR ORDER (1) PROHIBITING UTILITY COMPANIES FROM  
5 ALTERING, REFUSING OR DISCONTINUING SERVICE, (2) DETERMINING  
6 ADEQUATE ASSURANCE OF PAYMENT FOR POSTPETITION UTILITY  
7 SERVICES UNDER 11 U.S.C. § 366, (3) ESTABLISHING PROCEDURES FOR  
DETERMINING ADEQUATE ASSURANCE OF PAYMENT, AND (4) SCHEDULING  
A FINAL HEARING (the “Utilities Motion”);

8 c. DEBTOR’S MOTION FOR AN ORDER AUTHORIZING AND APPROVING  
9 SPECIAL NOTICING AND CONFIDENTIALITY PROCEDURES (the “Notice and  
Confidentiality Motion”); and

10 d. EX PARTE APPLICATION FOR EMPLOYMENT OF DONLIN, RECANO &  
11 COMPANY, INC. AS CLAIMS AND NOTICING AGENT (11 U.S.C. §327(a); 28  
12 U.S.C. § 156(c)) (the “Application to Employ Claims and Noticing Agent”).

13 **PLEASE TAKE FURTHER NOTICE THAT** (1) hearings will be held in person but parties  
may attend by Zoom Webinar/AT&T Teleconference, (2) additional information is available on Judge  
14 Lafferty’s procedures page on the Court’s website (<https://www.canb.uscourts.gov/>), and (3)  
information on how to attend the hearing by Zoom Webinar/AT&T Teleconference will be included  
15 with each calendar posted under Judge Lafferty’s calendar on the Court’s website.

16 **PLEASE TAKE FURTHER NOTICE THAT** each First Day Motion is based upon this  
Notice; such First Day Motion and the memorandum of points and authorities set forth therein; the  
17 Declaration of David Gaa in Support of Chapter 11 Petition and First Day Motions (the “First Day  
Declaration”); any other declarations submitted with such First Day Motion; the papers on file in this  
18 bankruptcy case; and on such arguments or evidence as may be presented at the hearing. Copies of the  
First Day Motions, the First Day Declaration, and all pleadings and papers filed in this Bankruptcy  
19 Case can be obtained from the website maintained by the Debtor’s proposed claims and noticing agent,  
Donlin, Recano & Company, Inc., at <https://www.donlinrecano.com/Clients/ffc/Index>. You may also  
20 access these documents through the Court’s Pacer electronic docket, with a subscription. The web page  
for the Bankruptcy Court is <http://www.canb.uscourts.gov>.  
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22 **PLEASE TAKE FURTHER NOTICE THAT** the relief request in the First Day Motions  
is briefly summarized as follows:  
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24 *Cash Management Motion.* Through the Cash Management Motion, the Debtor seeks authority  
to continue operating its existing cash management system as described therein, including the  
25 maintenance of existing bank accounts at the Debtor’s banks, honoring certain related prepetition  
obligations, continuance of certain intercompany arrangements, and related relief. The relief sought in  
26 the Cash Management Motion is critical to avoid harmful disruptions in the Debtor’s operations and  
access to cash.

27 *Utilities Motion.* Through the Utilities Motion, the Debtor seeks to prohibit utility providers  
28 from altering, refusing, or discontinuing service to the Debtor, to establish procedures for providing

adequate assurance to utility providers and for and resolving objections, if any, to the proposed adequate assurance, and related relief. The relief sought in the Utilities Motion is essential to avoid interruption in utility services to the Debtor, and to provide standard, consistent procedures for the provision of adequate assurance.

Notice and Confidentiality Motion. Through the Notice and Confidentiality Motion, the Debtor seeks authorization to (i) allowing the Debtor to file schedules, statements of financial affairs, creditor matrix, motions, pleadings, and any other entry into the record under seal or redacted to the extent they contain (a) non-public names of abuse claimants, potential abuse claimants, or those accused of committing or covering up abuse, or (b) the private contact information of the Debtor's current or former employees, (ii) allowing other parties-in-interest in this Bankruptcy Case to do the same, and (iii) limiting notice to a specific list of recipients on all but a few discrete matters identified in the Notice and Confidentiality Motion. The relief sought in the Notice and Confidentiality Motion is essential to preserve the anonymity of those who have accused clergy, or those who have been accused, of abuse, to protect the privacy and to prevent identity theft and harassment of those individuals and of other individuals involved in this Bankruptcy Case, and to allow for the efficient administration of this Bankruptcy Case.

Application to Employ Claims and Noticing Agent. Through the Application to Employ Claims and Noticing Agent, the Debtor seeks approval of the retention and appointment of Donlin, Recano & Company, Inc. as claims and noticing agent in this Bankruptcy Case. Given the size and complexity of the case, the number of creditors, and the critical confidentiality issues related to certain creditors, a claims and noticing agent is necessary to the efficient administration of this case.

**PLEASE TAKE FURTHER NOTICE THAT** the foregoing is only a brief summary of the relief requested in each First Day Motion, and does not fully describe the relief requested, the basis thereof, or the evidence in support. All parties in interest are encouraged to review the First Day Motions, the First Day Declaration, and all other documents filed in connection therewith.

**PLEASE TAKE FURTHER NOTICE THAT** opposition, if any, to the relief sought in the First Day Motions may be in writing, filed with the Bankruptcy Court, or may be brought orally at the First Day Hearing (filing a written opposition in advance of the hearing is not required).

Dated: January 8, 2024

BINDER MALTER HARRIS & ROME-BANKS, LLP

By: /s/ Robert G. Harris #124678  
Robert G. Harris

Proposed Attorneys for Debtor in Possession,  
Franciscan Friars of California, Inc.