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7  
 8 UNITED STATES BANKRUPTCY COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 OAKLAND DIVISION  
 11

12 In re:  
 13 THE ROMAN CATHOLIC BISHOP OF  
 OAKLAND, a California corporation sole,  
 14 Debtor and Debtor-in-Possession  
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Case No. 23-40523

Chapter 11

**DECLARATION OF MARY PARKER  
 IN SUPPORT OF MOTION TO  
 ALLOW FILING OF LATE PROOF OF  
 CLAIM**

Judge: Hon. William J. Lafferty

Hearing Date: April 24, 2024  
 Hearing Time: 10:30 am  
 Place: United States Bankruptcy Court  
 1300 Clay Street, Courtroom 220  
 Oakland, CA 94612

*[In person or via Zoom/AT&T  
 Teleconference]*

24 I, Mary Parker, do hereby declare:

25 1. I am a paralegal working for the law firm of Gross & Belsky P.C. ("**G&B**") in San  
 26 Francisco, California. I am familiar with the matters as set forth herein and if called upon could  
 27 competently testify thereto.  
 28



1           2.       I have worked for G&B as a paralegal and legal secretary since May 2008. I did  
2 obtain a law degree, but decided early on in my legal career that I performed better as a paralegal.  
3 One of my duties as paralegal at G&B has been to manage the clergy abuse cases filed by the firm.  
4 I have been responsible for calendaring all matters relating to these cases in the firm's calendaring  
5 system, for finalizing documents for service and filing, and for creating charts for these cases that  
6 tracks deadlines relating to filing, service, discovery and motions. The attorney that supervised me  
7 in this work was Terry Gross, the Managing Attorney for G&B.

8           3.       As part of these duties, I participated and oversaw all matters relating to a complaint  
9 filed by the firm's client, Claimant No. 552 ("Claimant") against the Roman Catholic Bishop of  
10 Oakland ("RCBO") in the Alameda Superior Court for clergy abuse.

11          4.       On April 11, 2023, I finalized Claimant's complaint and filed it electronically with  
12 the Alameda Superior Court.

13          5.       On April 28, 2023, I finalized and filed an Ex Parte Application Requesting In  
14 Camera Review Of Certificates Of Merit And For Orders (1) Permitting Plaintiff To Serve Roe  
15 Defendants With Process, And (2) That The Concurrently Lodged Certificates Of Merit Be Filed  
16 Under Seal And Be Kept Confidential (the "Ex Parte Application").

17          6.       On May 8, 2023, I learned that RCBO filed a bankruptcy petition.

18          7.       Shortly after May 23, 2023, I received in the mail from the Alameda Superior Court  
19 clerk a copy of an Order entered by the Superior Court on May 3, 2023, which granted the Ex Parte  
20 Application (the "Order").

21          8.       I conferred with Mr. Gross, and he requested that I contact counsel for the RCBO to  
22 see if we could obtain a stipulation to transfer Claimant's case to JCCP 5108. I emailed a copy of  
23 the Complaint, the Ex Parte Application and the Order to RCBO's counsel at Foley & Lardner, and  
24 asked if RCBO would stipulate to adding the case to the coordinated clergy abuse proceeding, JCCP  
25 5108. RCBO's counsel informed me that RCBO's bankruptcy attorneys said his firm could no  
26 longer stipulate to adding cases to JCCP 5108, and said that he would put me in touch with one of  
27 RCBO's bankruptcy attorneys. However, he never did put me in touch with any of RCBO's  
28 bankruptcy attorneys, and I failed to follow up on this matter.

1           9.       Shortly after July 25, 2023, I received a copy of this Court's Order Establishing  
2 Deadlines for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof  
3 [Docket No. 293], which set the bar date for submitting claims against RCBO in this bankruptcy  
4 proceeding as September 11, 2023. I calendared this date in our firm calendar.

5           10.      In mid August, Mr. Gross conferred with me, and he instructed me to prepare proofs  
6 of claim for all of the firm's clients who had filed complaints against RCBO. Mr. Gross requested  
7 that I contact the retained psychology expert of G&B to request him to interview the various  
8 plaintiffs and analyze what damages they had suffered from the sexual abuse, and to provide to me  
9 the information that was required to fill in portions of the claim forms concerning psychological  
10 damages.

11          11.      I contacted G&B's psychology expert, and asked the expert to interview the clients  
12 who had filed complaints against RCBO to obtain information relating to damages that was needed  
13 to complete the proof of claim forms for each client. I gave the expert a list of cases that I  
14 maintained, which contained the six cases in JCCP 5108 that named RCBO as a defendant and the  
15 contact information for the plaintiffs.

16          12.      I did not realize that Claimant's case was not included in this list. Since Claimant's  
17 case had not been transferred to JCCP 5108, it wasn't on the list, and I simply forgot that I had filed  
18 another case in which RCBO was a defendant but which was not in JCCP 5108 – *i.e.*, Claimant's  
19 case.

20          13.      Several times during late August and early September 2023, Mr. Gross asked me  
21 about my progress in obtaining the necessary information for all the claims that were going to be  
22 filed in the RCBO bankruptcy proceeding. I repeatedly informed Mr. Gross of the status of my  
23 efforts, and told Mr. Gross that I was obtaining all necessary information and would prepare and  
24 timely file the claim forms for all of the firm's clients with claims against RCBO.

25          14.      After I had sent the list of JCCP 5108 cases to our expert, I simply forgot about  
26 Claimant's case. I filled out proof of claim forms for the six cases on the JCCP 5108 list I  
27 maintained. Then, in early September when the expert provided me with a document that contained  
28 damages information concerning the six clients on the list I had provided him, I took the expert's

1 information and included them in the proof of claim forms and provided the filled-out forms to Mr.  
2 Gross for his review and editing, telling him that I had sent him the proof of claim forms for all  
3 clients with claims against RCBO.

4 15. Mr. Gross reviewed and edited the forms, and returned them to me. I then took these  
5 six forms, reviewed them and finalized them, and on September 10 and September 11, 2023, I filed  
6 these forms with the claims agent.

7 16. Mr. Gross asked me on September 11, 2023 if I had filed all the proof of claim forms  
8 for our clients with complaints against RCBO and I told Mr. Gross that I had. I simply did not  
9 remember that Claimant had filed a complaint against RCBO, and I failed to file a proof of claim  
10 form for him by the bar date. The failure was mine alone; I had repeatedly told Mr. Gross that I had  
11 provided him with claim forms for all clients with claims against RCBO, and then informed Mr.  
12 Gross that I had filed claim forms with the claims agent for all such clients.

13 17. On January 1, 2024, Mr. Gross contacted me about the bar date for filing proof of  
14 claim forms for our firm's clients who had filed complaints against the Roman Catholic Archbishop  
15 of San Francisco ("RCASF"). He showed me a notice that we had received from counsel for  
16 RCASF that contained a list of cases that supposedly were our firm's cases against RCASF. One  
17 of those cases was not filed against RCASF, but was filed with RCBO as the only diocesan  
18 defendant. Mr. Gross asked me to determine why this case was listed as an RCASF case.

19 18. As I prepared to contact counsel for RCASF about that matter, I went to look at the  
20 actual complaint for the client incorrectly on the RCASF list, but who actually had filed against  
21 RCBO. Since all cases are filed using fictitious names, I don't always recall which case name  
22 refers to which clients, without checking other documents. But this time I didn't look at my list of  
23 RCBO cases in the JCCP 5108, I looked at the directory on the server that had subfolders for all  
24 the various clergy abuse cases. When looking there, I saw the directory for Claimant's case, and  
25 immediately realized that this client had filed a complaint against RCBO which never was  
26 transferred to JCCP 5108, and that I had inadvertently not filed a proof of claim in this proceeding  
27 for Claimant.  
28

19. I promptly contacted Mr. Gross and told him about my error. He instructed me to file a proof of claim promptly, which I did on January 4, 2024.

20. Mr. Gross asked me how this could have happened, and I confessed to him that I had been in a very distressed state during the spring through fall of 2023. Starting in June 2023, one of my middle-school-age daughters had been having serious medical and psychological issues, and then at the end of August 2023 the situation progressed and became life-threatening, and I thought she would die. This obviously was incredibly frightening and during this period I became extremely preoccupied with caring for my daughter, and trying to find medical professionals who could help. Our family situation had been difficult for several years, but I had never faced such a situation. In retrospect it is obvious to me that I had difficulties in performing my work to my usual standards, but at the time I thought I had been able to get my work done properly even in the midst of this emotional family crisis.

21. I had never told Mr. Gross, nor any other attorneys at G&B, about this situation, and never asked for any help. I was embarrassed and didn't want to involve anyone at the firm in my private life. I take full responsibility for this error.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of March 2024 at Oakland, California.

MARY B. PARKER