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Attorneys for Defendants
American Home Assurance Co.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:

CHAPTER 11

THE ROMAN CATHOLIC BISHOP OF
 OAKLAND, a California corporation sole,

 Debtor.

Case No. 23-40523 WJL

Adversary Case No. 23-04037

THE ROMAN CATHOLIC BISHOP OF
 OAKLAND,

Plaintiff,

Objections Due: March 13, 2024
 Hearing Date: March 27, 2024
 Hearing Time: 10:30 a.m.
 Courtroom: 1300 Clay Street
 Oakland, CA 94612

v.

AMERICAN HOME ASSURANCE CO., a
 New York corporation; LEXINGTON
 INSURANCE CO., a Delaware corporation

Defendants.

NOTICE OF HEARING ON AMERICAN
 MOTION TO DISMISS THE FIRST AMENDED

~~Case: 23-04037 Doc# 18 Filed: 01/26/24 Entered: 01/26/24~~

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1 **NOTICE OF HEARING ON AMERICAN HOME'S MOTION TO DISMISS**
2 **THE FIRST AMENDED COMPLAINT FOR BREACH OF CONTRACT**
3 **AND DECLARATORY JUDGMENT RELIEF**

4 **PLEASE TAKE NOTICE THAT** defendant American Home Insurance Company
5 ("American Home") has moved this Court, pursuant to Rule 7012(b) of the Federal Rules of
6 Bankruptcy Procedure and Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss the
7 First Amended Complaint for Breach of Contract and Declaratory Judgment Relief (Dkt. No.
8 13) for failure to state a claim upon which relief can be granted.

9 **PLEASE TAKE FURTHER NOTICE** that a hearing to consider the Motion shall take
10 place on March 27, 2024 at 10:30 a.m., or as soon thereafter as the matter may be heard, before
11 the Honorable William J. Lafferty, United States Bankruptcy Judge, in Courtroom 220, 1300
12 Clay Street, Oakland, California 94612.

13 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Bankruptcy Local Rule 7007-
14 1(b), any opposition to the Motion should be in writing and filed and served not later than 14
15 days before the date set for hearing. The Court may disregard any opposition that is not timely
16 filed and served, and may grant the relief requested in this Motion without considering any
17 untimely oppositions.

18 Dated: January 26, 2024

NICOLAIDES FINK THORPE
MICHAELIDES SULLIVAN LLP

19 By: /s/ Alison V. Lippa
20 Amy P. Klie
21 Alison V. Lippa
22 Attorneys for Defendant
23 American Home Assurance Co.
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