

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF LOUISIANA

In re:	§	
	§	Case No. 20-10846
THE ROMAN CATHOLIC CHURCH	§	
OF THE ARCHDIOCESE OF NEW	§	Section “A”
ORLEANS,	§	
	§	Chapter 11
Debtor. <sup>1</sup>	§	
	§	

U.S. FIRE INSURANCE COMPANY’S AND INTERNATIONAL  
INSURANCE COMPANY’S RESPONSE AND RESERVATION OF RIGHTS  
TO CERTAIN ABUSE SURVIVORS’ MOTION FOR LEAVE TO CONDUCT  
A RULE 2004 EXAMINATION OF ARCHBISHOP GREGORY AYMOND

U.S. Fire Insurance Company (“U.S. Fire”) and International Insurance Company (“International”), by and through their undersigned counsel, file this response and reservation of rights (the “Response”) to the Certain Abuse Survivors’ *Motion for Leave to Conduct a Rule 2004 Examination of Archbishop Gregory Aymond* [Dkt. No. 3970] (the “Rule 2004 Motion”).<sup>2</sup> In support of this Response, U.S. Fire and International respectfully state as follows:

I. RESPONSE

1. In filing this Response, U.S. Fire and International take no position on the merits of the Certain Abuse Survivors’ Motion to Dismiss and Rule 2004 Motion. U.S. Fire and International respectfully request only that they be given notice of any depositions noticed, and an opportunity to attend any such depositions and cross-examine any witnesses.

2. On April 30, 2025, Certain Abuse Survivors filed a *Motion to Dismiss Bankruptcy Pursuant to 11 U.S.C. § 1112(b)* [Dkt. No. 3965] (the “Motion to Dismiss”). The Motion to

<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 8966. The Debtor’s principal place of business is located at 7887 Walmsley Ave., New Orleans, LA 70125.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Rule 2004 Motion.

Dismiss makes various claims regarding the Debtor's management of the chapter 11 proceedings and allegations related to the claims at issue in this bankruptcy proceeding.<sup>3</sup>

3. The same day that the Motion to Dismiss was filed, the Certain Abuse Survivors filed the Rule 2004 Motion. Through the Rule 2004 Motion, the Certain Abuse Survivors seek to take depositions in connection with the Motion to Dismiss. The Certain Abuse Survivors also reiterate several of the arguments made in the Motion to Dismiss, including the argument that the Archdiocese has "conceal[ed] their criminal misconduct inside the bankruptcy. *See* Rule 2004 Motion ¶ 6.

4. The allegations made in the Motion to Dismiss and the Rule 2004 Motion, as well as the topics likely to be covered in any deposition, implicate U.S. Fire's and International's rights as insurers to the Archdiocese. Accordingly, if the Court grants the Certain Abuse Survivors' Rule 2004 Motion, U.S. Fire and International should be noticed and have the opportunity to attend any deposition, and should be allowed to participate in the deposition and cross-examine any witness.

5. As this Court has previously noted, it is essential that the parties have a level information playing field so that all parties-in-interest, including the insurers, can meaningfully participate in this bankruptcy case and can otherwise ensure that their rights are not impaired.

## **II. RESERVATION OF RIGHTS**

6. U.S. Fire and International reserve all rights to supplement and/or modify this Response at any time prior to the hearing on the Rule 2004 Motion.

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<sup>3</sup> For example, the Motion to Dismiss notes that documents seized by the Louisiana State Police related to the abuse allegations "will reflect what Aymond knew and what he did with that information" and "may very well support criminal charges." Motion to Dismiss ¶ 130. The Motion to Dismiss also calls Aymond a "likely criminal target." *Id.* ¶ 136. And even further, the Motion to Dismiss discusses the dual nature and impact of criminal charges against the Archdiocese and/or Aymond: "The corporate structure of the Archdiocese is such that the Archbishop is the Archdiocese. If the Archdiocese was charged, Aymond would likely be immediately removed by the Vatican, leaving the bankruptcy without management and resulting in further delay and expense which could be avoided if a trustee is appointed now." *Id.* ¶ 135.

7. In addition, nothing contained herein is intended to be or shall be construed as (a) an admission as to the amount of, basis for, or validity of any claim of the Archdiocese or Certain Abuse Survivors against U.S. Fire and International under the Bankruptcy Code or other applicable non-bankruptcy law; (b) a waiver of U.S. Fire's or International's or any party in interest's rights to dispute any claim or interest on any grounds; or (c) a waiver of U.S. Fire's or International's or any other party in interest's rights under the Bankruptcy Code or any other applicable law.

### **III. CONCLUSION**

WHEREFORE, U.S. Fire and International respectfully request that, if the Court grants the Rule 2004 Motion, that the Court also order the Certain Abuse Survivors to (i) provide U.S. Fire and International proper notice of the time and place of any deposition, (ii) allow U.S. Fire and International to participate in the deposition, including through the taking of any cross-examination any witness, and (iii) award all other relief as is just, equitable and appropriate.

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Dated: June 19, 2025

Respectfully submitted,

By: /s/ John E. W. Baay II  
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*Counsel for United States Fire Insurance Company  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document and any corresponding attachments were served this 19th day of June, 2025 by using the Court's electronic filing system and notice of this filing will be sent to all counsel of record receiving electronic notice by such system. I also certify that on this 20th day of June, 2025, I caused a copy of the foregoing document and corresponding attachments to be served by e-mail or first-class U.S. mail, as applicable, on all other parties requiring service under the Court's *Ex Parte Order Authorizing the Debtor to Limit Notice and Establishing Notice Procedures* [Dkt. No. 22], including on the Debtor, Debtor's counsel, counsel for Certain Abuse Survivors, counsel for the Official Committee of Unsecured Creditors and Commercial Creditors' Committee, and the U.S. Trustee.

/s/ John E. W. Baay II  
JOHN E.W. BAAY II (22928)