

IT IS ORDERED

Date Entered on Docket: February 4, 2015



The Honorable David T. Thuma  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

ROMAN CATHOLIC CHURCH OF THE  
DIOCESE OF GALLUP, a New Mexico  
corporation sole,

Debtor.

Chapter 11

Case No. 13-13676-t11

**Jointly Administered with:**

Jointly Administered with:

BISHOP OF THE ROMAN CATHOLIC  
CHURCH OF THE DIOCESE OF GALLUP,  
an Arizona corporation sole.

Case No. 13-13677-t11

This pleading applies to:

- All Debtors.  
 Specified Debtor.

**ORDER GRANTING DEBTORS' APPLICATION FOR AN ORDER AUTHORIZING  
THE EMPLOYMENT OF ESTATE VALUATION CONSULTANTS, INC. AS  
APPRAISER FOR THE DEBTORS AND DEBTORS-IN-POSSESSION**

This matter came before the Court on the "Debtors' Application for an Order Authorizing  
the Employment of Estate Valuation Consultants, Inc. as Appraiser for the Debtors and Debtors-

in-Possession” [Dkt. No. 336] (the “**Application**”) filed by the Roman Catholic Church of the Diocese of Gallup (“**RCCDG**”) and the Bishop of the Roman Catholic Church of the Diocese of Gallup (the “**Arizona Entity**,” and together with RCCDG, the “**Debtors**”). In the Application, the Debtors seek entry of an Order authorizing the Debtors to employ, Estate Valuation Consultants, Inc. (“**EVC**”), to provide appraisal services pertaining to the Properties<sup>1</sup> effective as of the date of filing the Application.

On January 7, 2014, the Debtors filed and served a “Notice of Objection Deadline Regarding Debtors’ Application for an Order Authorizing the Employment of Estate Valuation Consultants, Inc. as Appraiser for the Debtors and Debtors-in-Possession” [Dkt. No. 337] (the “**Notice**”). Notice was duly served upon all parties entitled to receive notice pursuant to the certificate of service attached to said Notice, alerting creditors and parties-in-interest that if they wished to object to the Application, objections must be filed on or before the date that was twenty-one (21) days after the date the Notice was mailed, plus three (3) days for service. That date passed on February 2, 2015.

Based upon the Application, the entire record before the Court, and for good cause shown,

IT IS HEREBY ORDERED:

- A. The Application is approved;
- B. The Debtors are authorized to employ EVC to provide appraisal services pertaining to the Properties effective as of the date of filing the Application;

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<sup>1</sup> Terms not herein defined shall have the meaning ascribed to them in the Application.

C. The Debtors are authorized to pay EVC a flat fee of \$22,100.00, inclusive of expenses and New Mexico gross receipts tax, for EVC's professional services from the Debtors' estate;

D. The Debtors are authorized to, upon mutual agreement with the Committee, to expand the list of Properties to be appraised by filing a joint notice with the Court identifying the location, details, and cost of the expanded appraisal(s), to be effective within ten (10) days of serving such notice upon all parties on the Debtors' Limited Notice List, and without further order of the Court if there is no timely objection;

E. The Debtors are authorized to pay EVC the flat fee indicated on any joint notice for additional properties to be appraised on the payment schedule set forth in the Application; and

F. The Committee will be able to communicate with EVC and receive information and documents from EVC, after review and approval by the Debtors. During the course of the appraisal while acting in the course and scope of its employment, if EVC is provided documents that would be subject to an applicable privilege, including, but not limited to the attorney-client privilege or attorney work product communications, the parties agree that any such disclosure would be an inadvertent disclosure by the Debtors and any such disclosure would not in any way waive the applicable privilege. EVC will not take direction from the Committee with respect to its investigation unless such direction is consented to in writing by the Debtors. If there is any dispute between the Debtors and the Committee regarding any documents or work product of EVC or direction regarding EVC's appraisal, either the Committee or the Debtors may seek relief from the Court.

G. The Committee is authorized to seek an Order from the Court if it determines an additional property should be appraised that the Debtors do not agree to, and the Debtors shall have an opportunity to entry of such Order.

**XXX END OF ORDER XXX**

Submitted by:

/s/ Elizabeth S. Fella

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## Notice Recipients

District/Off: 1084-1  
Case: 13-13676-t11

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