

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

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

Debtor.

Case No. 13-13676-t11
Chapter 11

Jointly Administered with:

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

Debtor.

Case No. 13-13677-t11
Chapter 11

**NEW MEXICO PROPERTY AND CASUALTY INSURANCE GUARANTY
ASSOCIATION'S JOINDER IN SUPPORT OF DEBTORS' EMERGENCY MOTION
TO CONTINUE TRIAL SCHEDULE TO COMMENCE ON NOVEMBER 10, 2015; AND
REQUEST FOR EXPEDITED HEARING**

New Mexico Property and Casualty Insurance Guaranty Association (“NMPCIGA”), by counsel, hereby joins The Roman Catholic Church of the Diocese of Gallup and the Bishop of the Roman Catholic Church of the Diocese of Gallup’s (together, the “**Debtors**”) *Emergency Motion to Continue Trial Scheduled to Commence on November 10, 2015; and Request for Expedited Hearing*, filed October 8, 2015 (Docket No. 448) (the “**Motion**”). In support hereof, NMPCIGA states:

1. Upon information and belief, The Home Insurance Company may have provided general liability insurance coverage to the Diocese of Gallup from 1965 to 1977¹.

2. The Home Insurance Company is insolvent and is currently in liquidation.

NMPCIGA is an entity created by law that may provide limited coverage for valid claims, if

¹ Copies of any policies for 1968 through 1977 have not been located, despite diligent efforts by the Debtors, The Home Company, NMPCIGA, and Insurance Archeological Group. NMPCIGA reserves all rights with regards to defending claims that may fall within any Home Company policy(s), including, but not limited to, the 1965-1968 policy period.

any, which occurred during the time the Debtors alleged they were insured by the Home Insurance Company.

3. On August 13, 2015, NMPCIGA filed a Joinder to the Debtors' Objection to Stay Relief (Docket No. 427). NMPCIGA attended the preliminary hearing on the Stay Relief Motions (as defined in the Motion), and has participated in any discovery of which it has been made aware. As of the date of filing this Joinder, discovery has been very limited and no discovery requests, either formal or informal, have been served on NMPCIGA in connection with the Stay Relief Motions.

4. It is NMPCIGA's intent and desire to assist the Debtor in objecting to and resisting the Stay Relief Motions. Two of the Movants' claims allegedly fall within the Home policy period(s).

5. As recited in paragraph 6 of the Motion, the Debtors apparently received a purported "disclosure" of witnesses and exhibits from the Movants and Committee on October 2, 2015. However, such "disclosure" was not provided to NMPCIGA until October 8, 2015, when it was provided by the Debtors' counsel. Regardless, the "disclosure" is not materially helpful, and NMPCIGA believes it fails to comply with applicable rules and requirements. For instance, the scope of any expected testimony is not set forth nor were any documents provided. With respect to the "list" of documents referenced in the "disclosure," it is vague and overly broad in certain respects and references numerous documents not in possession of NMPCIGA. Given the lack of specificity and production, it is difficult, if not impossible, for NMPCIGA to meaningfully prepare for the final hearing. It may be possible for NMPCIGA to obtain certain documents from the Debtor, but as set forth above, the "disclosure" was provided to NMPCIGA

by Debtors' counsel on October 8, 2105, and requiring the Debtors to provide such documentation to interested parties is overly burdensome on the Debtors and inappropriate.

6. Additionally, NMPCIGA has the same concerns as the Debtors relating to the Movants and Committee's intent to introduce evidence on the merits of the underlying claims and alleged damages. NMPCIGA believes such information is not relevant to the Motions and would not materially aid the Court in deciding the Motions.

7. If appropriate, the Court should clearly limit the scope of discovery needed for the Stay Relief Motions and should similarly restrict the scope of the testimony which it will hear at trial on the Stay Relief Motions to that which would be relevant to the Court's decision.

WHEREAS, NMPCIGA respectfully requests the Court grant the Motion, continue the final hearing on the Stay Relief Motions, and for all other just and proper relief.

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CERTIFICATE OF SERVICE:

This certifies that on October 9, 2015 a copy of the foregoing pleading was served by the Bankruptcy Court's electronic filing system on all parties who have entered an appearance in this case.

/s/ filed electronically
Edward A. Mazel