

IT IS ORDERED

Date Entered on Docket: October 15, 2015



The Honorable David T. Thuma
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE 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:

Case No. 13-13677-t11

Jointly Administered with:

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

This pleading applies to:

- All Debtors.
 Specific Debtor.

**ORDER APPROVING STIPULATED TOLLING AGREEMENT
EXTENDING TIME PERIODS**

DOCS_SF:88793.2 18486/002

After due consideration of the Stipulated Tolling Agreement Extending Time Periods (“Stipulation”) by and between the Official Committee of Unsecured Creditors (the “Committee”), the Roman Catholic Church of the Diocese of Gallup (“the RCCDG”), the Bishop of the Roman Catholic Church of the Diocese of Gallup (the “Arizona Entity”), St. John the Baptist Parish, St. Joseph’s Parish, Sacred Heart Parish, and Our Lady of Guadalupe Parish (collectively, the “Parishes”),

IT IS HEREBY ORDERED:

1. The Stipulation is **APPROVED**.
2. Tolling of Statutes of Limitation and Other Time Periods. The running of any defenses based on the passage of time, including, without limitation, any statutes of limitation, statute of repose, estoppel, waiver or laches, and any time periods set forth in Section 546 of the Bankruptcy Code applicable to any avoidance actions that may be pursued on behalf of the Estate¹ (whether brought by the Committee, the RCCDG, the Arizona Entity or some other entity on behalf of the Estate) against the Parishes, including, without limitation, claims for relief under Chapter 5 of the Bankruptcy Code, are hereby tolled and extended from the Effective Date until November 12, 2016, unless it is specifically extended by mutual written agreement (the “Tolling Period”). The Parties agree that the Tolling Period shall be excluded from any calculation of any statute of limitations or other time period applicable to any Claims that

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Stipulation.

the Estate may bring against the Parishes, irrespective of whether such Claims are prosecuted by the Committee, the RCCDG, or the Arizona Entity. The Parishes, the RCCDG, and the Arizona Entity shall be estopped from arguing that the Stipulation is ineffective to extend the time within which the Estate must commence an action to pursue any avoidance action under Chapter 5 of the Bankruptcy Code.

3. Standing of Committee to Sue/Notice/Status Quo Ante. The Parishes, the RCCDG, and the Arizona Entity reserve all rights they may have to object to any request or motion to grant standing to the Committee to pursue the Claims. The Parishes, the RCCDG, and the Arizona Entity also reserve any and all right to object to and raise any defenses not referenced herein with respect to the Claims.

4. No Admission. The Stipulation shall in no way operate as an admission or concession of liability or responsibility whatsoever by any Party or to any third person or entity. The Stipulation shall not be an admission or acknowledgment by the Committee that any of the Parishes are legal entities or are separate from the RCCDG or the Arizona Entity. The Stipulation also shall not be an admission or

acknowledgement by the Parishes, the RCCDG, or the Arizona Entity that any of the Parishes are not legal entities separate from the RCCDG or the Arizona Entity.

XXX END OF ORDER XXX

Submitted by:

/s/ *Kenneth H. Brown*
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Notice Recipients

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Case: 13-13676-t11

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