

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JACK DOE 550, an individual proceeding
under a pseudonym,

Case No. 3:18-cv-01546-SB

Plaintiff,

OPINION AND ORDER

v.

ROMAN CATHOLIC ARCHBISHOP OF
PORTLAND IN OREGON, AND
SUCCESSORS, A CORPORATION SOLE,
an Oregon Corporation, d/b/a ARCHDIOCESE
OF PORTLAND IN OREGON; and
ARCHDIOCESE OF PORTLAND IN
OREGON, an Oregon Corporation,

Defendants.

BECKERMAN, U.S. Magistrate Judge.

Plaintiff Jack Doe 550 (“Plaintiff”) filed this action against the Roman Catholic Archbishop of Portland in Oregon, and successors, a corporation sole, dba Archdiocese of Portland in Oregon (“the Archdiocese”), on August 22, 2018. ([ECF No. 1.](#)) The Court has jurisdiction over this matter under [28 U.S.C. § 1334\(b\)](#), because this proceeding relates to In re Roman Catholic Archbishop of Portland (“RCAP”), D. Or. Bankr. Case No. 04-37154, a case arising under Title 11 of the United States Code. Specifically, the Third Amended and Restated

PAGE 1 – OPINION AND ORDER

Joint Plan of Reorganization (“the Plan”) confirmed in RCAP sets a \$20 million cap on the funds available to pay claims made against the Archdiocese through 2023.

Pending before the Court is the Archdiocese’s unopposed motion to approve the settlement of Plaintiff’s claims, and to approve payment from the Future Claims Trust. (ECF No. 14.) For the following reasons, the Court grants the Archdiocese’s unopposed motion, and approves the proposed settlement. See [Wood v. Archdiocese of Portland in Or.](#), 3:11-cv-1126-PK, 2012 WL 13055347, at *1 (D. Or. Dec. 31, 2012); [In re Claim of MDE](#), No. MC 08-9261, 2008 WL 5122454, at *1 (D. Or. Dec. 2, 2008).

On March 20, 2019, the parties participated in a mediation of their dispute, which resulted in an agreement providing for final settlement of Plaintiff’s claims. Under the settlement, Plaintiff will receive \$390,000 from the Future Claims Trust. Any payment from the Future Claims Trust must be approved by the Court pursuant to sections 6.4.5 and 11.8 of the Plan.

Section 11.8 of the Plan requires the Archdiocese to provide notice of any motion to approve a settlement subject to the Future Claims Trust to: all Tort Claimants having filed claims or a lawsuit asserting a claim (or having given written notice to the Reorganized Debtor in the case of future claims) whose claims have not been paid in full; the Future Claimants Representative; and the Known Tort Claims Trustee and Future Claims Trustee. A notified party has at least twenty days (plus an additional three days if notice is served by mail) to file objections to the proposed settlement.

On April 9, 2019, the Archdiocese served the required notice by mail on all the necessary parties. (ECF No. 14.) The period for filing objections to the parties’ proposed settlement expired

on May 2, 2019. No objections were filed. In the absence of objection by any interested party, the Court finds no reason to deny approval of the parties' proposed settlement.

CONCLUSION

For the reasons stated, the Court GRANTS the Archdiocese's unopposed motion to approve the settlement of Plaintiff's claims against the Archdiocese (ECF No. 14), approves the proposed settlement, and authorizes payment to Plaintiff in the amount of \$390,000 from the Future Claims Trust. The Court denies all pending motions, if any, as moot.

IT IS SO ORDERED.

DATED this 11th day of June, 2019.



STACIE F. BECKERMAN
United States Magistrate Judge