

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

Minute Entry

Hearing Information:

Debtor: ARQUIDIOCESIS DE SAN JUAN DE PUERTO RICO v. ACEVEDO et al
Case Number: 18-04911 EAG **Adv. Proceeding :** 18-00099-EAG **Chapter:** 11
Date / Time / Room: 09/07/2018 09:30 am
Bankruptcy Judge: EDWARD A. GODOY
Courtroom Clerk: YOLANDA DÍAZ
Reporter / ECR: EDNA SANABRIA

Matter:

PLAINTIFF'S APPLICATION FOR TEMPORARY RESTRAINING ORDER (#2)
PLAINTIFF'S URGENT MOTION TO SUPPLEMENT REQUEST FOR TEMPORARY
RESTRAINING ORDER (#289)

Appearances:

LUISA S VALLE CASTRO for DEBTOR/PLAINTIFF
CARMEN CONDE for DEBTOR/PLAINTIFF
ANTONIO BAUZA-SANTOS for DEFENDANTS
HERMANN D. BAUER-ALVAREZ for BANCO POPULAR DE PUERTO RICO

Minutes of Proceedings:

ORDER:

For the reasons stated in open court, taking into account the arguments raised by the attorneys for the plaintiff, the defendants, and Banco Popular de Puerto Rico, the court finds that the Arquidiocesis de San Juan de Puerto Rico (as per docket number 14 of the main bankruptcy case, also known as Iglesia Catolica Apostolica y Romana, Arquidiocesis de San Juan de Puerto Rico, Roman Catholic Church in Puerto Rico, Arzobispado de San Juan) is, for the purposes of this bankruptcy filing, the same “juristic personality” recognized as the “Roman Catholic Church of Porto [sic] Rico.” Ponce v. Roman Catholic Apostolic Church, 210 U.S. 296, 303, 28 S. Ct. 737, 739 (1908); see Acevedo Feliciano v. Iglesia Católica Apostólica y Romana, 2018 TSPR 106 at *18 (“Así, en la medida que las entidades creadas por la Iglesia Católica funjan como alter egos o entidades doing business as de ésta, sin someterse independientemente a un proceso ordinario de incorporación (como en su momento lo hizo la Academia Perpetuo Socorro) constituirán meras fragmentaciones indivisibles de la Iglesia Católica, sin personalidad jurídica propia.”); Diocese of Ponce, et al., v. Gonzalez, Civ. Case No. 18-1600 (D.P.R. 2018) (“the dioceses are indivisible fragments of the legal personality of the Roman Catholic Church in Puerto Rico, lacking legal or juridical personality unless formally incorporated.”).

As such, we agree with the conclusion reached by Judge Delgado-Hernández that the bankruptcy filing, and therefore the automatic stay, “benefits and protects against collection actions and asset attachments and seizures,” all the assets of the Roman Catholic Church of Puerto Rico, unless those assets are owned by fragments of the Church that are formally incorporated.

As the plaintiff itself concedes that the relief requested in the motion for temporary restraining order at docket number 2 is moot once the bankruptcy court concludes that its jurisdiction in this case extends to all of the assets and liabilities of the Roman Catholic Church of Puerto Rico, the relief requested in the motion for temporary restraining order is unnecessary and, therefore, the motion is denied, without prejudice, as moot.

At the request of Banco Popular de Puerto Rico, the court makes clear that this ruling and the protection of the automatic stay extends to all the parishes of the Roman Catholic Church of Puerto Rico, unless formally incorporated, even though their bank accounts may be in names and employer identification numbers different from those of the debtor.

The debtor in possession expressly authorizes that those persons appearing as signatories in the bank's records for the bank accounts in question are authorized to continue to transact business on those accounts.

The motion to dismiss filed in the main bankruptcy case at docket number 32 is withdrawn in open court by the movant.

/s/EDWARD A. GODOY
U. S. Bankruptcy Judge