

FILED

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U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

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Pro Se Fire Victim Claimant and Party to related proceedings before the California Public Utilities Commission

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION,

-and-

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

WILLIAM B. ABRAMS on behalf of
himself and all others similarly situated,

Pro Se Fire Victim Plaintiff,

v.

PG&E CORPORATION, PACIFIC GAS AND
ELECTRIC COMPANY,

Defendants.

Bankr. Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administrated)

Adversary Case No. 25-03027

ABRAMS DESIGNATION OF
RECORD AND STATEMENT OF
ISSUES ON APPEAL

Related to: [Dkt. 104, 108]

Appeal No. NC-25-1187 (for reference)

DESIGNATION OF RECORD

William B. Abrams, Pro Se Appellant designates the following items from Adversary Proceeding No. 25-03027 for the record on appeal:

Dkt. No.	Date	Brief Description of Document/Transcript
1	6/17/2025	Joinder and Motion to Certify Class of PG&E Fire Victims
4	6/30/2025	Order Regarding Initial Disclosures and Discovery
6	6/30/2025	Order Regarding William B. Abrams' Filing
7	7/8/2025	Amended Complaint
8	7/8/2025	Adversary Cover Sheet
12	7/9/2025	Motion to Transfer Proceeding to Another Judge
17	7/15/2025	Order and Recommendation Regarding Motion to Transfer
18	7/16/2025	Transmittal of Documents on Withdraw of Reference
19	7/17/2025	PG&E Motion to Stay Discovery
23	7/17/2025	PG&E FVT Motion to Stay Discovery
25	7/17/2025	Motion to Shorten Time
28	7/18/2025	Order on Motions to Stay Discovery
29-34, 37-46, 50-61, 64-68, 71-73, 79, 82, 88	7/16/2025 - 8/18/2025	Representative Sample PG&E Fire Victim Letters Submitted to the Court in Support of Abrams Adversary Case
35	7/21/2025	Motion to Stay Proceeding Pending Assignment of Counsel
47	7/21/2025	Notice of Dismissal of Certain Defendants
62	7/25/2025	Notice of Hearing on Motion to Stay Pending Counsel
74	8/5/2025	Brief Memorandum in Opposition to Motion to Stay
76	8/7/2025	PG&E Motion to Dismiss Adversary Proceeding
77	8/7/2025	Notice of Hearing on Motion to Dismiss
80	8/7/2025	Amended Notice of Hearing on Motion to Dismiss
81	8/7/2025	Amended Notice of Hearing on Motion to Dismiss
83	8/12/2025	Order Regarding Hearing on Motion to Dismiss
85	8/19/2025	Order Denying Motion to Stay Adversary Proceeding

89	8/21/2025	Transcript Regarding Hearing Held 8/19/2025
91	8/26/2025	Opposition to the Motion to Dismiss
96	9/2/2025	Reply in Support of Motion to Dismiss
97	9/5/2025	Order Regarding Hearing on September 9, 2025
102	9/11/2025	Transcript Regarding Hearing Held 9/9/2025
104	9/19/2025	Memorandum Decision Regarding Motion to Dismiss
105	9/19/2025	Order Dismissing Complaint Without Leave to Amend

William B. Abrams, Pro Se Appellant designates the following items from related Adversary Proceeding No. 25-03024 for the record on appeal (some designated for context because proceedings involve overlapping motions and orders cited in the appeal):

Dkt. No.	Date	Brief Description of Document/Transcript
3	5/22/2025	Order Regarding Initial Disclosures and Discovery
9	6/17/2025	Joinder and Motion to Certify Class of Fire Victims
11	6/18/2025	Order setting hearing on Joinder and Motion to Certify Class
15	6/23/2025	PG&E Motion to Dismiss Adversary Proceeding
19	6/24/2025	PG&E Motion to Stay Discovery
21	6/24/2025	Exparte Motion to Shorten Time for Hearing
23	6/24/2025	Order Approving Motion to Shorten Time
24	6/25/2025	Joint Objection and Reservation of Rights to Stay Discovery
31	7/1/2025	Transcript of Hearing Held on 6/27/2025
33	7/2/2025	Order Staying Discovery
35	7/17/2025	Order Setting Hearing on Joinder to Adversary Proceeding
63	8/21/2025	Transcript Regarding Hearing Held on 8/19/2025

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William B. Abrams, Pro Se Appellant designates the following items from related District Court Case 25-CV-06026-HSG for the record on appeal:

Dkt. No.	Date	Brief Description of Document/Transcript
1	7/17/2025	Withdrawal of the Bankruptcy Reference Upon Order
4	8/5/2025	Opposition to Motion to Transfer Adversary Proceeding
5	8/12/2025	Abrams Response to Opposition
6	8/24/2025	Emergency Motion to Stay Adversary Proceeding
8	8/25/2025	Emergency Motion to Shorten Time for Hearing
9	8/25/2025	PG&E Opposition to Motion to Shorten Time
10	8/26/2025	Order Denying Motion to Transfer Proceeding

William B. Abrams, Pro Se Appellant designates the following items from main United States Bankruptcy Case 19-30088(DM) incorporated by reference in Adversary Complaint and Appeal:

Dkt. No.	Date	Brief Description of Document/Transcript
8053	6/20/2020	Order Confirming Debtors Plan
8001	6/17/2020	Memorandum Decision Confirming Debtors Plan
7230	5/15/2020	Abrams Objection to Plan of Reorganization
8074	6/22/2020	Joint Statement of TCC, Grassgreen and Carlson
13260	11/17/2022	Motion Authorizing Recusal
13261	11/17/2022	Affidavit in Support of Motion Authorizing Recusal
13294	11/29/2022	Memorandum Regarding Motion for Recusal
13296	11/30/2022	Grassgreen and Carlson Response to Motion for Recusal
13326	12/8/2022	Order Denying Motion to Recuse
14811	6/30/2025	Order Regarding Abrams Filings
6151	3/6/2020	Abrams Objection to the Proposed Disclosure Statement
14799	6/24/2025	FVT Notice of Final Resolution of Assigned Claims
11005	8/2/2021	Motion to Enforce Disclosure Requirements
6268	3/12/2020	TCC Reservation of Rights Regarding Backstop Commitments

1	7283	5/15/2020	US Trustee's Objection to Plan Confirmation
2	13518	2/16/2023	Motion Designating Abrams Claim Supplement Timely
3	13594	3/8/2023	Trustee Response to Designate Claim Supplement Timely
4	13393	12/28/2022	Motion for Order Granting Baupost Claims Timely
5	14474	6/6/2024	Motion for Order Regarding Discovery for Trust Compliance
6	7974	6/16/2020	Motion to Reconsider the Registration Rights Agreement
7	7918	6/12/2020	Order Approving Registration Rights Agreement
8	7913	6/12/2020	Stipulation Regarding Registration Rights Agreement
9	12995	9/22/2022	Motion for Discovery Regarding Debtors' Obstruction of FVT
10	13106	10/21/2022	Order on Abrams Motion for Discovery
11	7999	6/17/2020	Motion to Shorten Time Regarding Registration Rights
12	14396	4/4/2024	Motion to Stay the Execution of the Victim Releases
13	10748	6/6/2021	Motion to Replace Trust Oversight Committee
14	14607	10/10/2024	Statement Regarding Fairness for Fire Victims
15	12440	5/23/2022	Motion for Order Regarding Fire Victim Trust Discovery
16	10715	5/26/2021	Motion for Reconsideration and to Replace the TOC
17	7950	6/15/2020	Objection to Equity Backstop Commitment
18	13714	5/10/2023	Objection to the Debtors Omnibus Motion
19	13755	5/19/2023	Motion for Reconsideration and Relief
20	13615	3/14/2023	Trostle Reply in Support of Abrams Motion
21	13374	12/19/2022	Statement of Abrams CUSIP Search Results
22	13378	12/21/2022	Supplemental Statement Regarding CUSIP Search Results
23	10497	4/5/2021	Motion Regarding Debtors Exchange Transaction
24	10517	4/12/2021	Objection to the Debtors Exchange Transaction
25	10598	4/29/2021	Order Granting Exchange Transaction
26	5174	12/19/2019	Order Approving the TCC Restructuring Support Agreement
27	6799	4/20/2020	Motion to Designate Improperly Solicited Votes
28	7401	5/18/2020	Order Denying Motion to Designate Improperly Solicited Votes
	14829, 14831, 14833, 14834, 14836-14840,	7/7/2025- 8/21/2025	Representative Sample of Letters to the Court from PG&E Fire Victims in Support of Abrams Adversary Actions

14844-14858, 14863-14883, 14888, 14894- 14898, 14906- 14914, 14918- 14926, 14943		
14948, 14942, 6258, 6265, 6267, 6335, 6371, 7177, 7784, 7710, 7701, 7665, 7637, 8110, 8670, 8719, 9307, 10596, 10597, 10743, 11071, 12954, 13645, 12495, 5740, 9752, 7984, 13774,	3/2020 to 9/2025	Transcripts from the Hearings on the Above Matters

STATEMENT OF ISSUES ON APPEAL

Appellant William B. Abrams, pro se, identifies the following issues to be presented on appeal:

1. **Judicial Bias, Pre-Judgement and Due Process Violations:** Whether the Bankruptcy Court erred by (1) failing to recuse or reassign itself, (2) by making statements that created a reasonable appearance of bias and/or pre-judgment, including remarks referencing special rights to judicial review for “not just two friends of mine” and suggesting dismissal was “inevitable” before Appellant’s opposition was filed, thereby depriving Appellant of a fair and impartial hearing under the Due Process Clause, (3) mischaracterization of Appellant’s motion to reassign as a withdrawal of reference, violated 28 U.S.C. § 455(a) and due process guarantees of impartial adjudication and (4) by dismissing fraud claims without discovery, evidentiary hearing, opportunity to present witness testimony or meaningful opportunity to litigate.

2. **Denial of Stay Pending Appointment or Retention of Counsel:** Whether the Bankruptcy Court abused its discretion by denying or failing to address Pro Se Appellant's request for a stay to obtain counsel, depriving Appellant of a fair opportunity to be heard in a complex adversary proceeding involving fraud, securities violations, and legal plan interpretation issues.
3. **Dismissal With Prejudice and Without Leave to Amend:** Whether the Bankruptcy Court erred by dismissing the adversary complaint with prejudice and without granting leave to amend, contrary to the liberal amendment policy of Fed. R. Civ. P. 15(a)(2).
4. **Plausibility and Rule 12(b)(6) Dismissal Standard:** Whether the Bankruptcy Court erred in concluding that Appellant's detailed allegations of fraud, misconduct, and post-confirmation violations were "not plausible" under Rule 12(b)(6), instead crediting affirmative defenses and PG&E's alternative explanations at the pleading stage, contrary to *Twombly*, *Iqbal*, and governing Ninth Circuit precedent.
5. **Particularity** - Whether the Bankruptcy Court erred in holding that Appellant failed to plead fraud with the particularity required by Fed. R. Civ. P. 9(b), where Appellant's adversary complaint alleged specific actors, misrepresentations, dates, and documents sufficient to give notice of the misconduct and without granting leave to amend, where Appellant, proceeding pro se, alleged detailed facts sufficient to meet the Rule 9(b) standard or, alternatively, to warrant amendment under Rule 15(a)(2).
6. **Res Judicata:** Whether the Bankruptcy Court misapplied res judicata and 11 U.S.C. §1144 where Appellant did not seek revocation of the Plan but prospective relief for fraud and ongoing misconduct. Also, whether the Bankruptcy Court erred in concluding that Appellant's present fraud and misconduct claims are barred by res judicata, on the grounds that such issues "could have been, or actually were, raised prior to confirmation" (citing Dkt. 7230), where Dkt. 7230 and related pre-confirmation filings asserted only plan-confirmation objections (not fraud) and where the alleged fraudulent acts and concealment occurred or became discoverable only after plan confirmation, making this Appellant's first opportunity to assert these claims.

- 1 7. **Statute of Limitations** - Whether the Bankruptcy Court erred in concluding that Appellant's
2 fraud, misconduct, and breach-of-contract claims were time-barred under California's four-
3 year statute of limitations (Cal. Code Civ. Proc. § 337), where the fraud and resulting injury
4 were not reasonably discoverable until the Fire Victim Trust and its Trustee recently
5 announced that victims would receive only a final distribution of ~1%, thereby revealing the
6 misrepresentations and concealment that underpinned the Plan negotiations, and where the
7 alleged misconduct involves ongoing and post-confirmation actions by PG&E and its
8 affiliates.
- 9 8. **Fraud and Willful Misconduct Carve-Out ("inartful drafting")**: Whether the Bankruptcy
10 Court erred in holding that the express fraud and willful-misconduct carve-out in Plan § 10.8
11 was merely "inartful drafting," and in declining to give effect to that provision as written,
12 where § 10.8 was a negotiated and relied-upon term ensuring that the Plan's exculpation and
13 channeling injunction would not shield PG&E or related parties from liability for fraud,
14 willful misconduct, or bad-faith acts, and where the court's interpretation effectively nullified
15 the carve-out and deprived victims of the protections they were promised and upon which
16 they relied.
- 17 9. **Finality**: Whether the Bankruptcy Court erred in holding that § 1141(a) and the Plan's
18 "finality" bar Appellant's claims, where Appellant's fraud and willful-misconduct claims are
19 expressly carved out under Plan § 10.8 and where the Plan has been enforced asymmetrically,
20 binding fire-victim claimants but not PG&E, its institutional investors, or the Fire Victim
21 Trust.
- 22 10. **Scope and Application of the Channeling Injunction**: Whether the Bankruptcy Court erred
23 in holding that the Plan's channeling injunction barred Appellant's fraud and willful-
24 misconduct claims, notwithstanding explicit carve-outs in Plan § 10.8 and allegations that
25 PG&E's post-confirmation conduct violated, rather than was protected by the injunction.
- 26 11. **Breach of the Covenant of Good Faith and Fair Dealing**: Whether the Bankruptcy Court
27 erred in finding PG&E fully satisfied its \$13.5 billion obligation under Plan § 4.26(a) where
28 half of the consideration was PG&E stock and the Plan was misrepresented as a "\$13.5 billion
 settlement" at the time of confirmation.

1 **12. Post-Confirmation Alteration of the Fire Victim Trust and Nondisclosures:**

2 Whether the Bankruptcy Court erred in dismissing Appellant's claim that PG&E and plan
3 proponents materially altered the Fire Victim Trust after confirmation and failed to disclose
4 known tax and structural implications of converting it into a grantor trust, by treating the
5 claim as a time-barred challenge to plan confirmation under 11 U.S.C. § 1144 rather than as a
6 distinct fraud and due-process violation under 11 U.S.C. § 1125(b), where the full impact of
7 the nondisclosure, including underpayment to victims, was not reasonably discoverable until
8 the Trustee's recent announcement of final distributions.

9 **13. Securities Fraud and Post-Confirmation Misconduct:** Whether the Bankruptcy Court
10 erred in concluding that Appellant failed to state any securities-violation theory of liability,
11 where the adversary complaint alleged that PG&E and its institutional investor affiliates
12 ("shareholder proponents") directed and financed litigation, inducements, and post-
13 confirmation incentives to victim attorneys and certain claimants to influence voting on the
14 Plan and to manipulate post-confirmation claim values and settlement terms, thereby violating
15 securities and disclosure laws and undermining the integrity of the Plan solicitation and
16 execution. Also, whether post-confirmation actions by PG&E and affiliates, including PG&E
17 Wildfire Recovery Funding LLC and the Sustainable Wildfire Fund, demonstrate a continuing
18 scheme undermining Fire Victim recovery, thereby sustaining subject-matter jurisdiction.

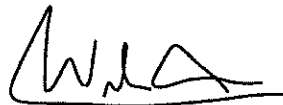
19 **14. Non-Debtor Releases:** Whether the Bankruptcy Court erred in granting PG&E's Motion to
20 Dismiss by holding that Appellant's challenge to unlawful non-debtor releases lacked merit,
21 where the complaint alleged that PG&E structured and benefitted from releases shielding non-
22 debtor actors, in violation of 11 U.S.C. § 524(e) and *Harrington v. Purdue Pharma L.P.*, 144
23 S. Ct. 2072 (2024).
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1 **15. Class Allegations:** Whether the Bankruptcy Court erred in dismissing Appellant's class
2 allegations at the pleading stage, contrary to Fed. R. Civ. P. 23 and Fed. R. Bankr. P. 7023,
3 which require a factual record and findings on typicality, adequacy, and commonality before
4 denying or striking class treatment.

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6 Dated: October 14, 2025
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10
11 Respectfully submitted,

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