

Dinah Lynn Bolton - #2373
20230 Fenelon Street
Detroit, MI 48234
313-893-3148
dinahtyus@sbcglobal.net

FILED
2016 JUN 21 A 11:42
U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

Clerk of the Court
United States Bankruptcy Court
211 W. Fort Street
Suite 2100
Detroit, MI 48226

June 20, 2016

RE: Request / Motion for Re-Consideration of the Order to Strike the Response Filed by Creditor Dinah Lynn Bolton to the Debtor's Forty-Fourth Omnibus Objection to Certain Claims - #2373 – Case No. 13-53846. (related document(s) [11231, 11230, 11255,11283, 11287, and 11288])

Dear United States Bankruptcy Court :

I would like to Request / Motion for Re-Consideration of the Order to Strike the Response Filed by Creditor Dinah Lynn Bolton to the Debtor's Forty-Fourth Omnibus Objection to Certain Claims - #2373 – Case No. 13-53846. (related document(s) [11231, 11230, 11255, 11283, 11287 and 11288])

I would like to ask for the mercy of the Court for re-consideration of its Order and for the Court to rescind its decision to strike and allow this Claim to continue to proceed.

I would like to declare that as stated in my claim for the amount of **\$49,793.19** the following is true:

The Creditor received the Notice of Deficient Filing from the Court on June 9, 2016.

By receiving the notice from the Court on June 9, 2016, this only provided the Creditor with five (5) days instead of the seven (7) the Court stated in the Notice. The Notice stated that "the corrected/ missing document must be filed with the Court within seven (7) days of this notice." The Creditor did not receive notice of the Court's Notice of Deficient Filing until June 9, 2016.

By receiving the notice from the Court on June 9, 2016, and it providing the Creditor with seven (7) days to respond back to the Court, this gave the Creditor until June 16, 2016 to provide a response back to the Court.

The Notice that was received by the Creditor was postmarked on June 7, 2016 with a time stamp of 17 L or 5 p.m. Thus it could not have arrived at the Creditor's residential address until after June 7, 2016 thus not providing the Creditor with seven (7) to respond back to the Court. (See Attachment)

The Creditor would like to mention that the postmark and U.S. Postage stamp are not consistent with each other. The Postmark states June 7, 2016 at 5 p.m. However the stamp states March 24, 2016. (See Attachment)

The Creditor would also like to mention that the postmark and U.S. Postage stamp are not consistent with the Court notice that was sent on June 15, 2016. (See Attachment)

The Creditor would like to respectfully state that the Court notice was not sent out in a timely manner for the Creditor to respond back in a timely manner.

Two notices were supplied to the Court and the Debtor. The notice entitled "Proof of Service of Document" did have the Response named as the document that was initially served to the Court and Debtor.

The Certificate of Service and the Proof of Service of Document, both, had the reference number of the case listed on them as reference for the Response from the Creditor.

The Corrected Notice was in fact mailed on June 13, 2016 by U. S. Postal mail and received by the Court and Debtor by June 16, 2016.

The purpose of the noticing requirements were upheld with the Proof of Service document that was filed although it had Bankruptcy Court of California at the bottom of it.

The Proof of Service of Document was attached to the Certificate of Service Notice that the Court stated was missing the name of the document, thus it provided the name of the documents (the Response) that was submitted to the Court and Debtor.

The Proof of Service notice that was submitted by email and fax on June 3, 2016 to the Debtor and that was received by the Court on June 6, 2016 had the name of the Response to the Forty-Fourth Omnibus with sufficient references in the subject line to put the Debtor on notice as to what the documents pertained to.

In this point of the litigation in the matter, non-acceptance of the Proof of Service and the corrected Proof of Service notice would unfairly harm the Creditor.

Non-acceptance of the Proof of Service and Corrected Notice would unjustly enrich the Debtor and harm the Creditor's livelihood.

No harm would result to the Debtor because the Hearing was adjourned until August 31, 2016 and the Debtor has ample time to argue its case.

The Creditor was notified of the hearing being adjourned before the corrected notice was due to the Court and Debtor.

By granting the motion of the rescheduling of the hearing, the Debtor (City of Detroit) had ample notice of the Creditor's Response and submission of the corrected notice.

Based on these arguments, the Certificate of Notice was received in a timely manner and the filing deficiencies were cured in a timely manner.

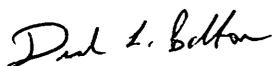
For these reasons the Creditor requests that this Honorable Court Re-consider its ruling and reverse its decision to strike the Creditor from the class action group.

For these reasons, the City of Detroit should not be allowed to disallow and / or expunge my claim.

I would like to request that I be excused from attendance to the hearing to be held on August 31, 2016, due to work assignments at the City of Detroit particularly during this time of transition in my Department.

Wherefore, for these proofs, the Creditor honorably requests that the Court re-consider its Order to Strike the Claim, and Pleading from the record, and re-instate it to the class action suit. (related document(s) [11230, 11231, 11255, 11283, 11287 and 11288])

Sincerely,



Dinah L. Bolton

cc: Marc N. Swanson, Miller, Canfield, Paddock and Stone, PLC

* Rec'd
6/19/16

UNITED STATES BANKRUPTCY COURT
Eastern District of Michigan
211 West Fort Street
Detroit, MI 48226

Case No.: 13-53846-tjt
Chapter: 9

In Re: (NAME OF DEBTOR(S))

City of Detroit, Michigan
2 Woodward Avenue
Suite 1126
Detroit, MI 48226

Social Security No.:

Employer's Tax I.D. No.:
38-6004606

NOTICE OF DEFICIENT FILING

It has been determined that the following document(s) are Missing and/or Non-Compliant:

Proof of Service is Non-Compliant (incomplete and not on a correct form.) (RE: related document(s) [11230] Response to Debtor's Forty-Fourth Omnibus Objection To Certain Claims (No Basis) with Certificate of Service filed by Creditor Dinah Lynn Bolton). See below for important deadline information.

is defective as indicated:

- Acceptable List of Creditors Missing
- Acceptable List of Creditors Not Uploaded
- Amended Document Missing or Non-Compliant (To be filed with Cover Sheet for Amendments in its entirety as one PDF)
- Application to Have the Chapter 7 Filing Fee Waived Missing or Non-Compliant
- Bankruptcy Petition Cover Sheet Missing or Non-Compliant
- Bankruptcy Matter Civil Case Cover Sheet Missing
- Brief Missing
- Certificate of Exigent Circumstances-Credit Counseling Waiver Missing
- Cover Sheet for Amendments to Schedules and or Statements Missing or Non-Compliant (To be filed with corrected document in its entirety as one PDF)
- Electronic Signature does not match login
- Electronic Signature Missing or Incorrect Format ECF Procedure 11 (d)(1)
- List of 20 Largest Unsecured Creditors Missing
- Motion for Approval of Certificate of Exigent Circumstances (109)(h)(3)(A) Missing
- Motion to Convert under 11 USC 706(a)(Rule 9013) Missing
- Motion to Excuse Credit Counseling (109)(h)(4) Missing
- Notice of Objection to Claim Missing or Non-Compliant
- Notice of Special Appearance (LBR 9010-1(c)) Missing or Non-Compliant
- Notice to Respondent Missing or Non-Compliant
- Original Signature Missing or Non-Compliant

- Petition Non-Compliant (To be filed in its entirety)
- Proof of Service Missing or Non-Compliant
- Proposed Order Missing
- Statement of Attorney for Debtors 2016b LBR 9010-1c Missing or Non-Compliant
- Statement of Corporate Ownership Missing
- Statement of Petition Preparer Pursuant to F.R.Bankr.P.2016 (c) Missing

A corrected/missing document must be filed with the court within seven (7) days of this notice. If not corrected, the case may be dismissed or an order striking the document from the record may be entered by the Court. The new document filed should be identified as "**CORRECTED**".

Dated: 6/7/16

BY THE COURT

Katherine B. Gullo , Clerk of Court
U.S. Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN
RE:

Case No: 13-53846

Chapter: 9

City of Detroit, Debtor

CERTIFICATE OF SERVICE

I hereby certify that on the **June 3, 2016**, (date of mailing), I served
copies as follows: (By Mail, by Email and Fax)

1. Document(s) served:
2. Served upon [name and address of each person served]:

Marc N. Swanson, Miller, Canfield, Paddock and Stone, PLC
150 West Jefferson, Suite 2500, Detroit, MI 48226

Charles N. Raimi, City of Detroit, 2 Woodward Avenue, Suite 500, Coleman A.
Young Municipal Center, Detroit, MI 48226.

3. By First Class Mail.

Dated: 6/3/16

Dinah L. Bolton
(Signature)

Print Name: Dinah L. Bolton

FILED (I)
2016 JUN -6 P 1:19
U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Dinah Lynn (Tyus) Bolton, 20230 Fenelon Street, Detroit, MI 48234

A true and correct copy of the foregoing document entitled (*specify*): Responsee Filed by Creditor Dinah Lynn Bolton to Debtor's Forty-Fourth Omnibus Objection to Certain Claims - #2373 - Case No. 13-53846

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 6/3/16, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6/3/16
Date

Dinah L. Bolton
Printed Name

DL L. Bolton
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

June 2012

F 9013-3.1.PROOF.SERVICE

13-53846-tjt Doc 11230 Filed 06/06/16 Entered 06/06/16 13:34:30 Page 4 of 37

13-53846-tjt Doc 11304 Filed 06/22/16 Entered 06/22/16 11:55:46 Page 7 of 17

Message Id: 5751E261.B52 : 127 : 3586
Subject: Forty Fourth Omnibus
Created By: dbolton@detroitmi.gov
Scheduled Date:
Creation Date: 6/3/2016 4:02 PM
From: Dinah Bolton

Recipients:

Recipient	Action	Date & Time	Comment
CODPO2.LYN	Delivered	6/3/2016 4:02 PM	
To: Charles Raimi(RaimiC@detroitmi.gov)			
millercanfield.com	Transferred	6/3/2016 4:02 PM	
To: swansonm@millercanfield.com(swansonm@millercanfield.com)			
To: willems@millercanfield.com(willems@millercanfield.com)			
sbcglobal.net	Transferred	6/3/2016 4:02 PM	
BC: Dinah Bolton(dinahtyus@sbcglobal.net)			

Post Offices

Post Office	Delivered	Route
CODPO2.LYN	6/3/2016 4:02 PM	detroitmi.gov
millercanfield.com		millercanfield.com
sbcglobal.net		sbcglobal.net

Files

File	Size	Date & Time
MAIL		
MESSAGE	922 Bytes	6/3/2016 4:02 PM
TEXT.htm	1 KB (1108 Bytes)	6/3/2016 4:02 PM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply Requested By: None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id: 5751AA21.LYN.CODPO1.100.1677062.1.8C41.1
Common Record Id: 5751AA21.LYN.CODPO1.200.200007F.1.E125C.1

OFFICE OF THE BANKRUPTCY CLERK
UNITED STATES BANKRUPTCY COURT
211 W. FORT ST., SUITE 2100
DETROIT, MICHIGAN 48226-3211

OFFICIAL BUSINESS

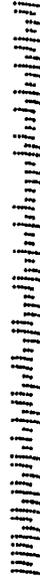
RETURN TO SENDER
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



010110505140
\$00.480
08/24/2016
Mailed From 40226
US POSTAGE

Dinah Lynn Bolton
20230 Fenelon Street
Detroit, MI 48234

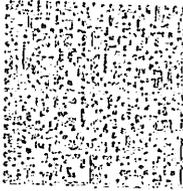
48234-220730



OFFICE OF THE BANKRUPTCY CLERK
UNITED STATES BANKRUPTCY COURT
211 W. FORT ST., SUITE 2100
DETROIT, MICHIGAN 48226-3211

OFFICIAL BUSINESS

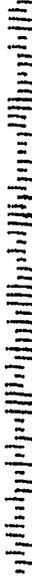
WEYBROOK, MI 48301
15 JUN '15
PM 6 L



018110505140
\$00.425
06/15/2015
Paid from 49226
US POSTAGE

Dinah Lynn Bolton
20230 Fenelon Street
Detroit, MI 48234

48234-220730



UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN
RE:

Case No: 13-53846

Chapter: 9

City of Detroit, Debtor

CERTIFICATE OF SERVICE

I hereby certify that on the **June 3, 2016**, (date of mailing), I served
copies as follows: (By Mail, by Email and Fax)

1. Document(s) served: **Response Filed by Creditor Dinah Lynn Bolton to Debtor's Forty-Fourth Omnibus Objection to Certain Claims - #2373 – Case No. 13-53846 – with Attachments**

2. Served upon [name and address of each person served]:

Marc N. Swanson, Miller, Canfield, Paddock and Stone, PLC
150 West Jefferson, Suite 2500, Detroit, MI 48226

Charles N. Raimi, City of Detroit, 2 Woodward Avenue, Suite 500, Coleman A. Young Municipal Center, Detroit, MI 48226.

3. By First Class Mail.

Dated: 6/12/16

Dinah L. Bolton

(Signature)

Print Name: Dinah L Bolton

Consented

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Dinah Lynn (Tyus) Bolton, 20230 Fenelon Street, Detroit, MI 48234

A true and correct copy of the foregoing document entitled (*specify*): Response Filed by Creditor Dinah Lynn Bolton to Debtor's Forty-Fourth Omnibus Objection to Certain Claims - #2373 - Case No. 13-53846 - with Attachments

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) 6/3/16, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served)**: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 6/3/16, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6/12/16 Dinah L Bolton
Date Printed Name

Dinah L Bolton
Signature

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER GRANTING CITY OF DETROIT'S *EX PARTE* MOTION FOR AN
ORDER ADJOURNING HEARING ON CERTAIN RESPONSES FILED TO
THE CITY'S FORTY-FOURTH AND FORTY-FIFTH
OMNIBUS OBJECTIONS TO CLAIMS**

This case is before the Court on the *City of Detroit's Ex Parte Motion for an Order Adjourning Hearing on Certain Responses Filed to the City's Forty-Fourth and Forty-Fifth Omnibus Objections to Claims* (Docket # 11255, the "*Ex Parte Motion*"). The Court, having reviewed the *Ex Parte Motion* and having found that notice of the *Ex Parte Motion* was sufficient under the circumstances; having determined after due deliberation that the relief requested in the *Ex Parte Motion* is in the best interests of the Debtor and its creditors; and good and sufficient cause having been shown;

IT IS ORDERED THAT:

1. The *Ex Parte Motion* is granted.
2. To the extent that the responses filed by the following individuals (collectively, the "Grant Claimants") are not stricken for uncured filing

deficiencies, the hearing on those responses, currently set for June 15, 2016 at 1:30 p.m., is adjourned to August 31, 2016 at 1:30 pm.:

Dinah L. Bolton	Gerhard Eady	Marlene Y. Robinson
Gueelma Brown	Jacqueline M. Jackson	Anthony Derrick Smith
Fern Clement	George A. Kaw	Hope Strange
Stephanie Crews	Kim McCoy	Randall Thomas
Brenda L. Davis	Sandra O'Neal	Ranna K. Trivedi
Michelle Duff	Diane L. Onuigbo	Darrell S. Carrington
Warren T. Duncan	Diana Lynn Patillo	

3. The City must serve this Order on the Grant Claimants in such a fashion that the Order is actually received by the Employee Obligation Claimants no later than Monday, June 13, 2016.

Signed on June 10, 2016

s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge

MIME-Version:1.0

From:mieb_ecfadmin@mieb.uscourts.gov

To:mieb_ecfadmin@localhost.localdomain

Bcc: USTPRegion09.DE.ECF@usdoj.gov, Annie_Delduca@mieb.uscourts.gov, debby_jgadhara@mcdonaldhopkins.com, jgastelum@honigman.com, jhb_ecf@osbig.com, j

Message-Id:<47983527@mieb.uscourts.gov>

Subject:13-53846-tjt

"Striking Document" Ch 9 Content-Type: text/html

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U.S. Bankruptcy Court

Eastern District of Michigan

Notice of Electronic Filing

The following transaction was received from Sikula, Christine entered on 6/15/2016 at 12:44 PM EDT and filed on 6/15/2016

Case Name: City of Detroit, Michigan

Case Number: 13-53846-tjt

Document Number: 11283

Docket Text:

Order of the Court to Strike: This pleading is stricken from the record because of the failure to comply with the Notice of Deficient Pleading entered on 6/7/2016 (Docket # 11231) (related document [11230] Response filed by Creditor Dinah Lynn Bolton to Debtor's Forty-Fourth Omnibus Objection to Certain Claims (No Basis)). So Ordered by /s/ Judge Thomas J. Tucker. (RE: related document(s)[11230] Response filed by Creditor Dinah Lynn Bolton) (Sikula, Christine)

This Notice of Electronic Filing is the Official ORDER for this entry. No ORDER is attached.

The following document(s) are associated with this transaction:

MIME-Version:1.0

From:mieb_ecfadmin@mieb.uscourts.gov

To:mieb_ecfadmin@localhost.localdomain

Bcc: USTPRegion09.DE.ECF@usdoj.gov, Annie_Delduca@mieb.uscourts.gov, debby.jgastelum@honigman.com, jhb_ecf@osbig.com, jkopp@foley.com, jmiller@jaffel

Message-Id:<47991684@mieb.uscourts.gov>

Subject:13-53846-tjt

"Striking Document" Ch 9 Content-Type: text/html

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U.S. Bankruptcy Court

Eastern District of Michigan

Notice of Electronic Filing

The following transaction was received from Sikula, Christine entered on 6/16/2016 at 10:12 AM EDT and filed on 6/16/2016

Case Name: City of Detroit, Michigan

Case Number: 13-53846-tjt

Document Number: 11288

Docket Text:

Order of the Court to Strike: This pleading is stricken from the record because it has been linked to a pleading that is stricken from the record (related document [11287] Corrected Certificate of Service filed by Creditor Dinah Lynn Bolton). So Ordered by /s/ Judge Thomas J. Tucker.(RE: related document(s)[11287] Corrected Certificate of Service filed by Creditor Dinah Lynn Bolton) (Sikula, Christine)

This Notice of Electronic Filing is the Official ORDER for this entry. No ORDER is attached.

The following document(s) are associated with this transaction:



UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN
RE:

Case No: 13-53846

Chapter: 9

City of Detroit, Debtor

CERTIFICATE OF SERVICE

I hereby certify that on the **June 20, 2016**, (date of mailing), I served
copies as follows: (By Mail, by Email and Fax)

1. Document(s) served:

**Request / Motion for Re-Consideration of the Order to Strike the Response Filed by
Creditor Dinah Lynn Bolton to the Debtor's Forty-Fourth Omnibus Objection to Certain
Claims - #2373 – Case No. 13-53846. (related document(s) [11231, 11230, 11255,11283,
11287, and 11288])**

2. Served upon [name and address of each person served]:

Marc N. Swanson, Miller, Canfield, Paddock and Stone, PLC
150 West Jefferson, Suite 2500, Detroit, MI 48226

3. By First Class Mail.

Dated: 6/20/16

Dinah L. Bolton
(Signature)

Print Name: Dinah L. Bolton