

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

IN RE:

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9
Case No. 13-53846-tjt
Honorable Thomas J. Tucker

**CITY OF DETROIT WATER AND SEWERAGE DEPARTMENT'S
MOTION TO ADJOURN HEARING ON ITS OBJECTION TO CLAIM
NUMBER 3451 FILED BY KIM SPICER**

The City of Detroit Water and Sewerage Department (“DWSD”), through its counsel, Kilpatrick & Associates, P.C., files this Motion to adjourn the hearing on DWSD’s Objection to Claim Number 3451 filed by Kim Spicer, currently scheduled for July 22 at 1:30pm, and in support of its Motion respectfully states as follows:

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue for this matter is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.
2. This matter came before the court on April 8, 2015, when the Court, after a hearing, required DWSD and Kim Spicer to file supplemental briefs, and a further hearing was scheduled for June 3, 2015. (Docket #9650)

3. The Court reviewed the briefs filed by the parties and ordered an adjournment of the June 3 hearing, so that the parties could specifically address certain issues raised by the Court in its Order Adjourning the June 3 Hearing. (Docket #9917).
4. In that Order, The Court set the date for the adjourned Hearing for July 22, 2015 at 1:30pm.
5. Richardo I. Kilpatrick of Kilpatrick & Associates, P.C. is the attorney of record in this matter for the DWSD.
6. Mr. Kilpatrick unfortunately is committed elsewhere on July 22 and will be unable to attend the scheduled hearing or a hearing on August 26, 2015.
7. Mr. Kilpatrick is the only attorney at Kilpatrick & Associates, P.C. with the necessary knowledge, skill, and experience in this matter, as well as the City of Detroit bankruptcy in general, to effectively represent DWSD at the Hearing.
8. Pursuant to Local Rule 5071-1, he has attached his Affidavit in support of this motion.
9. Through this motion the movant seeks an adjournment of the July 22 hearing date to September 30, 2015 or another date scheduled by this Court.

10. On June 24, 2014, the DWSD, through counsel, sought claimant Kim Spicer's concurrence in the relief sought in this Motion in accordance with L.B.R. 9014-1(g) and was unable to reach Kim Spicer.

Relief Requested

11. City of Detroit Water and Sewerage Department respectfully requests the entry of an Order adjourning the Hearing on this matter to September 30, 2015, or another date as scheduled by this Court.

Respectfully Submitted,

KILPATRICK & ASSOCIATES, P.C.

/s/ Richardo I. Kilpatrick
RICHARDO I. KILPATRICK (P35275)
Attorney for the City of Detroit
Water and Sewerage Department
903 N. Opdyke Rd., Ste. C
Auburn Hills, MI 48326
(248) 377-0700
ecf@kaalaw.com

Dated: June 26, 2015

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

IN RE:

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9
Case No. 13-53846-tjt
Honorable Thomas J. Tucker

**ORDER GRANTING DETROIT WATER AND SEWERAGE
DEPARTMENT'S MOTION TO ADJOURN HEARING ON ITS
OBJECTION TO CLAIM NUMBER 3451 FILED BY KIM SPICER**

_____ /

This matter having come before the Court on Detroit Water and Sewerage Department's Motion to Adjourn Hearing on its Objection to Claim Number 3451 filed by Kim Spicer; Notice of the Motion having been served pursuant to Fed. R. Bankr. P. 2002 and L.B.R. 9014-1 (E.D.M.); no objections having been filed thereto, or if filed, having been resolved; and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the Detroit Water and Sewerage Department's Motion to Adjourn Hearing on DWSD's Objection to Claim Number 3451 filed by Kim Spicer is GRANTED;

IT IS FURTHER ORDERED that the Hearing on Detroit Water and Sewerage Department's Objection to Claim Number 3451 filed by Kim Spicer is adjourned to:

September 30, 2015 at 1:30pm.

_____, 2015 at _____

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

IN RE:

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846-tjt

Honorable Thomas J. Tucker

**NOTICE OF CITY OF DETROIT WATER AND SEWERAGE
DEPARTMENT'S MOTION TO ADJOURN HEARING ON ITS
OBJECTION TO CLAIM NUMBER 3451 FILED BY KIM SPICER**

PLEASE TAKE NOTICE THAT the City of Detroit Water and Sewerage Department, by and through its undersigned counsel, has filed a Motion to Adjourn the Hearing on its Objection to Claim Number 3451 filed by Kim Spicer.

If you do not want the Court to grant the relief requested, **within 14 days**, you or your attorney must:

1. File with the Court, at the address below, a written response to the Motion. Unless a written response is filed and served by the date specified, the Court may decide that you do not oppose the Motion.

Clerk of the Court
U.S. Bankruptcy Court
211 W. Fort St., Ste 2100
Detroit, Mi 48226

2. A copy of your response must also be mailed to counsel for the City of Detroit Water and Sewerage Department:

Richardo I. Kilpatrick
Kilpatrick & Associates, P.C.
615 Griswold, Ste. 1305

Detroit, MI 48226-3985

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief requested in the Motion and may enter and order granting that relief.

KILPATRICK & ASSOCIATES, P.C.

/s/ Richardo I. Kilpatrick
RICHARDO I. KILPATRICK (P35275)
LUKE A. HENNINGS (P73277)
Attorneys for the Chapter 7 Trustee,
Charles L. Wells, III
903 N. Opdyke Rd., Ste. C
Auburn Hills, Michigan 48326
(248) 377-0700
ecf@kaalaw.com

Dated: June 26, 2014

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

IN RE:

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_____ /

AFFIDAVIT OF RICHARDO I. KILPATRICK

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, Richardo I. Kilpatrick, Principal Attorney at Kilpatrick & Associates, P.C.,
being duly sworn, deposes and states, that if called to testify regarding this matter,
I will testify as follows:

1. I am the President of the Law Firm of Kilpatrick & Associates, P.C.
("Firm").
2. I am the lead attorney for Detroit Water and Sewerage Department in the
City of Detroit Bankruptcy case (13-53846-tjt).
3. I am currently the only attorney at the firm with the necessary knowledge
and background in this matter to be able to effectively represent Detroit Water and

Sewerage Department at the Hearing currently scheduled for July 22, 2015 at 1:30pm.

4. I would be unable to attend the hearing on July 22, 2015, or a hearing on August 26, 2015 due to prior commitments.

FURTHER, DEPONENT SAYETH NOT.

DATE: July 1, 2015

/s/ Richardo I. Kilpatrick
RICHARDO I. KILPATRICK

Subscribed and sworn to before
me this 1st day of July, 2015

/s/ Bianca Asmar
Bianca Asmar, Notary Public
Oakland County, Michigan

My Commission expires: 11/03/2020