

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

In re:	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	

EX PARTE MOTION OF NATIONAL PUBLIC FINANCE GUARANTEE CORPORATION FOR ENTRY OF AN ORDER AUTHORIZING IT TO FILE AN OBJECTION IN EXCESS OF PAGE LIMIT

National Public Finance Guarantee Corporation (“National”), a creditor and party in interest in the above-captioned case, hereby moves the Court (the “Motion”), for the entry of an order authorizing National to file an objection (the “Objection”) to the Fourth Amended Plan for the Adjustment of Debts of the City of Detroit [Doc. No. 4392] (the “Plan”), in excess of the page limits imposed by Local Bankruptcy Rule 9014-1(e) (20 pages) and Local Rule 7.1(d)(3) (25 pages), to the extent these page limits apply to the Objection. In support of this Motion, National states as follows:

1. On February 21, 2014, the City filed its initial version of the Plan [Doc. No. 2708] with subsequent versions filed on March 31, 2014, April 16, 2014, and April 25, 2014 [Doc. Nos. 3380, 4140, and 4271, respectively]. On May 5, 2014, the City filed the Plan along with most, but not all, of the Plan exhibits.

2. Local Rule 7.1(d)(3)(A), arguably made applicable in this case by Local Bankruptcy Rule 9029-1(a), states that an objection may not exceed 25 pages.¹ The Order Establishing Motion Procedure [Doc. No. 283] states that parties shall comply with Local Bankruptcy Rule 9014-1, which arguably imposes the 20-page limit for the objections, specifically listed in Local Bankruptcy Rule 9014-1, to all objections filed in this case. Out of an abundance of caution, National submits that authority to exceed the page limitations prescribed by both rules in connection with the Objection is reasonable and appropriate under the circumstances.

3. Evaluating whether a plan is confirmable is generally a complicated endeavor. The City's bankruptcy is unprecedented and, as a result of the magnitude of this case, the Plan requires extensive and thoughtful scrutiny.

4. Whether the Plan is confirmable raises numerous legal issues, some of which will involve matters of first impression. Combined, the Plan and exhibits exceed 300 pages. Due to the length and complexity of the Plan, National requires more than 25 pages to respond meaningfully. The Objection, not including the table of contents, table of authorities, and exhibits, is 52 pages. Although National has made the Objection as succinct as possible under the circumstances, National

¹ Local Bankruptcy Rule 9029-1(a) incorporates "any applicable Local Rules of the United States District Court for the Eastern District of Michigan," which may be read to incorporate all Local Rules or only those specifically mentioned.

cannot provide the Court with the information necessary for the full and fair adjudication of the matters presented within the 25 page limit.

WHEREFORE, National respectfully requests that the Court enter an order substantially in the form attached hereto as Exhibit 1: (a) granting the relief sought herein; and (b) granting such other and further relief to National as the court deems just and proper.

Respectfully submitted by,

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*Counsel for National Public Finance
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Dated: May 12, 2014

SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Bankruptcy Rule 9014-1(b):

Exhibit 1 – Proposed Form of Order

Exhibit 2 – None [Motion Seeks *Ex Parte* Relief]

Exhibit 3 – None [Brief Not Required]

Exhibit 4 – None [Motion Seeks *Ex Parte* Relief]

Exhibit 5 – None [No Affidavits Filed Specific to This Motion]

Exhibit 6 – None [No Documentary Exhibits Filed Specific to This Motion]

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
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In re:

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: Chapter 9

CITY OF DETROIT, MICHIGAN,

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Debtor.

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: Hon. Steven W. Rhodes
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**ORDER AUTHORIZING NATIONAL TO FILE
AN OBJECTION IN EXCESS OF PAGE LIMITS**

This matter coming before the Court on the *Ex Parte* Motion of National Public Finance Guarantee Corporation For Entry of an Order Authorizing It to File an Objection in Excess of Page Limit (the “Motion”), filed by National Public Finance Guarantee Corporation (“National”); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. National is granted relief from the page limit for responses set forth in Local Bankruptcy Rule 9014-1(e) and Local Rule 7.1(d)(3)(A) and may file its Objection to Fourth Amended Plan for the Adjustment of Debts of the City of Detroit in excess of 25 pages.