

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

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

**EX PARTE MOTION OF THE OFFICIAL COMMITTEE OF RETIREES
FOR AN ORDER PURSUANT TO FEDERAL RULE OF BANKRUPTCY
PROCEDURE 9006 AND LOCAL RULE 9006-1 ENLARGING TIME TO
FILE PRE-TRIAL BRIEF IN SUPPORT OF CONFIRMATION**

The Official Committee of Retirees (the “Committee”) hereby moves the Court, through its undersigned counsel, for entry of an order pursuant to Federal Rule of Bankruptcy Procedure 9006(b) and Local Rule 9006-1(b) enlarging the time for the Committee to file a pre-trial brief. At approximately 11:45 pm (EDT) on August 27, 2014, just before transmitting its pre-trial brief via the ECF system, the Committee’s brief failed on the electronic system of Dentons US LLP and had not been recovered by the firm’s Information Technology department by 12:00 am (EDT) on August 28, 2014. Attached as **Exhibit 6** is a copy of an e-mail from Claude Montgomery to Heather Lennox, counsel for the City, seeking consent of the Debtor to this Motion. As of the filing of this Motion, no consent was received.

RELIEF REQUESTED

WHEREFORE, the Committee respectfully requests that this Court (i) enter an order substantially in the form attached hereto as **Exhibit 1**, granting the relief sought herein; and (ii) grant such other and further relief to the Committee as the Court may deem proper.

Dated: August 28, 2014

Respectfully submitted,

By: /s/ Claude D. Montgomery

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Attorneys for the Official Committee of Retirees of the City of Detroit, Michigan

CERTIFICATE OF SERVICE

I, Claude D. Montgomery, hereby certify that the foregoing document was filed and served via the Court's electronic case filing and noticing system on August 28, 2014.

By: /s/ Claude D. Montgomery
Claude D. Montgomery

Exhibit 1

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

-----	x:
	:
In re	: Chapter 9
	:
City of Detroit, Michigan,	: Case No. 13-53846
	:
Debtor.	: Hon. Steven W. Rhodes
	:
-----	x

**EX PARTE ORDER ENLARGING THE TIME FOR THE OFFICIAL COMMITTEE
OF RETIREES TO FILE PRE-TRIAL BRIEF**

This matter coming before the Court on the *ex parte* motion (the “Motion”) of the Official Committee of Retirees (the “Committee”) for an order enlarging the time for it to file a Pre-Trial Brief in Support of Confirmation;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Committee may file its Pre-Trial Brief after 12:00am (EDT) on August 28, 2014.

Dated: August __, 2014

Steven Rhodes
United States Bankruptcy Judge

Exhibit 6

Medina, George L.

From: Montgomery, Claude D.
Sent: Thursday, August 28, 2014 12:05 AM
To: Medina, George L.
Subject: Fwd: Document Crash
Attachments: image001.png

Please excuse typos.
Sent from my iPhone

Begin forwarded message:

From: "Montgomery, Claude D." <claude.montgomery@dentons.com>
Date: August 28, 2014 at 12:01:12 AM EDT
To: 'Heather Lennox' <hlennox@JonesDay.com>, "Thomas F. Cullen (tfcullen@JonesDay.com)" <tfcullen@JonesDay.com>, "Geoffrey Stewart (gstewart@JonesDay.com)" <gstewart@JonesDay.com>, "gshumaker@jonesday.com" <gshumaker@jonesday.com>
Cc: "Alberts, Sam J." <sam.alberts@dentons.com>, "Barnowski, Dan" <dan.barnowski@dentons.com>, "Neville, Carole" <carole.neville@dentons.com>
Subject: Document Crash

All:

Our document crashed at 11:45pm. Can we have your consent to file our breif in support for confirmation out of time?



Claude D. Montgomery

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Bio | Website

Dentons US LLP

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