

**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

Order Vacating Order to Show Cause

On August 28, 2014 the Court entered an Order Granting in Part Motion to Strike and Order to Show Cause Why Sanctions Should Not Be Imposed Under Bankruptcy Rule 9011 and 28 U.S.C. § 1927. (Dkt. #7180) (the “Order”) The Order struck Section I.A. of Syncora’s Second Supplemental Objection to the City’s plan of adjustment (the “Objection”) because it was scandalous and defamatory toward Chief Judge Rosen and toward Eugene Driker and his wife. The Order also directed Syncora and its attorneys to show cause why sanctions should not be imposed for filing that Objection.

On September 1, 2014, in an Amended Second Supplemental Objection, Syncora and Kirkland & Ellis apologized to Mr. and Mrs. Driker:

Syncora and its counsel, Kirkland & Ellis LLP, also want to use this opportunity to acknowledge explicitly that the original Second Supplemental Objection should not have said or implied that Mediator Gene Driker had at any time failed to disclose his wife’s position with the Detroit Institute of Arts. This was a mistake: Judge Rosen circulated information last September disclosing Mrs. Driker’s association with the Detroit Institute of Arts. We were wrong. While we have already privately conveyed our apologies to the Drikers, the public nature of the mistaken claim demands both a public withdrawal of that claim and, just as importantly, a public apology. We are deeply sorry for the mistake we made and for any unfounded aspersions it may have cast on the Drikers.

Syncora’s Amended Second Supplemental Objection, at 1. (Dkt. #7213)

