

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:  
CITY OF DETROIT, MICHIGAN.

Chapter 9  
No. 13-53846

Debtor.

HON. STEVEN W. RHODES

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**EX PARTE MOTION OF THE STATE OF MICHIGAN  
FOR LEAVE TO FILE A SUPPLEMENTAL RESPONSE TO THE  
ELIGIBILITY OBJECTIONS RAISING ONLY LEGAL ISSUES**

In its initial response, the State of Michigan did not address whether Michigan's Pension Clause would prevent this Court from confirming a plan of adjustment that would impair unfunded pension obligations. The State did not address that issue because this Court's order expressly directed the parties not to: "the Court will not consider the issue of the treatment of pension rights when considering the eligibility objection in paragraph 9." (Doc. # 642, 8/26/13 Order, at 6.)

The Court's amended order reverses that directive. It expressly abrogates the restriction against addressing the issue of unfunded pension obligations. (Doc. # 821, 9/12/13, at 6.)

Accordingly, the State respectfully moves for leave to file, on or before October 4, 2013, a supplemental response to address this issue, given that the Court has now provided new guidance suggesting the issue may be relevant to the eligibility determination.

Respectfully submitted,

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**CERTIFICATE OF SERVICE (E-FILE)**

I hereby certify that on September 20, 2013, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

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