

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

In re:

City of Detroit, Michigan,

Debtor.

Case Number 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER RESOLVING FRAZIER CUNNINGHAM'S MOTION TO
EXCLUDE CLAIM BY CITIZEN AGAINST DETROIT POLICE OFFICER
FOR INTENTIONAL ACT/CIVIL RIGHTS VIOLATION FROM
DETROIT'S BANKRUPTCY AND TO ALLOW THE CASE TO PROCEED
IN THE WAYNE COUNTY (MICHIGAN) CIRCUIT COURT**

This case is before the Court on (a) the *Motion to Exclude Claim by Citizen Against Detroit Police Officer for Intentional Act/Civil Rights Violation from Detroit's Bankruptcy and to Allow the Case to Proceed in the Wayne County (Michigan) Circuit Court* (Docket # 9949, the "Motion") filed by Frazier Cunningham (the "Claimant"); and (b) the stipulation (Docket # 9998, the "Stipulation") filed by the Claimant and the City of Detroit (the "City") to resolve the Motion. The Court having reviewed the Motion and the Stipulation, and determining that there is just cause for the relief granted herein;

IT IS ORDERED THAT:

1. The Motion is RESOLVED as set forth herein.
2. The Claimant's case, Case Number 14-011964CZ, filed on September 17, 2014, and currently pending in the Wayne County Circuit Court (the "Case"), may proceed against Detroit Police Officer George Alam ("Officer Alam"), solely in Officer Alam's individual capacity and not in his capacity as a police officer of the City.
3. Claimant may not (a) pursue any claim or seek any other legal or equitable relief against the City, whether in the Case or otherwise, or (b) attempt to hold the City liable or

otherwise responsible for, or seek to enforce or collect against the City in any civil lawsuit or other action, any order or judgment Claimant may obtain against Officer Alam in the Case.

4. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

Signed on June 29, 2015

/s/ **Thomas J. Tucker**
Thomas J. Tucker
United States Bankruptcy Judge