UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

In re:

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Judge Thomas J. Tucker

ORDER GRANTING MOTION OF THE GENERAL RETIREMENT SYSTEM OF THE CITY OF DETROIT TO APPROVE IMPLEMENTATION OF ASF RECOUPMENT CASH OPTION PROVISIONS OF THE EIGHTH AMENDED PLAN FOR THE ADJUSTMENT OF DEBTS OF THE CITY OF DETROIT, MICHIGAN

This case is before the Court on the Motion of the General Retirement

System of the City of Detroit to Approve Implementation of ASF Recoupment

Cash Option Provisions of the Eighth Amended Plan for the Adjustment of Debts

of the City of Detroit, Michigan (Docket # 10176, the "Motion"); and the City

having consented to the relief requested in the Motion; and no timely objections

having been filed; and the Court having considered the Motion and finding that

good cause exists for granting the relief requested therein;

IT IS ORDERED THAT:

1. The Motion is granted.

2. The ASF Distribution Recipients¹ identified on <u>Exhibit 5-D</u> to the Motion, who timely signed and returned the ASF Recoupment Cash Option Election Form but who failed to check the election box and who confirmed on the Questionnaire their intent to make the election, are deemed to have effectively made the ASF Recoupment Cash Option Election and are authorized to make the ASF Recoupment Cash Payment on the terms set forth in this Order and the Plan.

3. The ASF Distribution Recipients identified on <u>Exhibit 5-B</u> to the Motion, whose Cash Option Forms were untimely received, are authorized to make the ASF Recoupment Cash Payment on the terms set forth in this Order and the Plan.

4. The GRS is authorized and directed to: (a) mail ASF Final Cash Payment Notices to the ASF Distribution Recipients identified on <u>Exhibit 5-B</u> and <u>Exhibit 5-D</u> to the Motion; (b) accept ASF Recoupment Cash Payments from the ASF Distribution Recipients identified on <u>Exhibit 5-B</u> and <u>Exhibit 5-D</u> to the Motion if said payments are received on or before the 50th day after service of the ASF Final Cash Payment Notices; and (c) if an ASF Recoupment Cash Payment is timely received by the GRS, credit the payor retiree's monthly benefit check for

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the *Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, Michigan* [Dkt. No. 8045] (the "<u>Plan</u>").

amounts deducted on account of ASF Recoupment since March 1, 2015, as soon as it is administratively feasible to do so.

5. Monthly pension benefit reductions on account of ASF Recoupment will <u>not</u> be credited back for: (a) any individual ASF Distribution Recipient identified on <u>Exhibit 5-B</u> or <u>Exhibit 5-D</u> to the Motion who fails to timely make the ASF Recoupment Cash Payment; or (b) any other ASF Distribution Recipient not identified on <u>Exhibit 5-B</u> or <u>Exhibit 5-D</u> to the Motion.

6. Nothing in this Order shall be deemed to modify or amend the terms of the Plan or the Confirmation Order.

Signed on September 25, 2015

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