

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re: Chapter 9
CITY OF DETROIT, MICHIGAN, No. 13-53846
Debtor. HON. STEVEN W. RHODES

MOTION TO EXPEDITE

NOW COME the State of Michigan, Governor Rick Snyder, Treasurer Andrew Dillon, the Governor's Transformation Manager Richard L. Baird, Department of Treasury Legal Counsel Frederick Headen, and Auditor General Thomas McTavish (collectively, "the State") and request that this Court expedite hearing of their Motion to Quash and for Protective Order. As grounds for this motion, the State says as follows:

1. The State has filed a motion to quash and for protective order with the instant motion. The motion addresses subpoenas duces tecum, deposition subpoenas, and requests for production of documents served upon the State.

2. The State of Michigan, Governor Snyder, and Treasurer Dillon were served with subpoenas and discovery requests from the UAW on August 23, 2013. (Exhibit 1 to Motion to Quash and For Protective Order.)

3. Additionally, AFSCME served deposition subpoenas on Governor Snyder and Transformation Manager Richard Baird on August 30, 2013. The State is aware through the Court's docket entries that AFSCME has also proffered subpoenas on Treasurer Dillon, Assistant Attorneys General Brian Devlin and Tom Quasarano, the Governor's Chief of Staff Dennis Muchmore, the Governor's Deputy Chief of Staff John Roberts, the Governor's Executive Director Allison Scott, Department of Treasury Legal Counsel Frederick Headen, and Auditor General Thomas McTavish, although no formal service has yet been made on these individuals. (Doc. 600.) However, on August 30, 2013, counsel for AFSCME indicated they will be withdrawing the subpoenas of Devlin, Quasarano, Muchmore, Roberts and Scott.

4. Finally, the Retired Detroit Police Members Association has directed its First Request for Production of Documents to the State of Michigan. (Doc. 596.)

5. Pursuant to this Court's August 2, 2013 First Order Establishing Dates and Deadlines, written discovery must be complied with no later than September 13, 2013 and all non-expert depositions must be completed by September 23, 2013. (Doc. 280.) But the next scheduled motion hearing date set by this Court is not until September 18, 2013. This late hearing date will not allow the parties to comply with the Court's general scheduling order. Nor does it leave time for assertion of alternative arguments and limitations based on, among other things, recognized privileges, within that time frame.

Accordingly, the State respectfully requests that this Court expedite their Motion to Quash and for Protective Order.

Respectfully submitted,

Matthew Schneider (P62190)
Chief Legal Counsel

Steven B. Flancher (P47894)
Assistant Attorney General

/s/Steven B. Flancher (P47894)
Assistant Attorney General
Attorneys for the State of Michigan
Michigan Dep't of Attorney General
P.O. Box 30754
Lansing, MI 48909
517-373-3203

FlancherS@michigan.gov

Date: August 30, 2013