

Clerk of the Court
United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

FILED

2016 APR -4 A 10:26

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

RE: " Claim No. 2024, Heckmann, Eric C., UNLIQUIDATED, Secured, 2/20/2014"

OBJECTION TO CITY'S PROPOSAL

I hereby object to the City's proposal to having the Court dismiss my claim which was timely filed and was for the refund of my overpayment of property taxes caused by the City's failure to properly and promptly record my property tax payment in its tax revenue system, thereby causing me to have to make a double payment in order to avoid the Wayne County Treasurer from assessing me extra penalties and interest on supposedly late/delinquent payments. The Wayne County Treasurer's Office in previous years penalized me when the City failed to record my property tax payments in a timely manner, and then improperly delayed the transmission of the Wayne County share of taxes to the Wayne County Treasurer's Office, thereby causing me to have to pay the Wayne County Treasurer an extra approximately \$100 in allegedly late payment penalties and interest in some past years.

I also object to the language contained in the City's request to the Court that ... " the relief requested in the Objection is in the best interests of the City, and its creditors; ..." as is stated on Page 13 of 25, COPY ENCLOSED. This statement is not only untrue, it is also completely asinine from a legal standpoint as it presumes that the Creditors have already agreed to the City's proposal to not honor the legitimate refunds due to the creditor(s). This statement by the City is tantamount to saying that the Plaintiffs, i.e. the City's creditors such as myself, and the City, i.e., the Defendant, are in agreement or have agreed that the Defendant's proposal is agreeable to the Creditors, i.e., me, etc.

I certainly do not, and will never, agree that the City should be able to keep money that it was not legally entitled to keep in the first place, regardless of its filing for bankruptcy. I have never agreed to make donations of my limited monies to the City for the City to keep and do whatever it wants to do with these funds such as giving raises to current employees at the direct expense of retirees and creditors. Had the City properly and timely recorded my payments at the time they were made, there would not even be any claim now for me to have made. And further, had the City Treasurer's Office processed my refund in a timely manner as was stated in their emails to me at the time indicating that my refund had been processed, there would never be a Claim still now in dispute.

As such, I am requesting hereby that the Court NOT APPROVE the City's proposal with respect to my claim for a property tax refund due to my actual overpayment which was originally caused by the City's own failure to have properly and timely recorded my payments and then transmitted the Wayne County share of the payments to the Wayne County Treasurer in a timely fashion, as the City repeatedly failed to do in prior years.

Lastly, as the Court document states that ... " You must attend the hearing on the objection scheduled to be held on April 13, 2016 unless your attendance is excused by mutual agreement between yourself and the objector's attorney", I hereby request that I be excused from attending the hearing due to medical reasons which prevent me from walking any distance greater than 100 feet. As I am all alone due to my wife's very recent death, I have no one that can drive me to Detroit for this hearing. Also, as a City retiree, I have already been sufficiently harmed and punished vis-à-vis the bankruptcy outcomes so as to not deserve the additional punishment requested by the City of not returning/refunding my property tax overpayment money that I was told by the City Treasurer's Office was in process of being refunded to me in an email long before the bankruptcy was ever even filed by the City.

Thank you very much for your consideration of my objections and my request for being excused from attending the scheduled April 13, 2016 hearing due to the reasons cited above.

Sincerely,



Eric C. Heckmann
2108 South Delano St.
Saint Clair, MI 48079

Dated: March 30, 2016

Case No. 13-53846

Cc: Marc N. Swanson
Miller, Paddock and Stone, PLC
Suite 2500
150 West Jefferson
Detroit, MI 48226



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

In re: City of Detroit, Michigan, Debtor.	Bankruptcy Case No. 13-53846 Honorable Thomas J. Tucker Chapter 9
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**ORDER GRANTING DEBTOR'S THIRTY-EIGHTH OMNIBUS
OBJECTION TO CERTAIN CLAIMS**

(Tax Refund Claims Not Subject to the Claims Process in this Bankruptcy Case)

Upon review of the thirty-eighth objection to claims (the "Objection"),⁴ of the Debtor, City of Detroit, Michigan (the "City"), seeking entry of an order disallowing and expunging each of the claims listed on Exhibit 2 to the Objection; and it appearing that this Court has jurisdiction over the Objection pursuant to 28 U.S.C. §§ 157 and 1334 and Article VII of the Plan; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Objection in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Objection is in the best interests of the City, and its creditors; and due and proper notice of the Objection having been given as provided in the Objection; and it appearing that no other or further notice of the

⁴ Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Objection.



The ground for objection to each claim listed below is that it is a tax refund claim that is not subject to the claims administration process in this bankruptcy case. Each of the pages in the omnibus objection is pertinent to the stated ground for objection.

Claim No.	Creditor Name and Address	Claim Amount	Classification	Date Filed
986	Fk North, LLC Honigman 600 Woodward Avenue Detroit, MI, 48226	UNLIQUIDATED	General Unsecured	02/17/2014
991	Fk Park, LLC Honigman 660 Woodward Avenue Detroit, MI, 48226	UNLIQUIDATED	General Unsecured	02/17/2014
992	Fk South, LLC Honigman 660 Woodward Avenue Detroit, MI, 48226	UNLIQUIDATED	General Unsecured	02/17/2014
2024	Heckmann, Eric C 2108 S Delano St Saint Clair, MI, 48079	UNLIQUIDATED	Secured	02/20/2014
989	JC Office I, LLC Honigman 660 Woodward Avenue Detroit, MI, 48226	UNLIQUIDATED	General Unsecured	02/17/2014
1411	Property Owner James & Joyce Edwards 9152 Littlefield Detroit, MI, 48228	UNLIQUIDATED	General Unsecured	02/18/2014
195	Property Owner Leginia Chandler 509 Marston Detroit, MI, 48202	BLANK	General Unsecured	12/09/2013
2351	Property Owner 1159 Burlingame Detroit, MI, 48206	UNLIQUIDATED	Secured	02/21/2014
2648	Property Owner 119 W Euclid Detroit, MI, 48202-2036	1,517.00	General Unsecured	02/21/2014