UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION – DETROIT

	X
In re:	Chapter 9
CITY OF DETROIT, MICHIGAN,	Case No.: 13-53846
Debtor.	Hon. Steven W. Rhodes

EX PARTE MOTION OF INTERNATIONAL UNION, UAW AND THE FLOWERS PLAINTIFFS FOR AN ORDER AUTHORIZING THEM TO FILE AN AMENDED ELIGIBILITY OBJECTION IN EXCESS OF PAGE LIMIT

The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW") and Robbie Flowers, Michael Wells, Janet Whitson, Mary Washington and Bruce Goldman, as plaintiffs in the suit *Flowers v. Snyder*, No. 13-729 CZ (Ingham County Circuit Court) (the *"Flowers* plaintiffs") creditors and parties in interest in the above-captioned case, through their undersigned counsel hereby move the court *ex parte* (the "Request") for the entry of an order authorizing them to file an Amended Joint Eligibility Objection (the "Amended Objection") to the City's eligibility for Chapter 9 relief in excess of the twenty-five (25) page limit set by Eastern District of Michigan Local Rule 7.1(d)(3)(A). In support of the Request, UAW and the *Flowers* plaintiffs respectfully submit as follows: 1. Rule 7.1(d)(3)(A), which applies to this case pursuant to Bankruptcy Court for the Eastern District of Michigan Local Rule 9029-1(a), states that briefs supporting a response, including footnotes and signatures, may not exceed twenty-five (25) pages, but that a party seeking to file a longer brief may apply *ex parte* in writing setting forth the reasons.

2. UAW and the *Flowers* plaintiffs seek an order expanding the twenty-five (25) page limit imposed by U.S.D.C. Local Rule 7.1(d)(3)(A) for the reasons set forth below.

3. The Amended Objection addresses the City of Detroit's eligibility for relief under Chapter 9, the City's Consolidated Reply to objections, and filings by the State of Michigan. These filing raises serious issues arising under the federal and state constitutions, and the Bankruptcy Code, including the validity of the State's authorization for the Chapter 9 filing, good faith and related matters. The legal issues presented require substantial explanation and analysis of constitutional, and state and federal statutory and case law.

4. The Amended Objection exceeds the limitation set forth in U.S.D.C. Local Rule 7.1(d)(3)(A) and is itself forty-one (41) pages long, thus independently warranting relief from the page limit in order to address the complex issues presented. WHEREFORE, for the foregoing reasons UAW and the *Flowers* plaintiffs respectfully request that this Court enter an order substantially in the form attached hereto as Exhibit 1 and grant such other relief as the Court deems proper.

Dated: New York, New York October 11, 2013

Respectfully submitted,

International Union, UAW

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Attorneys for Flowers Plaintiffs

<u>Exhibit 1</u>

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION – DETROIT

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In re:	Chapter 9
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EX PARTE ORDER AUTHORIZING UAW AND THE *FLOWERS* PLAINTIFFS TO FILE AN <u>AMENDED ELIGIBILITY OBJECTION IN EXCESS OF PAGE LIMIT</u>

This matter coming before the Court on the Ex Parte Motion of

International Union, UAW ("UAW") and the Flowers plaintiffs for an Order

Authorizing Them to File an Amended Eligibility Objection in Excess of Page

Limit (the "Motion"); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

- 1. The Motion is GRANTED.
- 2. UAW and the *Flowers* plaintiffs are granted relief from Eastern

District of Michigan Local Rule 7.1(d)(3)(A) to file a response in excess of twenty-

five (25) pages.

Signed on _____

Steven Rhodes United States Bankruptcy Judge

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CERTIFICATE OF SERVICE

I hereby certify that on this the 11th day of October 2013, I caused the

Ex Parte Motion of International Union, UAW and the Flowers Plaintiffs for an

Order Authorizing It to File an Amended Eligibility Objection in Excess of Page

Limit to be filed with the Clerk of the Court using the CM/ECF system, which will

send notification of such filing to all counsel of record.

Dated: New York, New York October 11, 2013

Cohen, Weiss and Simon LLP

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Attorneys for International Union, UAW