

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

In re:

Chapter 9

CITY OF DETROIT, MICHIGAN

Case No. 13-53846

Debtor.

Hon. Steven W. Rhodes

**CONSOLIDATED COMMENT OF RETIREE ASSOCIATION PARTIES TO THE
PROPOSED ORDER APPOINTING FEE EXAMINER.**

The Retired Detroit Police & Fire Fighters Association (“RDPFFA”), Donald Taylor, individually and as President of the RDPFFA, the Detroit Retired City Employees Association (“DRCEA”), and Shirley V. Lightsey, individually and as President of the DRCEA (collectively “Retiree Association Parties”) through their counsel, Lippitt O’Keefe, PLLC, submit the following Consolidated Comment to the *Proposed Order Appointing Fee Examiner (Contained in Docket: No. 65)*:

The proposed order would define “Professional Fee Expenses” to include, *inter alia*, expenses payable to the professionals of any official committee, and expenses awarded under 11 U.S.C. § 503(b)(9).” Section 503(b)(9) provides for reclamation claims. The Court may have intended to instead state “expenses awarded under 11 U.S.C. § 503(b)(4)” or “other professional fees allowed under 11 U.S.C. § 503(b)”.

The Retiree Association Parties bring this issue to the Court’s attention to avoid confusion and litigation over the apparent lack of applicability of 11 U.S.C. § 503(b)(9). Therefore, the Retiree Association Parties, request that the proposed Order Appointing Fee Examiner be clarified or modified to include the desired provision of 11 U.S.C. § 503.

Dated: July 30, 2013

Respectfully submitted,

Lippitt O'Keefe, PLLC

/s/Brian D. O'Keefe

Brian D. O'Keefe (P39603)

Ryan C. Plecha (P71957)

Attorneys for Retiree Association Parties

370 East Maple Road, 3rd Floor

Birmingham, Michigan 48009

(248) 646-8292

bokeefe@lippitokeefe.com

CERTIFICATE OF SERVICE

The undersigned hereby states that on July 30, 2013, she filed the foregoing with the Clerk of the Court using the electronic filing system which will provide electronic service to all counsel of record. I declare the above statement to be true to the best of my knowledge, information and belief.

/s/ Tracy Reitzloff

Tracy Reitzloff

Legal Assistant to Brian D. O'Keefe

Lippitt O'Keefe, PLLC

370 E. Maple, 3rd Floor

Birmingham, MI 48009

248-646-8292

treitzloff@lippitokeefe.com