

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

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

**EX PARTE MOTION FOR AN ORDER SHORTENING
NOTICE AND SCHEDULING AN EXPEDITING HEARING WITH
RESPECT TO THE MOTION OF THE OFFICIAL COMMITTEE
OF RETIREES TO COMPEL THE PRODUCTION OF DOCUMENTS**

The Official Committee of Retirees (the “Committee”) submits this *Ex Parte* Motion for an Order Shortening the Notice Period and Scheduling an Expedited Hearing with Respect to the Motion of the Official Committee of Retirees to Compel Production of Documents Requested in Connection With the Deposition of Kevyn Orr (the “Motion”) and respectfully states as follows:

Relief Requested

1. The Committee filed the Motion contemporaneously with the filing of the instant *Ex Parte* Motion. In the Motion, the Committee seeks to compel the Debtor’s production of documents requested in connection with the deposition of Kevyn Orr as related to the City’s proposed Settlement and Plan Support Agreement with UBS AG and Merrill Lynch Capital Services, Inc. (the “Swap Counterparties”).

2. By this *Ex Parte* Motion, the Committee seeks an order (a) shortening the notice period with respect to the Motion, and (b) scheduling a hearing on the Motion on **March 21, 2014 at 10:00 a.m.** or such other time as the Court may determine.

Basis for Relief

3. Fed. R. Bankr. P. 9006(c)(1) provides that “when an act is required or allowed to be done at or within a specified time by these rules or by a notice given thereunder or by order of court, the court for cause shown may in its discretion with or without motion or notice order the period reduced.” Fed. R. Bankr. P. 9006(c)(1). Local Bankruptcy Rule 9006-1(b) further provides that “a party may file a motion for an *ex parte* order reducing or enlarging the time for a party to take any action or file any paper.” Local Bankruptcy Rule 9006-1(b). Together, these rules provide the Court with the authority to enter an *ex parte* order scheduling a hearing on shortened notice and approve the manner of notice of such hearing.

4. The Committee respectfully requests that, pursuant to Fed. R. Bank. P. 9006(a) and Local Bankruptcy Rule 9006-1(b), the Court shorten the notice period with respect to the Motion and schedule an expedited hearing on the Motion on March 21, 2014 at 10:00 a.m. or such other time as the Court may determine.

5. The Motion seeks entry of an order compelling the City to produce documents in connection with the City’s proposed Settlement and Plan Support Agreement with the Swap Counterparties in advance of the deposition of Kevyn Orr scheduled for March 31, 2014.

6. As further set forth in the Motion, the City has not provided a valid basis for withholding the vast majority of the documents requested by the Committee in connection with the deposition.

7. In order to adequately address the issues raised in the Motion in sufficient time, good cause exists to shorten the notice period and schedule a hearing on the Motion for March 21, 2014. Expedited scheduling would permit the Court to decide the Motion, and, if appropriate,

compel the Debtor to produce documents sufficiently in advance of the deposition so as to allow them to be reviewed and used, if and as appropriate, at the deposition.

6. The Committee will serve this *Ex Parte* Motion via the Court's ECF system to the parties in the above-captioned proceeding, and will provide notice of the *ex parte* order promptly upon issuance.

7. For these reasons, the Committee submits that cause exists to schedule a hearing on its Motion for March 21, 2014, at 10:00 a.m., or such other time as the Court may determine, on shortened notice.

WHEREFORE, the Committee respectfully requests that this Court (i) enter an order substantially in the form attached hereto as Exhibit 1, granting the relief sought herein; and (ii) grant such other and further relief to the Committee as the Court may deem proper.

Dated: March 18, 2014

Respectfully submitted,

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Counsel for the Official Committee of Retirees

Exhibit 1

(Proposed Order)

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

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

**ORDER GRANTING *EX PARTE* MOTION FOR AN ORDER
SHORTENING NOTICE AND SCHEDULING AN EXPEDITED
HEARING WITH RESPECT TO THE MOTION OF THE OFFICIAL
COMMITTEE OF RETIREES TO COMPEL THE PRODUCTION OF DOCUMENTS**

This matter coming before the Court on the *Ex Parte* Motion (the “Ex Parte Motion”) for an Order Shortening Notice and Scheduling an Expedited Hearing with respect to the Motion of the Official Committee of Retirees to Compel Production of Documents; and the Court being fully advised of the premises; and good and sufficient cause having been shown;

IT IS HEREBY ORDERED THAT:

1. The Ex Parte Motion is GRANTED.
2. A hearing with respect to the Motion is scheduled for _____, 2014
at __:00 __.m.

Signed on: _____

Steven Rhodes
United States Bankruptcy Judge

Exhibit 2

(Certificate of Service - Filed Separately)