

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

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

**OAKLAND COUNTY’S MOTION FOR ENTRY OF AN ORDER
EXTENDING DEADLINE TO FILE OBJECTIONS TO THE
CITY OF DETROIT, MICHIGAN’S PROPOSED
FOURTH AMENDED PLAN OF ADJUSTMENT**

Oakland County, Michigan (“Oakland County”), a contingent creditor and party in interest in the above-captioned case, by and through its undersigned counsel, hereby files its Motion For Entry Of An Order Extending Deadline To File Objections The City of Detroit, Michigan’s (the “City”) Proposed Fourth Amended Plan Of Adjustment [Docket No. 4392] (the “Plan”), and in support thereof states as follows:

1. Oakland County is a party to several contracts with the City pursuant to which the City, through The Detroit Water and Sewerage Department (“DWSD”), supplies water to, and controls and treats

wastewater for and on behalf of, Oakland County. Such services are, in turn, utilized by a substantial portion of the municipalities (including the businesses and residents operating and residing therein) located throughout Oakland County. Accordingly, Oakland County is a party in interest herein and is a contingent creditor of the City subject to a determination of whether the City can assume its contracts with Oakland County.¹

2. Pursuant to this Court's *Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment* [Docket No. 4202] (the "Fourth Amended Plan Deadlines Order"), the deadline for parties (other than individual bondholders and individual retirees) to file objections to the Plan is May 12, 2014.

3. The Court, pursuant to its *Order of Referral to Mediation* [Docket No. 4156] entered on April 17, 2014 (the "Mediation Order"), ordered Oakland County, Wayne County, Macomb County, and the City to mediation with respect to "all issues relating to the Department of Water

¹ To the extent the City rejects any of the City's contracts with Oakland County, Oakland County's rejection damage claim would be treated as a general unsecured claim in Class 14 (Other Unsecured Claims) of the Plan.

and Sewerage and these counties". See *Order of Referral to Mediation* [Docket No. 4156].

4. Representatives of Oakland, Wayne and Macomb Counties as well as the City have recently met with the mediator and anticipate additional mediation sessions being scheduled in the near future.

5. In addition, Oakland County has not yet received the City's responses to the discovery requests served on the City by Oakland County. Consistent with the Fourth Amended Plan Deadlines Order, Oakland County expects to receive the City's responses and documents today.

6. Upon receipt of the City's discovery responses and documents, Oakland County, along with its professionals and other advisors, will need time to review such information and determine its impact, if any, upon Oakland County's preliminary objections to the Plan.

7. As indicated by the Court in its Mediation Order and statements, this "bankruptcy case offers the parties a unique opportunity to negotiate a regional water authority". Oakland County is hopeful that the mediation process (and/or the information provided by the City through discovery or otherwise) will result in resolution of some or all of its preliminary objections to the Plan.

8. Accordingly, Oakland County seeks a one (1) week extension of the date by which it is required to file an objection to the Plan until May 19, 2014.

9. The requested nominal extension would not result in any change to the overall timing of events in the case or the dates and deadlines contained in the Fourth Amended Plan Deadlines Order. Specifically, such extension would not otherwise impair the City's ability to timely respond to any objections raised by Oakland County.

10. This Court is authorized to grant the relief requested herein pursuant to Bankruptcy Rule 9006(c)(1) and Local Bankruptcy Rule 9006-1(b).

WHEREFORE, Oakland County respectfully requests that this Honorable Court enter an Order extending its deadline to object to the Plan to May 19, 2014 and grant such other and further relief as this Court deems appropriate.

Dated: May 6, 2014

Respectfully Submitted,

CARSON FISCHER, P.L.C.

By: /s/ Joseph M. Fischer

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This Matter having come before the Court on *Oakland County’s Motion For Entry Of An Order Extending Deadline To File Objections To The City Of Detroit, Michigan’s Proposed Fourth Amended Plan Of Adjustment* [Docket No. ____] (the “Motion”). The Court being duly advised in the premises and finds good causes for entry of this Order;

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED.

Exhibit 1 - Proposed Form of Order

2. The deadline for Oakland County to file its objections to the City's Fourth Amended Plan of Adjustment (or any subsequently amended plan) is extended through and until May 19, 2014.

Exhibit 2 - Not Applicable
(Expedited Treatment Requested)

Exhibit 3 - Not Applicable

(Brief Not Required)

CERTIFICATE OF SERVICE

I, Joseph M. Fischer, hereby certify that the foregoing OAKLAND COUNTY'S MOTION FOR ENTRY OF AN ORDER EXTENDING DEADLINE TO FILE OBJECTIONS TO THE CITY OF DETROIT, MICHIGAN'S PROPOSED FOURTH AMENDED PLAN OF ADJUSTMENT was filed and served via the Court's electronic case filing and noticing system on this 6th day of May, 2014.

/s/ Joseph M. Fischer
Joseph M. Fischer (P13452)

Exhibit 5 - Not Applicable

(No Affidavits Are Provided)

Exhibit 6 - Not Applicable

(No Documentary Exhibits Are Provided)