

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -- DETROIT

In re:

City of Detroit, Detroit

Case No.13-53846

Chapter 9

Judge: STEVEN W. RHODES

Debtor(s) /

MOTION FOR CLASS CERTIFICATION OF PROOF OF CLAIMS
2638, 2651, 2654, 2659, 2676, 2683, 2689 and 2692

Now come the Creditors, Hyde Park Cooperative, Plymouth Square Ltd. Housing Association, Cambridge Tower Assoc., Ltd. Div. H.A., Millender Center Associates L.P., and Village Center Assoc. Dvd. H.A., Fenimore Limited Div. Housing Assoc., Bowin Place Associates Ltd. Div. H.A. (henceforth Creditors) by and through their counsel, Thornbladh Legal Group PLLC, Becker & Wasvary, P.L.L.C. and say as follows:

1. On July 18, 2013 the Debtor, City of Detroit filed its petition for relief under Title 11 of the United States Code.

2. At the date of filing the Creditors had and continue to have a case pending in the Wayne County Circuit Court entitled Hyde Park Cooperative et al v. City of Detroit, by and through its Building, Safety and Engineering Department, Case No. 10-005687-CZ (Filed May 18, 2010), and further:

A. This case is premised upon State statutory and Constitutional claims, respectively, under MCL 125.401, et seq., ("Housing Law"), Michigan Const. 1963, Art. IX, §§ 25 and 31 ("Headlee Act") and under the Ordinances of the City of Detroit, Detroit Property Maintenance Code, Chap. 9.

B. This was and is a complaint by multiple unit housing projects aggrieved by the

inflated and unreasonable inspection fees charged by the Defendant, City of Detroit Building, Safety and Engineering Department.

C. There was and is a timely pending motion for class action certification in state court; (see Appendix Exhibit A, Plaintiff's Motion for Class Certification filed on January 13, 2011) however prior to the initial determination of this class certification motion, the case was dismissed by the trial court, then appealed to the Michigan Court of Appeals, (see Appendix Exhibit B, Michigan Court of Appeals Order dated July 24, 2012) and ultimately the Michigan Supreme Court reversed and remanded the Case back to the trial court for further proceedings (see Appendix Exhibit C).

D. Thereafter, prior to a determination by the trial court on the Class Certification Motion and the addition of alternative relief under a Headlee Claim (Michigan Constitution)¹ upon remand, the City filed its Chapter 9 petition, and the trial court stayed proceedings.

E. The Creditors have requested the City to Lift the Automatic Stay and remand to the Wayne County Circuit Court, but to date the City has not responded and has ignored this reasonable request.

F. The attorneys for the Creditors and the City Law Department have been in negotiation for settlement of this matter including but not limited to stipulating to the amendment to include a Headlee Claim.

G. Pursuant to the Order of the Court the Creditors filed proofs of claim both individually and as class representative members before the bar date set by the Court stating the

¹ Just prior to the City filing for bankruptcy, Creditors filed a Motion in state court to add a claim for violation of the Headlee Amendment to the Michigan Constitution (see Appendix Exhibit D), which the City had claimed in pleadings before the Trial Court and both Appellate Courts as the appropriate vehicle for Judicial relief.

amount of claims in the state litigation.

H. The excessive and unreasonable charges by the City have continued to date, and the Creditors have received inquiries from additional non-parties to join in the litigation to stop the continued conduct of the City.

3. Even though the City Law Department has been in negotiations for settlement of the individual and class claims, outside counsel has filed objections to the Creditors' Litigation.

4. Further, outside counsel have objected to the alleged failure of the Creditors to seek class certification in the Bankruptcy Court prior to the bar date, ignoring that the motion for class certification was timely filed in the state court.

5. Pursuant to Federal Rules of Bankruptcy Procedure 3001 and 7023, the Court shall consider a claim for class certification outside the bar date. **Reid v. White Motor Corp.**, 886 F.2d 1462 (6th Cir., 1989).

6. Pursuant to Federal Rule of Bankruptcy Procedure 7023 (Federal Rule of Civil Procedure 23), this matter is maintainable as a class action and Creditors represent.

A. Class Definition: Plaintiffs seek to certify the following class:

Class - All entities and persons constituting owner's of buildings and properties subject to the provisions of the Housing Law of Michigan (MCL 125.401 et. seq.) and the application of the Detroit Property Maintenance Code under the Housing Law which or who were charged inspection fees by Defendant that exceed Defendant's actual, reasonable cost for the inspection and/or were not proportionate to services rendered. Plaintiffs seek a class period dating back to the initiation of such charges or six years prior to the filing of Federal litigation on August 19,

2009,² less the lapse of time between dismissal of that litigation and the filing of state court litigation, whichever is sooner, or if Headlee applies, a class period going back to one year prior to the filing of the Federal litigation on August 19, 2009, less the lapse of time between dismissal of that and the filing of the state court litigation.

B. Numerosity Rule 23(a)(1). The proposed class is so numerous that joinder of all members is impracticable. While the exact number of class members is not now known, the Plaintiffs believe this class is in excess of 100 members and may be readily identified from Defendant's records.

C. Commonality Rule 23(a)(2). There are questions of law or fact common to the members of the class that predominate over questions affecting only individual members.

D. Among the questions of law or fact common to the class are the following:

a) Is the charging of a fee by the Buildings and Safety Engineering Department an unlawful act as the Buildings and Safety Engineering Department is not authorized to do so by Constitution, Statute, or other law and is prohibited by law to charge anything other than the cost of actual inspection to certain class members?

b) Are the inspection fees charged by Defendant in violation of the Housing Law of Michigan?

E. Typicality Rule 23(a)(3). The harm suffered by named Plaintiffs is typical of the harm suffered by other class members differing only in amount. Accordingly, the claims of

² Petitioners originally filed claims in the United States District Court for the Eastern District of Michigan, case no. 09-CV-13269, which was dismissed without prejudice on March 3, 2010.

Plaintiffs are the same as those of the other class members. Resolution of these common questions will determine the liability of the Defendant to the class members in general. Thus, they properly form the basis for class treatment in this case.

F. Although the amount of damages between individual class members may vary, the underlying liability issues remain the same as between all members of the class and the Defendant.

G. Adequacy of Representation Rule 23(a)(4). The represented parties will fairly and adequately assert and protect the interest of the class. The named Plaintiffs have already demonstrated their willingness to pursue this litigation on their own behalf, and have no known conflicts with the class members.

H. Plaintiff's counsel will also fairly and adequately represent the interest of the class. The law firm of Becker & Wasvary, P.L.L.C. is well-versed in the facts and the substantive law underlying the Plaintiff's claims. Counsel for Plaintiffs has previously been certified as lead counsel in the United States District Court for the Eastern District of Michigan, Southern Division in class action lawsuits titled, Village Center Limited Dividend Housing Association, et. al. v The City of Detroit, Mary Eghigian v. Fifth Third Bank, USDC Case No. 07-14406, Lola Valley Terrace Association v Charter Township of Redford, USDC Case No. 09-11238, Lanson Development Company LLC v City of Dearborn, USDC Case No. 09-13956, and in Wayne County Circuit Court in the matter of Woodside Square Limited Partnership v City of Romulus, Case No. 09-019233CZ and is well qualified to act as lead counsel to provide adequate representation for the class in this matter. Attorney Carl Becker has also been certified as class counsel in the Western District of Michigan in the matter of Meredith v. Beneficial Finance.

I. The maintenance of this action as a class action will be superior to other available methods of adjudication in promoting the convenient administration of justice.

- a) The prosecution of separate actions by or against individual members of the class could create a risk of inconsistent or varying adjudications with respect to individual members of the class that would confront the party opposing the class with incompatible standards of conduct, Rule 23(b)(1)(A); and/or
- b) Prosecution of separate actions by or against individual members of the class would create a risk of adjudications with respect to individual members of the class that would as a practical matter be dispositive of the interests of other members not parties to the adjudications or substantially impair or impede their ability to protect their interests. Rule 23(b)(1)(B).
- c) The party opposing the class has acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole. Rule 23(b)(2).
- J. Final equitable relief will be appropriate with respect to the class.
- K. The action will be manageable as a class action and in fact more manageable than the prosecution of separate actions. Rule 23(b)(3)(D).
- L. In view of the complexity of the issues and expense of the litigation the separate claims of individual class members are insufficient in amount to support separate actions. Rule 23(b)(3)(A).
- M. It is probable that the amount which may be recovered for individual class members will be large enough in relation to the expense and effort of administering the action to justify a class action.
- N. Plaintiffs are not aware of any members of the proposed class that have filed similar litigation, other than the Federal lawsuit previously referenced, nor are Plaintiffs aware of any

pending similar litigation. Rule 23(b)(3)(B).

O. All potential class members are located in the City of Detroit and Creditors have sought relief in the proper forum. Rule 23(b)(3)(C).

7. A Proposed Order is attached as Exhibit "1".

Wherefore Creditors pray that the Court will grant class certification to their proofs of claim.

FOR THE CREDITORS:

By: /s/ kurt thornbladh

KURT THORNBLADH P25858

Thornbladh Legal Group PLLC

7301 Schaefer

Dearborn MI 48126

(313) 943 2678

kthornbladh@gmail.com

By: /s/ Mark K. Wasvary

MARK K. WASVARY P51575

Becker & Wasvary, P.L.L.C.

2401 W. Big Beaver Rd., Suite 100

Troy, MI 48084

(248) 649-5667

markwasvary@hotmail.com

Dated: May 28, 2014

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -- DETROIT

In re:

City of Detroit, Detroit

Case No.13-53846

Chapter 9

Judge: STEVEN W. RHODES

Debtor(s) /

ORDER FOR CLASS CERTIFICATION OF PROOFS OF CLAIM
2638, 2651, 2654, 2659, 2676, 2683, 2689 and 2692

The Creditors, Hyde Park Cooperative, Plymouth Square Ltd. Housing Association, Cambridge Tower Assoc., Ltd. Div. H.A., Millender Center Associates L.P., and Village Center Assoc. Dvd. H.A., Fenimore Limited Div. Housing Assoc., Bowin Place Associates Ltd. Div. H.A. (henceforth Creditors) by and through their counsel, Thornbladh Legal Group PLLC, and Becker & Wasvary, P.L.L.C. having filed a motion for class certification of their claims, and having filed a certification of non-response, and the Court being fully advised on the premises,

IT IS HEREBY ORDERED that Proofs of Claim ## 2638, 2651, 2654, 2659, 2676, 2683, 2689 and 2692 are hereby granted Class Certification

Exhibit "1"
Proposed Order

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re:

City of Detroit, Michigan

_____/ Debtors _____/

Case No.13-53846
Hon. Steven W. Rhodes
Chapter 9

NOTICE AND OPPORTUNITY FOR HEARING

PLEASE TAKE NOTICE that the attached Debtors Motion MOTION FOR CLASS CERTIFICATION OF PROOFS OF CLAIMS ## 2638, 2651, 2654, 2659, 2676, 2689 and 2692 has been filed in accordance with Local Bankruptcy Rule 9014-1 (E.D.M.). Pursuant to the rule, you have fourteen (14) days after service to file and serve a response or a request for a hearing.

YOUR RIGHTS MAY BE AFFECTED

PLEASE TAKE FURTHER NOTICE that unless a written objection is filed within fourteen (14) days from the date of this Notice, the Court may, upon presentation of an Order by the applicant, grant the relief requested consistent with the provisions of 11 U.S.C. 102, and L.B.R. 9014-1 (E.D.M.), without a hearing.

PLEASE TAKE FURTHER NOTICE that if a timely written objection in the form of a pleading is filed with the Clerk of the Court and served upon the Movant, the Court shall send a Notice of the date set for hearing on the objection¹. The address of the Court is:

CLERK, U.S. Bankruptcy Court
17th Floor
211 West Fort
Detroit MI 48226

PLEASE TAKE FURTHER NOTICE that any response or request for hearing must be served electronically or upon the following address:

KURT THORNBLADH, Esq. Attorney for Debtor 7301 Schaefer Dearborn MI 48126	U.S. Trustee 7th Floor 211 W. Fort Street Detroit MI 48226
--	---

For the Movants:

Dated: June 17, 2014

_____/s/kthornbladh
KURT THORNBLADH P25858
THORNBLADH LEGAL GROUP PLLC
7301 Schaefer
Dearborn MI 48126
(313) 943 2678
kthornbladh@gmail.com

Exhibit "2"

¹ Response or answer must comply with F.R.Civ.P. 8(b), (c), and (e).

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

IN RE:

City of Detroit, Michigan

Debtor(s)

CHAPTER 9
CASE NO. 13-53846
JUDGE Steven W. Rhodes

BRIEF IN SUPPORT OF MOTION

I. FACTS:

The Creditors, Hyde Park Cooperative, Plymouth Square Ltd Housing Association, Cambridge Tower Association, Ltd. H.A., Millender Center Associates L.P. and Village Center Assoc. Ltd. Div. H.A., for their memorandum of law rely upon the facts as stated in the Motion for Class Certification filed concurrently.

II. FACTS

SHOULD THE COURT GRANT CLASS CERTIFICATION OF THE ENUMERATED PROOFS OF CLAIM?

The Creditors say "yes".

In its Objection to Duplicate Claims the City says "yes it should".

III. AUTHORITY

The Creditors rely upon the application of law to fact as discussed in the Motion for Class Certification of Proofs of Claim.

IV. PRAYER FOR RELIEF

Wherefore the Creditors ask the Court to grant class certification of their Proofs of Claim.

FOR THE CREDITORS:

/s/kurt thornbladh

KURT THORNBLADH P25858

Thornbladh Legal Group PLLC

7301 Schaefer

Dearborn MI 48126

(313) 943 2678

kthornbladh@gmail.com P25858

P25858

Dated: 5/30/2014

Exhibit "3"

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
DETROIT DIVISION

IN RE:)
)
City of Detroit, Michigan) BANKRUPTCY NO. 13-53846
)
) Chapter 11
)
)
Debtor(s).)

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2014 I electronically filed MOTION FOR CLASS CERTIFICATION OF PROOF OF CLAIMS ## 2638, 2651, 2654, 2659, 2676, 2683, 2689 and 2692 with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Elizabeth M. Abood-Carroll bankruptcy@orlans.com, ANHSOA@earthlink.net
Daniel N. Adams dadams@honigman.com, litdocket@honigman.com
Sam J. Alberts sam.alberts@dentons.com, dan.barnowski@dentons.com
Carla Orman Andres candres@gklaw.com
Mark A. Angelov mark.angelov@arentfox.com
Charles N. Ash cash@wnj.com, kkranz@wnj.com
Karin F. Avery Avery@SilvermanMorris.com
Nabih H. Ayad ayadlaw@hotmail.com
Allison Bach abach@dickinsonwright.com
Jason W. Bank jbank@kerr-russell.com
Paige E. Barr Paige.Barr@kattenlaw.com
Robert N. Bassel rbassel@gmail.com, robertbassel@hotmail.com
Kevin M. Baum kevin.baum@kattenlaw.com
Dirk H. Beckwith dbeckwith@fosterswift.com
Michael R. Bell BellM1@michigan.gov
Bruce Bennett bbennett@jonesday.com
Ryan Blaine Bennett ryan.bennett@kirkland.com,
dustin.paige@kirkland.com;lally.gartel@kirkland.com;maureen.mccarthy@kirkland.com;dan.hill@kirkland.com;noah.ornstein@kirkland.com
Ryan Blaine Bennett ryan.bennett@kirkland.com,justin.bernbrock@kirkland.com,
dustin.paige@kirkland.com;lally.gartel@kirkland.com;maureen.mccarthy@kirkland.com;dan.hill@kirkland.com;noah.ornstein@kirkland.com
Ryan Blaine Bennett
ryan.bennett@kirkland.com,richard.howell@kirkland.com,bradley.weidenhammer@kirkland.com,justin.bernbrock@kirkland.com,
dustin.paige@kirkland.com;lally.gartel@kirkland.com;maureen.mccarthy@kirkland.com;dan.hill@kirkland.com;noah.ornstein@kirkland.com
Douglas C. Bernstein dbernstein@plunkettcooney.com, ssherbow@plunkettcooney.com
Brendan G. Best bbest@schaferandweiner.com, wkyles@schaferandweiner.com
Jeffrey H. Bigelman jhb_ecf@osbig.com, tc@osbig.com
William C. Blasses web@osbig.com
Brett A. Border bborder@sspclaw.com, joumedian@sspclaw.com
Winnifred P. Boylan wpboylan@lambertleser.com
Randall A. Brater randall.brater@arentfox.com
Mark E. Bredow mbredow@resnicklaw.net, jabdelnour@resnicklaw.net
Allan S. Brilliant allan.brilliant@dechert.com
Lynn M. Brimer lbrimer@strobplc.com, kvanakin@strobplc.com
Charles D. Bullock cbullock@sbplclaw.com, cdbullock@msn.com;lhaas@sbplclaw.com
Judy B. Calton jcalton@honigman.com, litdocket@honigman.com

Judy B. Calton jcalton@honigman.com,blundberg@honigman.com, litdocket@honigman.com
 Peter L. Canzano pcanzano@sidley.com
 Eric D. Carlson carlson@millercanfield.com
 Julia A. Caroff julia.caroff@usdoj.gov, mary.compeau@usdoj.gov;michele.gangler@usdoj.gov;jennifer.bielecki@usdoj.gov
 Corey M. Carpenter bocef@boclaw.com, coreycarpenter@boclaw.com
 Amy D. Caton acaton@kramerlevin.com, achouprouta@kramerlevin.com
 Babette A. Ceccotti bceccotti@cwsny.com
 Thomas P. Christy tchristy@garanluow.com
 Tracy M. Clark clark@steinbergshapiro.com, clark@ecf.inforuptcy.com
 Mary Beth Cobbs cobbm@detroitmi.gov, mbcobbs@flash.net
 Ryan Cochran ryan.cochran@wallerlaw.com
 Carol Connor Cohen carol.cohen@arentfox.com
 Dawn R. Copley dcopley@dickinsonwright.com, dnavin@dickinsonwright.com
 Sean M. Cowley (UST) Sean.cowley@usdoj.gov
 Elliot G. Crowder ecrowder@sbplclaw.com, lhaas@sbplclaw.com
 Robert Darnell robert.darnell@usdoj.gov
 Hugh M. Davis Info@ConLitPC.com
 Peter D. Dechiara pdechiara@cwsny.com
 Shannon L. Deeby sdeeby@clarkhill.com
 Melissa L. Demorest melissa@demolaw.com, paula@demolaw.com
 M. Ellen Dennis m.ellen.dennis@gmail.com,dwhadden@umich.edu
 Robert J. Diehl rdiehl@bodmanlaw.com
 Karen B. Dine karen.dine@kattenlaw.com
 Tamar Dolcourt tdolcourt@foley.com
 Mercedes Varasteh Dordeski mdordeski@foleymansfield.com,cindy@loevy.com
 David L. Dubrow david.dubrow@arentfox.com
 Ethan D. Dunn bankruptcy@maxwelldunnlaw.com, bankruptcy.maxwelldunn@gmail.com
 Jeffrey David Eaton jeaton@schiffhardin.com
 John E. Eaton jeaton@cousenslaw.com, pjohanson@bredhoff.com
 David Eisenberg deisenberg@ermanteicher.com
 Caroline Turner English caroline.english@arentfox.com
 Earle I. Erman eerman@ermanteicher.com
 Barry S. Fagan bfagan@dibandfagan.com
 Sherrie L. Farrell sfarrell@dykema.com, mpearson@dykema.com;docket@dykema.com
 Evan Justin Feldman efeldman@clarkhill.com
 Lisa Hill Fenning Lisa.Fenning@aporter.com
 Robert Fetter rfetter@millercohen.com,
 richardmack@millercohen.com;mcoil@millercohen.com;ddorie@millercohen.com;bruceMiller@millercohen.com
 Mallory Field MField@strobpc.com, jmckeogh@strobpc.com
 Jamie Scott Fields jeansartre@msn.com
 Joseph M. Fischer brcy@carsonfischer.com, jfischer@carsonfischer.com
 Deborah L. Fish dfish@allardfishpc.com, allardfishpc@yahoo.com
 Joseph Mark Fisher mfisher@schiffhardin.com
 Robert M. Fishman rfishman@shawfishman.com
 Steven B. Flancher flanchers@michigan.gov
 Vanessa G. Fluker vgflawyer@sbcglobal.net, dfjohnson@cfaith.com
 Mark S. Frankel mfrankel@couzens.com
 Brendan H. Frey bfrey@manteselaw.com, ssikorski@manteselaw.com
 Timothy A. Fusco fusco@millercanfield.com
 Eric B. Gaabo gaabe@detroitmi.gov
 Joshua A. Gadharf jgadharf@mcdonaldhopkins.com
 Niraj R. Ganatra Nganatra@uaw.net
 Andrew J. Gerdes agerdes@gerdesplc.com,wwkannel@mintz.com,awalker@mintz.com, ajg-ecf@hotmail.com
 Rozanne M. Giunta rmguinta@lambertleser.com
 Stuart A. Gold sgold@glmpc.com
 Jerome D. Goldberg aplawyer@sbcglobal.net
 William H. Goodman mail@goodmanhurwitz.com
 Robert D. Gordon rgordon@clarkhill.com, lbellguzzo@clarkhill.com
 Jeffrey S. Grasl jgrasl@mcdonaldhopkins.com, sharrow@mcdonaldhopkins.com
 Timothy R. Graves tgraves@allardfishpc.com, allardfishpc@yahoo.com
 Jonathan S. Green green@millercanfield.com
 John T. Gregg jgregg@btlaw.com
 Christopher A. Grosman BRCY@CarsonFischer.com, cgrosman@carsonfischer.com
 Stephen M. Gross sgross@mcdonaldhopkins.com, shelly.harrow@gmail.com
 Stephen B. Grow sgrow@wnj.com, kfrantz@wnj.com

Edward J. Gudeman ejgudeman@gudemanlaw.com, ecf@gudemanlaw.com
Raymond Guzall rayguzall@attorneyguzall.com
Stephen C. Hackney stephen.hackney@kirkland.com
Paul R. Hage phage@jaffelaw.com, jtravick@jaffelaw.com
Paula A. Hall hall@bwst-law.com, marbury@bwst-law.com;pleban@bwst-law.com
Michael C. Hammer mchammer2@dickinsonwright.com
Howard R. Hawkins howard.hawkins@cwt.com, mark.ellenberg@cwt.com;jason.jurgens@cwt.com;ellen.halstead@cwt.com
David Gilbert Heiman dgheiman@jonesday.com
Robert S. Hertzberg hertzbergr@pepperlaw.com, alexsym@pepperlaw.com;kuschj@pepperlaw.com
Steven G. Howell showell@dickinsonwright.com
Marshall S. Huebner bankrout@davispolk.com
Charles Bruce Idelsohn charlesidelsohnattorney@yahoo.com, charlesID@hotmail.com
Mark R. James mrj@wwrplaw.com
William W. Kannel wkannel@mintz.com
John P. Kapitan easternecf@trottlaw.com
Michael Anthony Karman makarmanesq@gmail.com
Michael Joseph Karwoski mjkarwoski@alumni.nd.edu
Mami Kato mkato@sachswaldman.com, pmerchak@sachswaldman.com
Richardo I. Kilpatrick ecf@kaalaw.com, wjackson@KAALaw.com
Susheel Kirpalani susheelkirpalani@quinnemanuel.com, monicatarazi@quinnemanuel.com
Scott B. Kitei skitei@honigman.com
Anthony J. Kochis akochis@wolfsonbolton.com,
stravis@wolfsonbolton.com;hkrstich@wolfsonbolton.com;hkrstich@ecf.inforuptcy.com;akochis@ecf.inforuptcy.com
Samuel S. Kohn skohn@chadbourne.com,
japfel@chadbourne.com;sbloomfield@chadbourne.com;lschapira@chadbourne.com
Dan Korobkin dkorobkin@aclumich.org
Deborah Kovsky-Apap kovskyd@pepperlaw.com, alexsym@pepperlaw.com
Kay Standridge Kress kressk@pepperlaw.com, alexsym@pepperlaw.com
Stephen S. LaPlante laplante@millercaanfield.com, skoczylas@millercaanfield.com
Patrick C. Lannen plannen@plunkettcooney.com, mkisell@plunkettcooney.com
Lawrence A. Larose llarose@chadbourne.com,
skohn@chadbourne.com;japfel@chadbourne.com;mroitman@chadbourne.com;sbloomfield@chadbourne.com
Caralyce M. Lassner ecf@lassnerlaw.com
Michael S. Leib msl@maddinhauser.com, bac@maddinhauser.com
David E. Lemke david.lemke@wallerlaw.com
Heather Lennox hlennox@jonesday.com
David A. Lerner dlerner@plunkettcooney.com, nwinagar@plunkettcooney.com
Richard Levin rlevin@cravath.com, mao@cravath.com
Sharon L. Levine slevine@lowenstein.com
David T. Lin dlin@seyburn.com, kbilpo@seyburn.com
Ronald C. Liscombe rliscombe@alglawpc.com
William Norman Listman wlistman@davislistman.com
Sara Klettke MacWilliams macwilliams@youngpc.com, efilng@youngpc.com
Richard G. Mack richardmack@millercohen.com, mcoil@millercohen.com
Elias T. Majoros emajoros@glmpc.com
Carolyn Beth Markowitz DVCCOUNSEL@AOL.COM
Donald G. McGuigan don@mcguiganlaw.com
Patrick E. Mears pmears@btlaw.com
Leah Montesano leah.montesano@arentfox.com
Claude D. Montgomery claudemontgomery@dentons.com,docketny@dentons.com,
carole.neville@dentons.com;sam.alberts@dentons.com
Claude D. Montgomery claudemontgomery@dentons.com, carole.neville@dentons.com;sam.alberts@dentons.com
Thomas R. Morris morris@silvermanmorris.com, marlene@silvermanmorris.com
Wolfgang Mueller wmueller@olsmanlaw.com, jsmith@olsmanlaw.com
Harold E. Nelson ecf-hen@rhoadesmckee.com
Fred Neufeld fneufeld@sycr.com
Carole Neville carole.neville@dentons.com,daniel.morris@dentons.com
Carole Neville carole.neville@dentons.com
Karen Vivian Newbury knewbury@schiffhardin.com
Max J. Newman newman@butzel.com
Kenneth E. Noble kenneth.noble@kattenlaw.com, nyc.bknotices@kattenlaw.com
Eric David Novetsky enovetsky@jaffelaw.com
Sandra L. O'Connor soconnor@glmpc.com
Brian D. O'Keefe bokeefe@lippittokeefe.com, TReitloff@lippittokeefe.com
Arthur O'Reilly aoreilly@honigman.com, ahatcher@honigman.com

Lisa Okasinski lisa@demolaw.com
Noah J. Ornstein noah.ornstein@kirkland.com
Alidz Oshagan oshagan@legghioisrael.com, drf@legghioisrael.com
Yuliy Osipov yotc_ecf@yahoo.com, yo_ecf@osbig.com;tc_ecf@osbig.com
Michael R. Paslay mike.paslay@wallerlaw.com,
Cathy.thomas@wallerlaw.com;Chris.cronk@wallerlaw.com;David.lemke@wallerlaw.com;Ryan.cochran@wallerlaw.com;Court
ney.rogers@wallerlaw.com;Gerald.mace@wallerlaw.com
Barbara A. Patek bpatek@ermanteicher.com
Andrew A. Paterson aap43@outlook.com, aap43law@gmail.com
Geoffrey T. Pavlic pavlic@steinbergshapiro.com, jbrown@steinbergshapiro.com
Randall A. Pentiuik RPentiuik@PCK-Law.Com, Pentiuikpc@aol.com
Alfredo R. Perez
alfredo.perez@weil.com,kelly.dibiasi@weil.com,dana.kaufman@weil.com,brian.wells@weil.com,brenda.funk@weil.com
Alfredo R. Perez
alfredo.perez@weil.com,kelly.dibiasi@weil.com,deborah.hoehne@weil.com,elizabeth.hendee@weil.com,edward.soto@weil.com
.Edward.McCarthy@weil.com,brenda.funk@weil.com
Heidi Peterson hdpeterson75@gmail.com
Ryan Plecha rplecha@lippittokeefe.com, jgreeniajdozrycki@lippittokeefe.com
Leland Prince princel@dteenergy.com
Thomas B. Radom Radom@butzel.com
A. Stephen Ramadan steveramadan@gmail.com
John Joseph Ramirez john.ramirez@kattenlaw.com
H. Nathan Resnick hnresnick@resnicklaw.net, jabdelnour@resnicklaw.net
Peter J. Roberts proberts@shawfishman.com
Kimberly Joan Robinson kim.robinson@bfkn.com
Richard A. Roble (UST) Richard.A.Roble@usdoj.gov
Louis P. Rochkind lrochkind@jaffelaw.com, dburris@jaffelaw.com
Courtney M. Rogers courtney.rogers@wallerlaw.com
Ronald L. Rose rrose@dykema.com
Eric Rosenberg EJR@morganmeyers.com, amendiola@morganmeyers.com
Heath Douglas Rosenblat Heath.Rosenblat@dbr.com, Jennifer.Roussil@dbr.com;Daniel.Northrop@dbr.com
Jeffrey Rossman jrossman@mwe.com
Jeffrey Rossman jrossman@mwe.com,ncoco@mwe.com,Lhaidostian@mwe.com
Craig B. Rule bankruptcy@orlans.com, ANHSOA@earthlink.net
Edward Todd Sable tsable@honigman.com, litdocket@honigman.com
Kenneth M. Schneider kschneider@schneidermiller.com
Matthew Schneider SchneiderM7@michigan.gov
Joseph R. Sgroi jsgroi@honigman.com, litdocket@honigman.com
Mark H. Shapiro shapiro@steinbergshapiro.com, jbrown@steinbergshapiro.com
Howard S. Sher howard@jacobweingarten.com
John P. Sieger john.sieger@kattenlaw.com
Jeffery R. Sieving jeff@iobillboard.com
John A. Simon jsimon@foley.com
Jill Kristen Smith Jill.Smith@macombgov.org
William Pfeiffer Smith wsmith@mwe.com
James Sprayregen james.sprayregen@kirkland.com
Douglas Steele dls@wmlaborlaw.com
Kevin N. Summers ksummers@dflaw.com, mmichael@psedlaw.com;ccook@dflaw.com
Matthew Gernet Summers summersm@ballardspahr.com
Marc N. Swanson swansonm@millercafield.com
Meredith Taunt mtaunt@strobpc.com, KVanAkin@strobpc.com
Ralph A. Taylor ralph.taylor@arentfox.com
Julie Beth Teicher jteicher@ermanteicher.com
Kurt Thornbladh kthornbladh@gmail.com, thornbladh.kurt3@gmail.com
My Chi To mcto@debevoise.com, mao-bk-ecf@debevoise.com
Sheryl L. Toby stoby@dykema.com, dguerrero@dykema.com
Sheldon S. Toll lawtoll@comcast.net, lawtoll@comcast.net
Matthew Troy matthew.troy@usdoj.gov
Brian R. Trumbauer btrumbauer@bodmanlaw.com
Suzanne L. Wahl swahl@schiffhardin.com,
mosullivan@schiffhardin.com;dchapman@schiffhardin.com;lmisisian@schiffhardin.com;edocket@schiffhardin.com
Scott M. Watson swatson@wnj.com
Daniel J. Weiner dweiner@schaferandweiner.com
Robert A. Weisberg BRCY@CARSONFISCHER.COM, rweisberg@carsonfischer.com
William A. Wertheimer billwertheimer@gmail.com

Benjamin J. Wilensky bjw@seikalystewart.com
Matthew Wilkins wilkins@bwst-law.com, marbury@bwst-law.com
Angela Williams williamsa@dhcmi.org, HollisR@dhcmi.org
Jeremiah Buffalo Wirgau jwirgau@sspclgal.com
Scott A. Wolfson
swolfson@wolfsonbolton.com,david.rosenzweig@nortonrosefulbright.com,melanie.kotler@nortonrosefulbright.com,
stravis@wolfsonbolton.com;hkrstich@wolfsonbolton.com;hkrstich@ecf.inforuptcy.com
Stephen Wolpert stephen.wolpert@dechert.com
David M. Zack dmzack@mcaldpinelawfirm.com,
nanichols@mcaldpinelawfirm.com;dwblevins@mcaldpinepc.com;mrsanborn@mcaldpinepc.com;rwjezdimir@mcaldpinepc.com
Trevor J. Zamborsky tzamborsky@romanolawpllc.com, trevor.zamborsky@gmail.com
Jennifer Zbytowski Belveal jbelveal@honigman.com, mjohnson@honigman.com
Craig E. Zucker czucker@ermanteicher.com

And I hereby certified that I have mailed by United States Postal Service the Paper(s) to the following non-ECF participants:
Due to the numerosity of the parties to the matrix, the Creditors have only filed this Motion electronically.

Date: June 17, 2014

/s/ Kurt Thornbladh
Attorney for Creditors in the Motion
Kurt Thornbladh P25858
Thornbladh Legal Group PLLC
7301 Schaefer 48532
(313) 943-2678
kthornbladh@gmail.com
P25858

Exhibit "4"

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In the matter of:

City of Detroit, Michigan

Case No. 13-53846

Chapter 9

Hon. Steven W. Rhodes

_____ Debtor _____/

AFFIDAVIT

State of Michigan)
)SS .
County of Wayne)

KURT THORNBLADH, first being duly sworn, deposes and says as follows:

1. I am Counsel for the Creditors named in the Motion for Class Certification of Proof of Claims ## 2638, 2651, 2654, 2659, 2676, 2683, 2689 and 2692.

2. The statements made in the Motion for Class Certification are true and correct to the best of my information and belief, based upon an investigation of the facts made by me and by co-counsel in this Motion.

3. The documentary exhibits attached hereto are complete and accurate copies of the original documents.

Further your affiant says not.

 /s/ KURT THORNBLADH
KURT THORNBLADH

Subscribed and sworn to before me
on May 30, 2014.
 /s/ Hawraa al-aridhi
HAWRAA AL-ARIDHI, NOTARY PUBLIC
Wayne County, Michigan
My Commission Expires: January 19, 2017
Acting for Wayne County