

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

In re)
) Chapter 9
)
CITY OF DETROIT, MICHIGAN,) Case No. 13-53846
)
Debtor.) Hon. Steven W. Rhodes
)
) Expedited Consideration
) Requested

***EX PARTE* MOTION FOR SHORTENED NOTICE AND EXPEDITED
HEARING ON MOTION TO COMPEL FULL AND FAIR RESPONSES TO
SYNCORA’S INTERROGATORIES**

Syncora¹ submits this *Ex Parte* Motion for Shortened Notice and Expedited Hearing on the *Motion to Compel Full and Fair Responses to Syncora’s Interrogatories* (the “Motion to Compel”) and respectfully represent as follows:

Jurisdiction and Venue

1. The Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334. Venue is proper in this district under 28 U.S.C. §§ 1408 and 1409.

Relief Requested and Basis for Relief

2. Pursuant to Bankruptcy Rule 9006(c) and Local Bankruptcy Rule 9006-1(b), this Court may, *ex parte*, shorten the notice period provided by Local Bankruptcy Rule 9014-1 for a party to take any action or file any paper. Fed. R. Bankr. P. 9006(c); E.D. Mich. LBR 9006-1(b).

¹ Capitalized terms not defined herein have the meanings given to them in Syncora’s Motion to Compel.

3. Syncora respectfully requests that, pursuant to Bankruptcy Rule 9006(a) and Local Bankruptcy Rule 9006-1(b), the Court shorten the notice period with respect to the Motion to Compel and schedule an expedited hearing on the Motion to Compel on **June 26, 2014**.

4. Contemporaneously with the filing of this *Ex Parte* Motion, Syncora filed the Motion to Compel. For the reasons stated in the Motion to Compel, Syncora seeks the entry of an order compelling the Debtor to provide full and fair responses to each of Syncora's interrogatories.

5. The Court has scheduled a status conference for June 26, 2014. (*See* Fifth Amended Order Establishing Procedures, Dates, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment, Doc. No. 5259.) The Court has also granted an order for expedited hearing on a joint motion to quash Syncora's subpoenas duces tecum on the same date. (*See* Order, Doc. No. 5304.) The Motion to Compel addresses similar issues related to written discovery. Syncora submits that efficiency would be served by hearing the Motion to Compel on June 26, 2014.

6. Syncora will serve this *Ex Parte* Motion to the parties in the above-captioned proceedings and will provide notice of the *ex parte* order upon issuance pursuant to E.D. Mich. LBR 9006-1(b).

Conclusion

WHEREFORE, Syncora respectfully requests that the Court enter an Order, substantially in the form attached as Exhibit 1, granting the relief requested in this *Ex Parte* Motion and granting such further relief as this Court deems appropriate.

[Remainder of this page intentionally left blank]

Dated: June 18, 2014

Respectfully submitted,

KIRKLAND & ELLIS LLP

By: /s/ Stephen C. Hackney

James H.M. Sprayregen, P.C.

Ryan Blaine Bennett

Stephen C. Hackney

KIRKLAND & ELLIS LLP

300 North LaSalle

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

- and -

Stephen M. Gross

David A. Agay

Joshua Gadharf

MCDONALD HOPKINS PLC

39533 Woodward Avenue

Bloomfield Hills, MI 48304

Telephone: (248) 646-5070

Facsimile: (248) 646-5075

*Attorneys for Syncora Guarantee Inc. and
Syncora Capital Assurance Inc.*

Exhibit 1
Proposed Order

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

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

**ORDER GRANTING *EX PARTE* MOTION FOR SHORTENED NOTICE
AND EXPEDITED HEARING ON MOTION TO COMPEL FULL AND
FAIR RESPONSES TO SYNCORA’S INTERROGATORIES**

This matter having come before the Court on the motion (the “*Ex Parte* Motion”) of Syncora for the entry of an order shortening the notice period and scheduling an expedited hearing on the *Motion to Compel Full and Fair Responses to Syncora’s Interrogatories* (the “Motion to Compel”), the Court having reviewed Syncora’s *Ex Parte* Motion; and the Court having determined that the legal and factual bases set forth in the motion establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. Syncora’s *Ex Parte* Motion is GRANTED.
2. The hearing with respect to the Syncora’s Motion to Compel shall be held on June 26, 2014 before Hon. Steven Rhodes.
3. Syncora is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the motion.

4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

5. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.