

**IN THE 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 OF CITY FOR AN
ORDER AUTHORIZING IT TO FILE A BRIEF IN
SUPPORT OF RESPONSE IN EXCESS OF PAGE LIMIT**

The City of Detroit (the “City”), as the debtor in the above-captioned case, hereby moves the Court for entry of an order authorizing the City to file its Brief in support of its Response (Dkt. 5312) in Opposition to Macomb Interceptor Drain Drainage District’s Motion (Dkt. 5155) For Temporary Allowance Of Claim Pursuant To Rule 3018(A) Of The Federal Rules Of Bankruptcy Procedure For Purposes Of Accepting Or Rejecting Debtor’s Fourth Amended Plan Of Adjustment (“Brief”) in excess of the 25 page limit imposed by Rule 7.1(d)(3)(A) of the Local Rules of the United States District Court for the Eastern District of Michigan (the “District Court Local Rules”).

1. On May 30, 2014, the Macomb Interceptor Drain Drainage District (“MIDDD”) filed its Motion for Temporary Allowance of Claim Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure for Purposes of Accepting

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or Rejecting the Debtor's Fourth Amended Plan of Adjustment ("Motion"). (Dkt. 5155). The City filed its Response to the Motion on June 13 ("Response"). (Dkt. 5312). On June 25, this Court conducted a status conference on the Motion. During that status conference, the Court requested that the City submit a brief in support of its Response.

2. District Court Local Rule 7.1(d)(3)(A) provides that "[t]he text of a brief supporting a motion or response, including footnotes and signatures, may not exceed 25 pages. A person seeking to file a longer brief may apply *ex parte* in writing setting forth the reasons."

3. The Local Rules of this Court (the "Local Bankruptcy Rules") expressly incorporate the District Court Local Rules. See LBR 9029-1(a) ("The rules of procedure in cases and proceedings in this court shall be as prescribed by ... any applicable Local Rules of the United States District Court for the Eastern District of Michigan ..."). In addition, District Court Local Rule 1.1(c) provides that, in the absence of a "specific" applicable Local Bankruptcy Rule, "the general provisions [of the District Court Local Rules] apply."

4. To the extent that page limit prescribed by District Court Local Rule 7.1(d)(3)(A) applies to the City's Brief, the City submits that it requires more than twenty-five pages to meaningfully reply to the myriad of estimation issues raised in connection with MIDD's alleged claim and the Motion. Accordingly, the City

respectfully submits that it be (a) granted relief from the page limit for “brief[s] supporting a motion or response” imposed by District Court Local Rule 7.1(d)(3)(A); and (b) permitted to file its Brief in excess of 25 pages in length.

WHEREFORE, the City 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 City as the Court may deem proper.

Dated: July 14, 2014

Respectfully submitted,

By: /s/ Stephen S. LaPlante
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ATTORNEYS FOR THE CITY OF DETROIT

SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Rule 9014-1(b).

Exhibit 1	Proposed Order
Exhibit 2	None [Motion Seeks <i>Ex Parte</i> Relief]
Exhibit 3	None [Brief Not Required]
Exhibit 4	Certificate of Service
Exhibit 5	None [No Affidavits Filed Specific to this Motion]
Exhibit 6	None [No Documentary Exhibits Filed Specific to this Motion]

Exhibit 1

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**EX PARTE ORDER AUTHORIZING CITY TO FILE A
BRIEF IN SUPPORT OF RESPONSE IN EXCESS OF PAGE LIMIT**

This matter coming before the Court on the *Ex Parte* Motion of the City for an Order Authorizing it to File a Brief in Support of Response in Excess of Page Limit (the “Motion”),¹ filed by the City of Detroit, Michigan (the “City”); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The City is granted relief from the page limit for responses set forth in District Court Local Rule 7.1(d)(3)(A) and may file its Brief in excess of 25 pages.

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

EXHIBIT 4

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CERTIFICATE OF SERVICE

I, Stephen S. LaPlante, hereby certify that the foregoing *Ex Parte* Motion of the City For an Order Authorizing it to File a Brief in Support of Response in Excess of Page Limit was filed and served via the Court's electronic case filing and noticing system on this 14th day of July, 2014.

/s/ Stephen S. LaPlante