

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

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

---

***EX PARTE* MOTION OF THE ATTORNEY GENERAL FOR ORDER ALLOWING  
RESPONSE BRIEF TO JOINT PRETRIAL BRIEF OF BOND INSURERS**

The Attorney General moves *ex parte* for the entry of an order authorizing him to file the attached brief.

1. The Court's most recent pretrial scheduling order allows for the filing of trial briefs but not briefs in response. On August 27, 2014, certain creditors—the Bond Insurers—filed a 174-page joint pretrial brief objecting to the DIA Settlement (Document No. 7103). Much of the brief directly disputes the legal reasoning of AG Opinion No. 7272; it also addresses other issues relevant to charitable trusts, which the Attorney General supervises and enforces on behalf of the people of Michigan.

2. Because the City's Plan—specifically, the DIA Settlement—fully preserves the DIA Collection in perpetual charitable trust for the people of Michigan, the Attorney General supports this resolution and has not materially participated in the confirmation hearing. Given that the Attorney General issued his opinion in June 2013, the Court and other parties have had the benefit of his analysis for more than a year. Because the Bond Insurers dedicated a significant portion of their filing to addressing the opinion, the Attorney General contends that the Court will benefit from his response to the Bond Insurers' arguments.

3. To further explain his formal opinion and to otherwise clarify matters relevant to charitable trust law, the Attorney General respectfully requests that the Court enter an order allowing for the filing of the attached response brief.

Respectfully submitted,

Bill Schuette  
Attorney General

B. Eric Restuccia (P49550)  
Deputy Solicitor General

/s/ Michael Bell  
Michael Bell (P47890)  
William R. Bloomfield (P68515)  
Assistant Attorneys General  
P.O. Box 30212  
Lansing, Michigan 48909  
(517) 373-1124

Dated: September 19, 2014

Z:\CP\_All Division Share\Charitable Trust\Case files\Detroit Institute of Arts\Detroit bankruptcy - Conflict Wall\AGTrial  
Brief Response.ex.parte.motion.9.12.14.draft.docx

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

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

---

**ORDER GRANTING *EX PARTE* MOTION OF THE ATTORNEY GENERAL FOR  
ORDER ALLOWING RESPONSE BRIEF TO JOINT PRETRIAL BRIEF OF  
BOND INSURERS**

After consideration of the Attorney General's motion to file a response brief to the joint pretrial brief of the Bond Insurers, the Court finds good cause to allow the Attorney General to file a response brief.

The Court, therefore, GRANTS the Attorney General's motion.

IT IS HEREBY ORDERED:

That the Attorney General's response brief attached to the *ex parte* motion is accepted as filed with the Court.

---

Steven Rhodes  
United States Bankruptcy Judge