

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

	X	
	:	Chapter 9
IN RE	:	
	:	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	:	
	:	Hon. Steven W. Rhodes
DEBTOR	:	
	X	

**STIPULATION TO ENTRY OF ORDER RESOLVING OMNIBUS CLAIMS
OBJECTION WITH RESPECT TO CLAIMS FILED BY THE AMALGAMATED
TRANSIT UNION LOCAL 26 AFL-CIO, AARON SCOTT AND MITCHELL CLIFTON**

The Amalgamated Transit Union Local 26 AFL-CIO and two individual union members, Aaron Scott and Mitchell Clifton (collectively the “Claimants”), by and through their undersigned counsel, and the City of Detroit, Michigan (the “City”), by and through its undersigned counsel, state as follows in support of the entry of the *Order Resolving Omnibus Claims Objection with Respect to Claims Filed by the Amalgamated Transit Union Local 26 AFL-CIO, Aaron Scott and Mitchell Clifton* attached hereto as **Exhibit 1**.

1. On February 20, 2014, counsel for the Claimants, Bredhoff & Kaiser, P.L.L.C. (“Bredhoff”) filed three proofs of claim related to labor grievances with the City, on behalf of the Claimants (collectively the “Bredhoff Claims”) [Claim Nos. 937, 940, and 944].
2. Each of the proofs of claim for the Bredhoff Claims indicated that at least a portion of the claim was a claim under Sections 503(b)(9) of the Bankruptcy Code.
3. On August 29, 2014, the City filed its *Seventh Omnibus Objection to Certain Claims* [Dkt. No. 7200] (the “Claims Objection”) wherein the City objected to the Bredhoff

Claims on the basis that no part of those claims met the standards for a claim entitled to priority under Section 503(b)(9) of the Bankruptcy Code.

4. Upon discussion between counsel for the Claimants and counsel for the City, the Claimants agreed that none of the Bredhoff Claims meet the standards of a claim under Section 503(b)(9) of the Bankruptcy Code, and that the Bredhoff Claims should not be treated as such.

5. The Claimants reserve their rights, if any, to amend the Bredhoff Claims to assert priority status for some or all of the Bredhoff Claims, other than a priority under Section 503(b)(9) of the Bankruptcy Code, and the City reserves all rights to object to any such amendments and/or assertions of priority status.

6. The City further reserves all of its rights to object to the Bredhoff Claims on any other grounds and the Claimants reserve all of their rights to respond to any such objections.

WHEREFORE the parties respectfully request that the Court enter an order in the form attached hereto as **Exhibit 1** resolving the Claim Objection with respect to the Bredhoff Claims.

Respectfully submitted by:

<p>FOLEY & LARDNER, LLP</p> <p>By: <u>/s/ Tamar N. Dolcourt</u> John A. Simon (P61866) Tamar N. Dolcourt (P73425) 500 Woodward Ave., Ste. 2700 Detroit, MI 48226 Phone: (313) 234-7100 jsimon@foley.com tdolcourt@foley.com <i>Counsel to the Debtor, City of Detroit Michigan</i></p> <p>Dated: September 23, 2014</p>	<p>BREDHOFF & KAISER, P.L.L.C.</p> <p>By: <u>/s/ Zachary Ista (w/consent)</u> Zachary Ista Bredhoff & Kaiser P.L.L.C. 805 15th Street N.W., Suite 1000 Washington D.C. 20005 Phone: (202) 842-2600 zista@bredhoff.com</p> <p><i>Counsel to Amalgamated Transit Union Local 26 AFL-CIO, Aaron Scott, and Mitchell Clifton</i></p>
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EXHIBIT 1: PROPOSED ORDER

4813-9117-9038.2

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	:	Hon. Steven W. Rhodes
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**ORDER RESOLVING OMNIBUS CLAIMS OBJECTION WITH RESPECT TO
CLAIMS FILED BY THE AMALGAMATED TRANSIT UNION LOCAL 26 AFL-CIO,
AARON SCOTT AND MITCHELL CLIFTON**

This matter having come before the Court on the *Stipulation to Entry of Order Resolving Omnibus Claims Objection With Respect to Claims Filed by the Amalgamated Transit Union Local 26 AFL-CIO, Aaron Scott and Mitchell Clifton* (the “Stipulation”); the Claimants¹ having filed Claim Nos. 937, 940, and 944 in the above-captioned bankruptcy case, and indicated some portion of the Bredhoff Claims were claims entitled to priority under Section 503(b)(9) of the Bankruptcy Code; the City having filed the Claim Objection asserting that no portion of the Bredhoff Claims met the standards for claims entitled to priority under Section 503(b)(9) of the Bankruptcy Code; the Claimants agreeing that the Bredhoff Claims are not entitled to such priority; and the Court being otherwise fully informed:

IT IS HEREBY ORDERED THAT:

1. Claim Nos. 937, 940, and 944 are not claims entitled to priority under Section 503(b)(9) of the Bankruptcy Code, and will not be classified as such.

¹ Capitalized terms not defined herein have the meanings ascribed to them in the Stipulation.

2. The Claimants reserve their rights, if any, to amend the Bredhoff Claims to assert priority status for some or all of the Bredhoff Claims, other than a priority under Section 503(b)(9) of the Bankruptcy Code, and the City reserves all rights to object to any such amendments and/or assertions of priority status.

3. The City reserves all of its rights to object to the Bredhoff Claims on any other grounds and the Claimants reserve all of their rights to respond to any such objections.