

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

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

**EX PARTE MOTION OF THE CITY OF DETROIT
FOR ENTRY OF AN ORDER AUTHORIZING
IT TO FILE AN OBJECTION IN EXCESS OF PAGE LIMIT**

The City of Detroit, Michigan (the "City"), as the debtor in the above-captioned case, hereby moves the Court for the entry of an order authorizing the City to file its objection (the "Objection") to the Motion by Official Committee of Retirees to Stay Deadlines and the Hearings Concerning a Determination of Eligibility Pending Decision on Motion to Withdraw the Reference (the "Stay Motion") (Docket No 837) 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 September 13, 2013, the Official Committee of Retirees (the "Committee") filed the Stay Motion. Contemporaneously with the Stay Motion, the Committee also filed an *ex parte* motion for an expedited hearing on

the Stay Motion (Docket No. 843), requesting a hearing on or before September 19, 2013. By an order entered on September 16, 2013 (Docket No. 867), this Court granted the Committee's motion for an expedited hearing and ordered that "objections to the Stay Motion must be filed on or before 3:00 p.m. on September 18, 2013."

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. The Stay Motion (a) raises numerous legal issues (including various arguments based upon the Michigan Constitution, the United States Constitution and the Bankruptcy Code), (b) requires the City to address the

standards governing a request for a preliminary injunction standard and (c) in connection with those standards, requires the City to address the merits of the Committee's Motion to Withdraw the Reference (Docket No. 806). The City submits that it requires more than 25 pages to meaningfully address these issues. Accordingly, the City respectfully requests 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 Objection in excess of 25 pages in length.

WHEREFORE, the City respectfully requests that this Court:

(a) enter an order substantially in the form attached hereto as Exhibit 1, granting the relief sought herein; and (b) grant such other and further relief to the City as the Court may deem proper.

Dated: September 18, 2013

Respectfully submitted,

/s/ Bruce Bennett

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ATTORNEYS FOR THE DEBTOR

SUMMARY OF ATTACHMENTS

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

Exhibit 1	Proposed Form of Order
Exhibit 2	None [Motion Seeks <i>Ex Parte</i> Relief]
Exhibit 3	None [Brief Not Required]
Exhibit 4	None [Separate Certificate of Service To Be Filed]
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 THE CITY OF DETROIT
TO FILE AN OBJECTION IN EXCESS OF PAGE LIMIT**

This matter coming before the Court on the *Ex Parte* Motion of the City of Detroit for Entry of an Order Authorizing It to File an Objection in Excess of Page Limit (the "Motion"),¹ filed by the City of Detroit (the "City"); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

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

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 Objection in excess of 25 pages.