

**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. Thomas J. Tucker
-----X	:	

**STIPULATION TO ALLOW CLAIM NO. 142 FILED BY  
NORFOLK SOUTHERN RAILWAY COMPANY AS A  
GENERAL UNSECURED CLAIM IN A REDUCED AMOUNT**

Norfolk Southern Railway Company (“Norfolk Southern”) and the City of Detroit, Michigan (the “Debtor”), by and through their undersigned counsel, state as follows in support of the entry of the *Order Allowing Claim No. 142 in a Reduced Amount* attached hereto as **Exhibit 1**.

1. On November 26, 2013, Norfolk Southern filed a proof of claim [Claim No. 142] in the amount of \$36,128.73.

2. Upon discussion between the parties, Norfolk Southern has agreed that it received payments from the City in the amount of \$4,101.38, thereby reducing its claim to \$32,027.35.

3. Therefore, the parties have agreed to allow Claim No. 142 as a general unsecured claim in the amount of \$32,027.35, which constitutes the only pre-petition claim of Norfolk Southern.

**WHEREFORE** the parties respectfully request that the Court enter an order in the form attached hereto as **Exhibit 1** approving the parties’ stipulation.

4827-6788-9954.1

Respectfully submitted by:

<b>FOLEY &amp; LARDNER, LLP</b>  By: <u>/s/ Jeffrey S. Kopp</u> Jeffrey S. Kopp (P59485) John A. Simon (P61866) Andrew B. Fromm (P79185) 500 Woodward Ave., Ste. 2700 Detroit, MI 48226 Phone: (313) 234-7100 jkopp@foley.com jsimon@foley.com afromm@foley.com  <i>Counsel to the City of Detroit, Michigan</i>   Dated: March 16, 2015	  By: <u>/s/ Kevin M. Andris (w/consent)</u> Kevin M. Andris, Esq. Norfolk Southern Railway Company Three Commercial Place Norfolk, VA 23510-9241 Phone: (757) 629-2865 kevin.andris@nscorp.com  <i>Counsel to Norfolk Southern</i>
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# **EXHIBIT 1**

**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,	:	
	:	
DEBTOR	:	Hon. Thomas J. Tucker
-----X	:	

**ORDER APPROVING STIPULATION TO ALLOW CLAIM NO. 142 AS A GENERAL  
UNSECURED CLAIM IN A REDUCED AMOUNT**

This matter having come before the Court on the *Stipulation to Entry of Order Allowing Claim No. 142 as a General Unsecured Claim in a Reduced Amount* (the “Stipulation”); Norfolk Southern<sup>1</sup> having filed Claim No. 142 in the above-captioned bankruptcy case; the parties having agreed that Claim No. 142 should be allowed as a general unsecured claim in a reduced amount; and the Court being otherwise fully informed:

**IT IS HEREBY ORDERED THAT:**

1. The Stipulation is approved.
2. Claim No. 142 filed by Norfolk Southern shall be allowed as a general unsecured claim in the amount of \$32,027.35, which constitutes the only pre-petition claim of Norfolk Southern.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning given to them in the Stipulation.