

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

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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 TO EXPEDITE HEARING ON
INTERNATIONAL UNION, UAW MOTION TO (A) COMPEL
PRODUCTION OF DOCUMENTS WITHHELD ON GROUNDS
OF PRIVILEGE AND (B) FOR RECONSIDERATION OF THIS
COURT’S SEPTEMBER 19 ORDER ON PRIVILEGE ISSUES**

The International Union, UAW (“UAW”) by its counsel requests that this Court expedite hearing of International Union, UAW’s Motion to (A) Compel Production of Documents Withheld on Grounds of Privilege and (B) For Reconsideration of This Court’s September 19 Order on Privilege Issues (the “Motion to Compel”). As grounds for this motion to expedite, UAW states as follows:

1. UAW filed this Motion to Compel in response to the City’s October 15 reassertion of privilege with respect to documents reflecting communications with restructuring counsel that ante-date the City’s retention of restructuring counsel and of the extent to which continuing assertion of the

common interest privilege has limited inquiry into relevant factual issues, as shown in the assertion of the privilege by Governor Richard Snyder in his October 9 deposition as more fully set forth in the motion.

2. In light of the expedited nature of the proceedings with respect to the debtor's eligibility to file for Chapter 9 protection and the imminent trial date, this Court should grant UAW's request for an expedited hearing to resolve the privilege issues that have arisen to date. It is critical that the privilege issues be resolved now to ensure that all relevant discovery is produced.

3. This Court twice recognized the exigency with which discovery disputes raised in connection with the City's eligibility to file for chapter 9 relief must be resolved through its orders for expedited hearings to consider the State's Motion to Quash certain of UAW's discovery requests [Docket No. 703] and UAW's Objections and Comments to the Court's August 26, 2013 Order Regarding Eligibility Objections, Notices of Hearing and Certifications [Docket No. 759]. For the same reasons that compelled this Court to grant expedited consideration of the proceeding discovery disputes, the instant dispute should be addressed with the same urgency.

4. Accordingly, UAW respectfully requests that this Court expedite consideration of the Motion to Compel and schedule a hearing for Monday, October 21, 2013 or such other date as the Court deems appropriate.

WHEREFORE, UAW respectfully requests that this Court: (1) 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 UAW as the Court may deem proper.

Dated: New York, New York
October 17, 2013

Respectfully submitted,

International Union, UAW

By: /s/ Babette A. Ceccotti
Cohen, Weiss and Simon LLP
Babette A. Ceccotti
Keith E. Secular
Thomas N. Ciantra
Peter D. DeChiara
Joshua J. Ellison
330 West 42nd Street
New York, New York 10036-6976
T: 212-563-4100
F: 212-695-5436
bceccotti@cwsny.com

- and -

Niraj R. Ganatra (P63150)
Michael Nicholson (P33421)
8000 East Jefferson Avenue
Detroit, Michigan 48214
T: (313) 926-5216
F: (313) 926-5240
nganatra@uaw.net
mnicholson@uaw.net

*Attorneys for International Union,
UAW*

Exhibit 1

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EX PARTE ORDER GRANTING MOTION TO EXPEDITE

This matter coming before the Court on the ex parte motion (the “Motion”) of the International Union, UAW for expedited consideration of UAW’s Motion to (A) Compel Production of Documents Withheld on Grounds of Privilege and (B) For Reconsideration of This Court’s September 19 Order on Privilege Issues (the “Motion to Compel”), filed by UAW; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. A hearing on the Objection is scheduled for _____,

2013 at ____:00 ____m.

- 3.

Signed on _____

Steven Rhodes
United States Bankruptcy Judge