

**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
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**STIPULATION TO FORM OF ORDER, PURSUANT TO SECTION 105(A)
OF THE BANKRUPTCY CODE, EXTENDING THE CHAPTER 9 STAY
TO THE 36TH DISTRICT COURT AND CERTAIN RELATED PARTIES**

The undersigned hereby stipulate to the form of the Order, Pursuant to Section 105(a) of the Bankruptcy Code, Extending the Chapter 9 Stay to the 36th District Court and Certain Related Parties attached hereto as Exhibit A.

Dated: October 25, 2013

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ATTORNEYS FOR THE CITY

EXHIBIT A

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

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In re : Chapter 9
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CITY OF DETROIT, MICHIGAN, : Case No. 13-53846
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**ORDER, PURSUANT TO SECTION 105(a) OF THE
BANKRUPTCY CODE, EXTENDING THE CHAPTER 9 STAY
TO THE 36TH DISTRICT COURT AND CERTAIN RELATED PARTIES**

This matter coming before the Court on the Motion of Debtor,
Pursuant to Section 105(a) of the Bankruptcy Code, for Entry of an Order
Extending the Chapter 9 Stay to the 36th District Court and Certain Related Parties
(Docket No. 1027) (the "Motion"),¹ filed by the City of Detroit, Michigan
(the "City"); Local 3308 and Local 917 of the American Federation of State,
County and Municipal Employees having filed Local 3308 and Local 917 of the
American Federation of State, County and Municipal Employees' Objection to
Motion of Debtor for Entry of an Order Extending the Chapter 9 Stay to the

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

36th District Court and Certain Related Parties (Docket No. 1125) (the "Objection"); the State of Michigan having filed the State of Michigan's Reply to Local 3308 and Local 917 of the American Federation of State, County and Municipal Employees' Objection to Motion of Debtor for Entry of an Order Extending the Chapter 9 Stay to the 36th District Court and Certain Related Parties (Docket No. 1193) (the "State Reply"); the 36th District Court having filed the Reply of 36th District Court to Local 3308 and Local 917 of the American Federation of State, County and Municipal Employees' Objection to Motion of Debtor for Entry of an Order Extending the Chapter 9 Stay to the 36th District Court and Certain Related Entities (Docket No. 1196) (the "36th District Court Reply"); the City having filed the Debtor's Reply in Support of Motion of Debtor, Pursuant to Section 105(a) of the Bankruptcy Code, for Entry of an Order Extending the Chapter 9 Stay to the 36th District Court and Certain Related Parties (Docket No. 1200) (the "City Reply"); the Court having reviewed the Motion, the Objection, the State Reply, the 36th District Court Reply and the City Reply and having considered the statements of counsel and the evidence adduced with respect to the Motion at a hearing before the Court (the "Hearing"); and the Court finding that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) notice of the Motion and the Hearing was sufficient under the circumstances, (d) the unusual

circumstances present in this chapter 9 case warrant extending the Chapter 9 Stay to the 36th District Court Parties as provided herein; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, as set forth herein, and the Objection is OVERRULED.
2. Pursuant to section 105(a) of the Bankruptcy Code, the Chapter 9 Stay is extended to apply in all respects to any attempt to collect from any of the 36th District Court Parties upon any monetary judgment or award entered or issued in any Legal Proceeding asserting claims arising prior to July 18, 2013.
3. For the avoidance of doubt, the relief granted herein shall not extend the Chapter 9 Stay to (a) the liquidation of monetary claims against any of the 36th District Court Parties, (b) claims seeking nonmonetary injunctive relief to the extent of such nonmonetary relief and (c) claims seeking prospective wage relief to the extent of such prospective wage relief.
4. Nothing herein shall extend the Chapter 9 Stay to Legal Proceedings asserting claims against former judges or former employees of the 36th District Court with respect to which claims neither the 36th District Court nor

the City has any obligation to indemnify the applicable former judge or former employee. For the avoidance of doubt, the following shall not be stayed in the Legal Proceeding captioned Rodgers, et al. v. 36th District Court, et al., Case No. 10-11799, pending in the United States District Court for the Eastern District of Michigan: (a) all claims asserted or to be asserted against former Chief Judge Marilyn Atkins; and (b) all nonmonetary claims asserted or to be asserted against any of the 36th District Court Parties.

5. Nothing herein shall extend the Chapter 9 Stay to Legal Proceedings seeking judgments against or collections from the State of Michigan or its agencies. For the purposes of this Order, none of the 36th District Court Parties shall be deemed to be an agency of the State of Michigan.

6. This Order is entered without prejudice to the right of any creditor of the 36th District Court to file a motion for relief from the stay imposed by this Order using the procedures, and under the standards, of sections 362(d) through (g) of the Bankruptcy Code.