

**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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**APPELLANTS’ DESIGNATION OF ITEMS TO BE INCLUDED  
IN THE RECORD ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, appellants the Detroit Fire Fighters Association (the “DFFA”), the Detroit Police Officers Association (the “DPOA”), and the Detroit Police Command Officers Association (the “DPCOA”, and together with the DFFA and DPOA, are collectively the “Detroit Public Safety Unions” or the “Appellants”), respectfully submit this designation of items for inclusion in the record on appeal in connection with the Appellants appeal [Docket Nos. 2137 and 2253] (the “Appeal”) from the bankruptcy court’s (i) decision, announced from the bench on December 3, 2013, finding the City of Detroit, Michigan eligible for relief under chapter 9 of the Bankruptcy Code (the “Bench Decision”); (ii) Order for Relief Under Chapter 9 of the Bankruptcy Code, dated December 5, 2013 finding the City of Detroit, Michigan eligible for relief under chapter 9 of the Bankruptcy Code [Docket No. 1946] (the “Order for Relief”); and (iii) accompanying Opinion Regarding Eligibility, dated December 5, 2013 [Docket No. 1945] (the “Opinion,” together with the Bench Decision and Order for Relief, are collectively the “Eligibility Order”).

**Designation of Items for the Record**

The Appellants hereby designate the following items, together with all exhibits, schedules and other attachments thereto (whether or not explicitly listed below), for inclusion in the record of the Appeal of the Eligibility Order:

Item No. (Attached)	Docket No./ Trial Exhibit No.	Date of Filing/Entry	Description
1.	481	8/19/13	Attorney General Bill Schuette's Statement Regarding the Michigan Constitution and the Bankruptcy of the City of Detroit
2.	512	8/19/13	Objection of the Detroit Fire Fighters Association, the Detroit Police Officers Association, the Detroit Police Lieutenants & Sergeants Association, and the Detroit Police Command Officers Association to Debtor's Bankruptcy Petition and Statement of Qualifications Under 11 U.S.C. Section 109(c)
3.	765	9/6/13	City of Detroit's Consolidated Reply to Objections to the Entry of an Order for Relief
4.	1156	10/11/13	The Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees' Amended Objection to the City of Detroit's Eligibility to Obtain Relief Under Chapter 9 of the Bankruptcy Code
5.	1166	10/11/13	Reply in Support of Objection of the Detroit Retirement Systems to the Eligibility of the City of Detroit, Michigan to Be a Debtor Under

			Chapter 9 of the Bankruptcy Code
6.	1169	10/11/13	Amended Objection of the Detroit Fire Fighters Association, the Detroit Police Officers Association, the Detroit Police Lieutenants & Sergeants Association, and the Detroit Police Command Officers Association to Debtor's Bankruptcy Petition and Statement of Qualifications Under 11 U.S.C. Section 109(c)
7.	1170	10/11/13	Amended Joint Objection of International Union, UAW and the Flowers Plaintiffs to the City of Detroit, Michigan's Eligibility for an Order for Relief Under Chapter 9 of the Bankruptcy Code
8.	1174	10/11/13	Supplemental Objection of the Official Committee of Retirees to Eligibility of the City of Detroit, Michigan to be a Debtor Under Chapter 9 of the Bankruptcy Code
9.	1217	10/17/13	Order Regarding Further Briefing on Eligibility
10.	1227	10/17/13	The Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees' Pretrial Brief Regarding the City of Detroit's Eligibility to Obtain Relief Under Chapter 9 of the Bankruptcy Code
11.	1230	10/17/13	Pre-Trial Brief of the Detroit Public Safety Unions, Consisting of the Detroit Fire Fighters Association (the "DFFA"), the Detroit Police Officers Association (the "DPOA"), the Detroit Police Lieutenants and Sergeants Association (the "DPLSA") and the Detroit Police

			Command Officers Association (the "DPCOA")
12.	1235	10/17/13	Pre-Trial Brief of International Union, UAW and the Flowers Plaintiffs With Respect to the Eligibility of the City of Detroit, Michigan for an Order for Relief Under Chapter 9 of the Bankruptcy Code
13.	1241	10/17/13	Pre-Trial Brief of the Official Committee of Retirees Regarding the City of Detroit's Eligibility to be a Debtor Under Chapter 9 of the Bankruptcy Code
14.	1242	10/17/13	Declaration of Claude D. Montgomery, Esq. in Support of the Pre-Trial Brief of the Official Committee of Retirees Regarding the City of Detroit's Eligibility to be a Debtor Under Chapter 9 of the Bankruptcy Code
15.	1244	10/17/13	Pre-Hearing Brief of the Detroit Retirement Systems in Support of Their Eligibility Objections Specifically Pursuant to Sections 109(c)(5) and 921(c) of the Bankruptcy Code
16.	1467	10/30/13	AFSCME's Supplemental Brief Regarding Eligibility
17.	1469	10/30/13	Supplemental Brief of International Union, UAW in Support of Their Amended Objection to the City of Detroit, Michigan's Eligibility for an Order for Relief Under Chapter 9 of the Bankruptcy Code
18.	1472	10/30/13	Supplemental Brief in Support of Objection of the Detroit Retirement Systems to the Eligibility of the City of Detroit, Michigan, to Be a Debtor

			Under Chapter 9 of the Bankruptcy Code
19.	1473	10/30/13	Supplemental Brief of the Detroit Public Safety Unions on Eligibility Pursuant to Order Regarding Further Briefing on Eligibility Pursuant to Order Regarding Further Briefing on Eligibility
20.	1556	11/6/13	City of Detroit's Supplemental Brief in Support of Entry of an Order for Relief
21.	1695	11/13/13	AFSCME's Supplemental Brief on Good Faith Negotiations
22.	1704	11/13/13	Brief of the Retiree Association Parties on Good Faith Issues
23.	1709	11/13/13	Supplemental Brief of the International Union, UAW Regarding Good Faith Bargaining
24.	1711	11/13/13	The Detroit Fire Fighters Association, the Detroit Police Officers Association, the Detroit Police Lieutenants & Sergeants Association, and the Detroit Police Command Officers Association Supplemental Trial Brief on Good Faith Negotiations in Support of Their Amended Objection to Debtor's Bankruptcy Petition and Statement of Qualifications Under 11 U.S.C. Section 109(c)
25.	1945	12/5/13	Opinion Regarding Eligibility
26.	1946	12/5/13	Order for Relief Under Chapter 9 of the Bankruptcy Code
27.	2313	12/26/13	Transcript Order Form of Hearing on October 15, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association

28.	2314	12/26/13	Transcript Order Form of Hearing on October 16, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
29.	2315	12/26/13	Transcript Order Form of Hearing on October 21, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
30.	2316	12/26/13	Transcript Order Form of Hearing on October 23, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
31.	2317	12/26/13	Transcript Order Form of Hearing on October 24, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
32.	2318	12/26/13	Transcript Order Form of Hearing on October 25, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
33.	2319	12/26/13	Transcript Order Form of Hearing on October 28, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
34.	2320	12/26/13	Transcript Order Form of Hearing on October 29, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police

			Command Officers Association, and Detroit Police Officers Association
35.	2321	12/26/13	Transcript Order Form of Hearing on November 4, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
36.	2322	12/26/13	Transcript Order Form of Hearing on November 5, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
37.	2323	12/26/13	Transcript Order Form of Hearing on November 7, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
38.	2324	12/26/13	Transcript Order Form of Hearing on November 8, 2013 Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, and Detroit Police Officers Association
39.	All Admitted Trial Exhibits, including but not limited to the Admitted Trial Exhibits listed below <sup>1</sup>	N/A	

<sup>1</sup> A list of admitted Trial Exhibits are contained at Docket Nos. 1356 and 1800. Pursuant to instructions from the Bankruptcy Clerk's office, Trial Exhibits are not

40.	Trial Exhibit 29	7/18/13	Letter from Governor Snyder re: Authorization to Commence Chapter 9 Bankruptcy Proceeding
41.	Trial Exhibit 43	6/14/13	City of Detroit Proposal for Creditors
42.	Trial Exhibit 44	6/14/13	City of Detroit Proposal for Creditors Executive Summary
43.	Trial Exhibit 402	1/31/13	E-mail from D. Moss to K. Orr
44.	Trial Exhibit 403	1/31/13	E-mail from K. Orr to C. Ball
45.	Trial Exhibit 414	7/18/13	Declaration of Kevyn D. Orr in Support of City of Detroit, Michigan's Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code
46.	Trial Exhibit 704	7/12/13	DFFA letter dated July 12, 2013
47.	Trial Exhibit 705	7/17/13	Jones Day letter of July 17, 2013
48.	Trial Exhibit 706	3/25/13	City of Detroit and Detroit Police Officers Association, MERC Case No. D12 D-0354 Panel's Findings, Opinion and Orders
49.	Trial Exhibit 707	3/25/13	City of Detroit and Detroit Police Officers Association, MERC Case No. D12 D-0354, Supplemental Award
50.	Trial Exhibit 709	6/14/13	Letter from Jones Day, Brian West Easley, dated June 14, 2013
51.	Trial Exhibit 710	6/27/13	Letter from Jones Day, Brian West Easley, dated June 27, 2013
52.	Trial Exhibit 711	2001	DFFA Master Agreement, 2001- 2009
53.	Trial Exhibit 714	3/23/12	DFFA Temporary Agreement

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being attached to this designation, rather will be delivered only at the request of the District Court.

54.	Trial Exhibit 715	2009	DPLSA Master Agreement, 2009
55.	Trial Exhibit 717	2/9/12	DPCOA Temporary Agreement
56.	Trial Exhibit 718	6/14/13	MERC Opinion, DPCOA, DPLSA and POAM
57.	Trial Exhibit 719	1/5/10	MERC OP, C07 E-110
58.	Trial Exhibit 833	1/29/13	Jones Day Presentation to the City of Detroit
59.	Trial Exhibit 844	6/5/12	E-mail from T. Wilson to H. Lennox
60.	Trial Exhibit 846	3/2/12	E-mail from J. Ellman to C. Ball
61.	Trial Exhibit 847	12/7/12	E-mail from J. Ellman to C. Ball
62.	Trial Exhibit 851	3/24/12	E-mail from J. Ellman to K. Herman
63.	Trial Exhibit 860	1/28/13	E-mail from C. Ball to J. Ellman

Dated: December 27, 2013

ERMAN, TEICHER, MILLER,  
ZUCKER & FREEDMAN, P.C.

By: /s/ Barbara A. Patek

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