

**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. Steven W. Rhodes
-----X

**EX PARTE MOTION OF DEBTOR FOR AN ORDER
AUTHORIZING IT TO FILE A RESPONSE IN EXCESS OF PAGE LIMIT**

The City of Detroit, Michigan (the “Debtor”), as the debtor in the above-captioned case, hereby moves the Court for the entry of an order authorizing the Debtor to file its Response to Motion of Syncora Guarantee Inc. and Syncora Capital Assurance Inc. for Leave to Conduct “Limited” Discovery Regarding Motion of Debtor for Authorization and Approval of Forbearance and Optional Termination Agreement (the “Response”) in excess of 25 pages.

1. On July 18, 2013, the same day the Debtor filed its voluntary petition, the Debtor filed its Motion for Entry of an Order (I) Authorizing the Assumption of that Certain Forbearance and Optional Termination Agreement Pursuant to Section 365(a) of the Bankruptcy Code, (II) Approving Such

Agreement Pursuant to Rule 9019, and (III) Granting Related Relief [Docket No. 17] (the “Assumption Motion”).

2. After the Court set a hearing on the Assumption Motion for August 2, 2013, Syncora Guarantee, Inc. and Syncora Capital Assurance, Inc. (collectively, “Syncora”) filed a motion for clarification of the Court’s order (the “Motion to Clarify”). In that motion, Syncora indicated that it would be filing an objection to the Assumption Motion and requested additional time to conduct “limited” discovery on the matter.

3. The Court granted Syncora’s Motion to Clarify on July 26, 2013, and indicated that the hearing on August 2, 2013 will be a status conference on the Assumption Motion, at which a schedule for resolving the motion will be set. The Court indicated that it will also address at the status conference “whether and the extent to which discovery will be allowed.” July 26, 2013 Order at 2.

4. Pursuant to Rule 7.1(d)(3)(A) of the Local Rules for the United States District Court for the Eastern District of Michigan, the text of a response brief, including footnotes and signatures, may not exceed 25 pages.

5. The Debtor submits that it requires more than 25 pages to meaningfully reply to the various issues raised in Syncora’s Motion to Clarify. Accordingly, the Debtor respectfully requests that it be permitted to file its Response in excess of 25 pages in length.

WHEREFORE, the Debtor respectfully requests that this Court:

- (i) 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 the Debtor as the Court may deem proper.

Dated: August 1, 2013

Respectfully submitted,

/s/ David G. Heiman

David G. Heiman (OH 0038271)
Heather Lennox (OH 0059649)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
dgheiman@jonesday.com
hlennox@jonesday.com

Bruce Bennett (CA 105430)
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 243-2382
Facsimile: (213) 243-2539
bbennett@jonesday.com

Thomas F. Cullen, Jr. (DC 224733)
Gregory M. Shumaker (DC 416537)
Geoffrey S. Stewart (DC 287979)
JONES DAY
51 Louisiana Ave., N.W.
Washington, D.C. 20001
Telephone: (202) 879-3939
Facsimile: (202) 626-1700
tfcullen@jonesday.com
gshumaker@jonesday.com
gstewart@jonesday.com

Jonathan S. Green (MI P33140)
Stephen S. LaPlante (MI P48063)
MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.
150 West Jefferson
Suite 2500
Detroit, Michigan 48226
Telephone: (313) 963-6420
Facsimile: (313) 496-7500
green@millercanfield.com
laplante@millercanfield.com

ATTORNEYS FOR THE CITY

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

**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. Steven W. Rhodes
 :
 :
-----X

**EX PARTE ORDER AUTHORIZING
DEBTOR TO FILE A RESPONSE IN EXCESS OF PAGE LIMIT**

This matter coming before the Court on the *Ex Parte* Motion of Debtor for an Order Authorizing it to File a Reply in Excess of Page Limit (the “Motion”),¹ filed by the City of Detroit, Michigan (the “Debtor”); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Debtor may file its Response in excess of 25 pages.

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