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

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Debtor. : Hon. Steven W. Rhodes

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CITY OF DETROIT, MICHIGAN, : Chapter 9

.

Plaintiff, : Adversary No. 14-04112

:

vs. : Hon. Steven W. Rhodes

:

DETROIT GENERAL RETIREMENT :

SYSTEM SERVICE CORPORATION, :

DETROIT POLICE AND FIRE :

RETIREMENT SYSTEM SERVICE : CORPORATION, DETROIT :

RETIREMENT SYSTEMS FUNDING :

TRUST 2005, and DETROIT :

RETIREMENT SYSTEMS FUNDING :

TRUST 2006, :

:

Defendants. :

FINANCIAL GUARANTY INSURANCE COMPANY'S MOTION TO INTERVENE PURSUANT TO RULE 7024 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE AND SECTION 1109(b) OF THE BANKRUPTCY CODE

Financial Guaranty Insurance Company ("<u>FGIC</u>"), by its undersigned counsel, hereby files this motion (the "<u>Motion</u>") for entry of an order pursuant to Rule 7024 of the Federal Rules of Bankruptcy Procedure (the "<u>Bankruptcy Rules</u>") and section 1109(b) of title 11 of the

United States Code (the "<u>Bankruptcy Code</u>") authorizing FGIC to intervene in the above-captioned adversary proceeding (the "<u>Adversary Proceeding</u>"). In support of the Motion, FGIC respectfully refers the Court to the Memorandum in Support attached hereto as <u>Exhibit 3</u>.

Jurisdiction

2. This Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334. The Court's consideration of the Motion is a core proceeding. Venue is proper before this Court pursuant to 28 U.S.C. § 1409.

Statement of Concurrence Sought

3. Pursuant to Local Rule 9014-1(g), on March 14, 2014, counsel for FGIC sought the concurrence of counsel for the City in the relief sought in the Motion. As of the date of the filing of this Motion, such concurrence has not been given.

WHEREFORE FGIC respectfully requests that the Bankruptcy Court enter the

Order, substantially in the form attached hereto as <u>Exhibit 1</u>, granting the relief requested herein and such other and further relief as the Court may deem just and proper.

Dated: March 17, 2014 Respectfully submitted,

/s/ Mark R. James

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ATTACHMENTS

Exhibit 1 Proposed Form of Order

Exhibit 2 Notice

Exhibit 3 Memorandum in Support

Exhibit 4 Certificate of Service

Exhibit 5 Pérez Declaration

Exhibit 6 Answer, Counterclaim, and Third-Party Complaint