

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	

OBJECTIONS TO THE PETITION FILED BY ONE KEVYN D. ORR SEEKING TO
COMMENCE A CASE UNDER CHAPTER 9 OF TITLE 11 OF THE UNITED STATES
CODE ON BEHALF OF THE CITY OF DETROIT, STATE OF MICHIGAN

I, Kwabena Shabu (dob: 6.3.52), received a notice by mail on or about August 13, 2013, alleging that I am a possible creditor or interested party in the above-captioned matter. In response to said notice, I do hereby file objections to the petition filed by Kevyn D. Orr, seeking to commence a case under Chapter 9 of the U.S. Bankruptcy Code on behalf of the City of Detroit, State of Michigan, and in support of said objections, I state the following:

Summary of Facts

1. I have been employed with the City of Detroit, Michigan continuously since on or about 30 years.
2. As an employee for the City of Detroit for more than 30 years, I was paid wages at various rates, and fringe benefits which included but were not limited to contributions made on my behalf to the Detroit Retirement System.
3. Pursuant to City of Detroit Civil Service Rules, and later pursuant to collective bargaining agreements, part of my compensation included my eligibility to receive certain public employee pension benefits, determined and defined by my years of service and my rate of pay.
4. Based upon my current level of service time, I am eligible to receive what is known as a vested pension upon my reaching the age of 65, and if I choose to leave my employment with the City of Detroit right now, I am eligible to receive a service retirement, as well as health insurance.

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 U.S. BANKRUPTCY COURT
 EASTERN DISTRICT OF MICHIGAN-DETROIT

(More)

Case No. 13-53846

_____ (dob: _____)

Objections

Page 2

Objection I.

Pursuant to Michigan Public Act 436 of 2012, Kevyn Orr was appointed emergency manager of City of Detroit by Michigan Governor, Rick Snyder on or about March 28, 2013.

Kevyn Orr, (not the City of Detroit) filed this pending petition for bankruptcy on behalf of the City of Detroit Michigan. However, there is no provision in Chapter 9, that gives Kevyn Orr the authority to file this petition. Under Chapter 9 only the duly elected representatives of the City of Detroit have power and authority to file such a petition. Kevyn Orr is an agent of the State of Michigan, whose relationship to the City of Detroit is that of an interested party. To allow an agent of the State of Michigan to take the City of Detroit into chapter 9 bankruptcy without consent from the duly elected representatives of the City of Detroit, is tantamount to an involuntary bankruptcy, which is not allowed under Chapter 9. Therefore this petition is not allowed under Chapter 9 and must be dismissed.

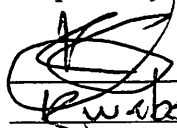
Objection II

Even if this petition for bankruptcy is approved, public pensions may not be reduced or diminished by a bankruptcy, because the State of Michigan's Constitution expressly prohibits government pension benefits such as mine, which I earned by virtue of my employment for the City of Detroit from being eliminated or reduced. Therefore public pensions, which are presently being paid, or that will be paid in the future should be excluded from consideration under this bankruptcy petition, even if it is granted.

Objection III

In addition to the objections I have raised, I hereby join in any objections raised by others which are relevant to my specific situation or this matter in general.

Respectfully submitted,

 (dob: 6/3/52)

Alleged Interested Party/Creditor

Address

2445 Lamothe st.

Detroit, MI. 48226

Dated: August 19, 2013