

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

:In re : Chapter 9

:

Debtor : CITY OF DETROIT, MICHIGAN,

Case No. 13-53846
Hon. Steve W. Rhodes

Corrected

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, Charles D. Brown (dob: 10/03/1950), 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 was employed with the City of Detroit, Michigan in three different positions totaling more than 27 years from February of 1985 to the present.
2. As an employee for the City of Detroit for more than 27 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, 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. In 2010 I retired from the City of Detroit, and in 2011 I began receiving a service retirement based upon my age, my years of service and my final annual compensation. I am currently receiving a monthly pension and health care benefits from the Detroit Retirement System.

(More)

Case No. 13-53846

FILED
2013 AUG 19 P 3:58
U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

Charles D. Brown (dob: 10/03/1950)

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

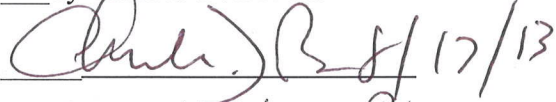
Even if this petition for bankruptcy is approved, public pensions may not be reduced or diminished by a bankruptcy, because the State of Michigan's Constitution expressly prohibits government pension benefits such as mine, which I earned by virtue of my employment for the City of Detroit from being eliminated 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,

by Charles D. Brown


1365 Joliet Place
Detroit, MI 48207

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

In re
CITY OF DETROIT, MICHIGAN,
Debtor

Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

**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, MICHIGAN**

PROOF OF SERVICE

I hereby assert that on August 19, 2013, I filed the above 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 Bankruptcy Code on Behalf of the City of Detroit and served said Objections upon the following parties of record via United States Mail.



Name

Counsel to the Debtor
David G. Heiman, Esq.
Heather Lennox, Esq.
Jones Day
North Point
901 Lakeside Avenue
Cleveland, OH 44114-1190
T: (216) 586-3939
F: (216) 579-0212
<http://www.jonesday.com>

Counsel to the Debtor
Jeffrey B. Ellman, Esq.
Jones Day
1420 Peachtree Street, NE
Suite 800
Atlanta, GA 30309-3053
T: (404) 521-3939
F: (404) 581-8330
<http://www.jonesday.com>

Counsel to the Debtor

Bruce Bennett, Esq.

Jones Day

555 South Flower Street

Fiftieth Floor

Los Angeles, CA 90071

T: (213) 489-3939

F: (213) 243-2539

<http://www.jonesday.com>

Local Counsel to the Debtor

Jonathan S. Green, Esq.

Stephen S. LaPlante, Esq.

Miller, Canfield, Paddock & Stone, P.L.C.

150 West Jefferson

Suite 2500

Detroit, MI 48226

T: (313) 963-6420

F: (313) 496-7500

<http://www.millercanfield.com>

Office of the United States Trustee

U.S. Department of Justice

211 West Fort Street

Suite 700

Detroit, MI 48226

T: (313) 226-7999

F: (313) 226-7952

<http://www.justice.gov/ust/r09>

DATED: August 19, 2013