

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

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In re:	: Chapter 9
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CITY OF DETROIT, MICHIGAN,	: Case No.: 13-53846
	:
Debtor.	: Hon. Steven W. Rhodes
	:
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**INTERNATIONAL UNION, UAW AND *FLOWERS* PLAINTIFFS’
INTERROGATORIES TO DEBTOR CITY OF DETROIT, MICHIGAN**

Pursuant to Federal Rule of Bankruptcy Procedure 7033 and Rule 33 of the Federal Rules of Civil Procedure, the International Union, UAW (“UAW”) and Robbie Flowers, Michael Wells, Janet Whitson, Mary Washington and Bruce Goldman, the plaintiffs in *Flowers v. Snyder*, No. 13-729-CZ (Ingham County Circuit Court) (the “*Flowers* Plaintiffs”), through their undersigned counsel, request that debtor City of Detroit answer in writing and under oath, the Interrogatories set forth herein and serve the responses upon the undersigned counsel no later than September 13, 2013.

DEFINITIONS

A. All definitions set forth in the First Request of International Union, UAW and the *Flowers* Plaintiffs’ for the Production of Documents by the City of Detroit and Kevyn Orr apply to these Interrogatories as if fully set forth herein.

B. “Identify” means to give, to the extent known, the person’s full name; present or last known address; telephone number(s); and present or last known place of employment.

C. The following rules of construction apply to these Interrogatories: (1) the terms “all” and “each” shall be construed as all and each; (2) the connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Interrogatories all documents that might otherwise be construed to be outside of their scope; and (3) the use of the singular form of any word includes the plural and vice versa.

INSTRUCTIONS

D. In answering these Interrogatories, furnish all information that is available to you or otherwise subject to your custody or control.

E. In answering these Interrogatories the time period covered shall be from September 1, 2012 to the date of the Response.

F. These Interrogatories shall be continuing in nature, and to the extent that answers thereto may be modified by information discovered by you subsequent to the service of your initial answers hereto, you are requested to serve promptly thereafter supplemental answers setting forth such information.

G. If you have some information responsive to a particular Interrogatory but cannot provide all of the information requested, your response should so state; provide the reasons for your inability to provide specific or full information; provide the best or most complete or most specific information that you can provide on the subject; and identify every person whom you believe has the requested information.

H. With respect to any Interrogatory to which you assert a claim of privilege, provide, at the time the Interrogatories are answered, a statement setting forth the basis for your claim of privilege and fully identifying any information withheld that may be within the scope of the request.

INTERROGATORIES

1. State the name, address and title of the person answering these Interrogatories.
2. State the name and address of every witness you intend to call to testify at the Trial on the Eligibility Objections scheduled by the Bankruptcy Court to begin on October 23, 2013 (“Eligibility Trial”).
3. With respect to each person identified in Interrogatory 2, state:
 - (a) a brief description of the substance of the testimony of each witness;
 - (b) whether such individual has given any written statement or account of the same (and if so, provide a copy of such statement or account).
4. Identify, by name, title and contact information (whether by telephone or email address) every individual whom you contend has knowledge of any facts concerning the allegations supporting the City’s contention that it meets the eligibility requirement under 11 U.S.C. § 109(c)(2) (*i.e.*, that the municipality is “specifically authorized, in its capacity as a municipality or by name, to be a debtor under [chapter 9] by State law, or by a government officer or organization empowered by State law to authorize such entity to be a debtor under such chapter”), along with a brief description of the source of each such person’s knowledge.
5. Identify, by name, title and contact information (whether by telephone or email address) every individual whom you contend has knowledge of any facts concerning the allegations supporting the City’s contention that it meets the eligibility requirement under 11 U.S.C. § 109(c)(5)(B) and (C) (*i.e.*, that the municipality “(B) has negotiated in good faith with creditors and has failed to obtain the agreement of creditors holding at least a majority in amount of the claims of each class that such entity intends to impair under a plan in a case under [chapter

9]; (C) is unable to negotiate with creditors because such negotiation is impracticable”), along with a brief description of the source of each such person’s knowledge.

6. Identify, by name, title and contact information (whether by telephone or email address) every individual whom you contend has knowledge of any facts concerning the allegations supporting the City’s contention that the chapter 9 bankruptcy petition was filed in good faith under 11 U.S.C. § 921(c), along with a brief description of the source of each such person’s knowledge.

7. Identify each person you expect to call as an expert witness at the Eligibility Trial and state each such person’s occupation and qualifications.

8. State each subject matter on which each expert witness identified in response to Interrogatory No. 7 is expected to testify.

9. Set forth a summary of the grounds for each opinion to which each expert witness is expected to testify.

10. Identify each document that has been relied upon by each expert witness in the formulation of his or her opinion.

11. Identify each and every person with whom you have had any communications concerning the eligibility requirements under 11 U.S.C. § 109(c).

12. Identify each and every person with whom you have had any communications concerning Article 9, Section 24 of the Michigan Constitution or vested pensions of City employees and former employees generally.

Dated: New York, New York
August 23, 2013

International Union, UAW

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