

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Honorable Sean F. Cox

City of Detroit, *et al.*,

Case No. 77-71100

Defendants.

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**ORDER STRIKING UNAUTHORIZED MOTION  
FILED BY NON-PARTY AFTER DENIAL OF ITS MOTION TO INTERVENE**

This action, which was commenced in 1977 and has been ongoing since that time, has an incredibly long history that is set forth in this Court's September 9, 2011 Opinion and Order (D.E. No. 2397).

On January 4, 2012, UAW Region 1, Local 2200 of the United Automobile, Aerospace and Agricultural Implement Workers of America (Wastewater Treatment Plant Supervisors) ("Local 2200"), a labor union whose members include employees of the City of Detroit and the Detroit Water and Sewerage Department, filed a motion seeking to intervene in this action. Along with that motion, Local 2200 filed a motion seeking to vacate this Court's November 4, 2011 Order. (Docket Entry No. 2430).

*In an Opinion & Order issued on February 23, 2012, this Court denied Local 2200's Motion to Intervene.* (Docket Entry No. 2445). This Court also denied Local 2200's Motion to Vacate as moot, given that ruling on its Motion to Intervene. (*See* 2/23/12 Opinion & Order at 37 n.10, explaining that the denial of an application to intervene renders any substantive motion

accompanying the application to intervene moot and citing *In re PaineWebber Inc., Ltd. P'ships Litig.*, 94 F.3d 49, 52 (2d Cir. 1996)).

Local 2200 appealed this Court's February 23, 2012 ruling denying its Motion to Intervene. (*See* Notice of Appeal, Docket Entry No. 2452). The United States Court of Appeals for the Sixth Circuit has not yet issued any ruling as to that appeal.

Although this Court previously denied its Motion to Intervene, and the Sixth Circuit has yet to rule on the appeal of that ruling, Local 2200 filed an unauthorized substantive motion in this action on June 5, 2012. (Docket Entry No. 2463, Local 2200's "Motion for the Court to Clarify the Parameters of its November 4, 2011 Order and Opinion"). The Court hereby ORDERS that Docket Entry No. 2463 is STRICKEN.

IT IS SO ORDERED.

S/Sean F. Cox  
Sean F. Cox  
United States District Judge

Dated: June 28, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 28, 2012, by electronic and/or ordinary mail.

S/Jennifer Hernandez  
Case Manager