

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

**First Amended Order Establishing Procedures, Deadlines and  
Hearing Dates Relating to the Debtor's Plan of Adjustment<sup>1</sup>**

The City has filed a plan of adjustment and a proposed disclosure statement. To promote the just, speedy, and inexpensive determination of this case as required by Fed. R. Bankr. P. 1001, the Court hereby establishes the deadlines and hearing dates set forth below. Note: Following a hearing on the City's Motion for Approval of Disclosure Statement Procedures (Dkt. #2714), the Court will address additional disclosure statement procedures in a separate order.

*Nothing herein excuses any party from the continuing obligation to participate in good faith in any mediation as ordered by Chief Judge Rosen.*

*Further, the Court again strongly encourages all parties to negotiate with full intensity and vigor with a view toward resolving their disputes regarding the treatment of claims in the City's plan of adjustment.*

1. **February 28, 2014** is the deadline for parties to file objections to or comments regarding this order.
2. **March 14, 2014** is the deadline to advise counsel for the City in writing of any request to include additional information in the disclosure statement. These requests shall not be filed with the Court. Any party who fails to make such a timely request of the City will be deemed to have waived any objections to the proposed disclosure statement.
3. **April 1, 2014** is the deadline:
  - (a) To file objections to the plan;
  - (b) To file objections to the proposed disclosure statement; and
  - (c) To serve written discovery requests regarding plan confirmation.

<sup>1</sup> The only amendment herein is that the deadline in paragraph 3 is extended to April 1, 2014.



This is also the date on which depositions may commence on the plan objections.

*Parties shall file objections to the plan and objections to the proposed disclosure statement as separate papers and may not combine them.*

*Parties shall not state objections to the plan as objections to the proposed disclosure statement.*

*When filing an objection to the proposed disclosure statement, and when filing an objection to the plan, a party shall use the proper ECF event code for the filing.*

Shortly after this deadline, the Court will enter an order identifying the objections to the plan that raise only legal issues and the objections to the plan that raise factual issues.

4. **April 4, 2014** is the deadline for the City to file one combined response to all of the timely objections to the proposed disclosure statement. This response shall also identify any objections to the proposed disclosure statement that were not preceded by compliance with paragraph 2, above.
5. **April 9, 2014** is the deadline for attorneys who have complied with paragraph 2 above, and who have filed timely disclosure statement objections, to meet and confer with counsel for the City with a view toward narrowing and resolving their disputes regarding the adequacy of the disclosure statement. This “meet and confer” may be in person or by telephone. Any party whose attorney fails to timely participate in this process will be deemed to have waived its objections to the disclosure statement.

*The Court strongly encourages the parties to resolve all disclosure statement objections before the hearing on the disclosure statement, and strongly discourages the parties from pursuing expensive, time-consuming and unnecessary litigation regarding the adequacy of the disclosure statement.*

6. **April 11, 2014** is the deadline for the City to file:
  - (a) Its combined response to all of the timely objections to the plan; and
  - (b) A statement identifying the objections to the disclosure statement that remain after the “meet and confer” process required by paragraph 5, above.
7. **April 14, 2014 at 9:00 a.m.** shall be the date and time of:
  - (a) The hearing on any unresolved objections to the disclosure statement; and
  - (b) The initial status conference on plan confirmation.
8. **April 18, 2014** is the deadline to comply with written discovery requests.

9. **April 28, 2014 at 9:00 a.m.** shall be the date and time of arguments on plan confirmation objections that raise only legal issues.

10. **May 9, 2014** is the deadline:

- (a) To complete non-expert depositions; and
- (b) To designate expert witnesses and submit expert reports.

11. **May 23, 2014** is the deadline to counter-designate experts and submit reports.

12. **June 6, 2014** is the deadline to complete expert depositions.

13. **June 10, 2014** is the deadline:

- (a) To submit a proposed joint final pretrial order in compliance with LBR 7016-1; and
- (b) To file pretrial briefs.

14. **June 11, 2014 at 9:00 a.m.** shall be the date and time of the final pretrial conference on plan confirmation.

15. **June 16, 2014 at 9:00 a.m.** shall be the date and time for the commencement of the trial on plan confirmation objections that raise factual issues. **At this hearing, in addition to any evidence addressing the factual issues raised in the parties' plan objections, the City shall present evidence establishing the feasibility of its plan as required by 11 U.S.C. § 943(b)(7).** Additional hearing dates, as necessary, will be June 17-20 and 23-27, 2014.

The dates and deadlines established herein will be extended only on motion establishing good cause.

It is so ordered.

Signed on February 25, 2014

/s/ Steven Rhodes  
Steven Rhodes  
United States Bankruptcy Judge