

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Chapter 9

City of Detroit, Michigan,

No. 13-53846

Debtor.

Hon. Steven W. Rhodes

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**DETROIT PUBLIC SAFETY UNIONS'  
REQUESTS FOR PRODUCTION OF DOCUMENTS  
TO THE STATE OF MICHIGAN**

The Detroit Fire Fighters Association (the “DFFA”), the Detroit Police Officers Association (the “DPOA”), the Detroit Police Lieutenants & Sergeants Association (the “DPLSA”) and the Detroit Police Command Officers Association (the “DPCOA”) (collectively, the “Detroit Public Safety Unions”), through their counsel, Erman, Teicher, Zucker & Freedman, P.C., hereby request that the State of Michigan (the “State”) produce for inspection and copying the documents requested herein at the law offices of Erman, Teicher, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, MI 48034, by April 25, 2014, pursuant to the Third Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment [Doc. No. 3632], and pursuant to Fed. R. Bankr. P. 7034.



## **DEFINITIONS**

1. The terms “the City”, or “Plaintiff” refer to Debtor, City of Detroit, Michigan, and its employees, agents, representatives, and any other persons acting on its behalf.

2. The terms “the State”, “you”, “your”, or “yours”, refer to the State of Michigan and its employees, agents, representatives, and any other persons acting on its behalf.

3. The term “Amended Disclosure Statement” means the Amended Disclosure Statement with Respect to Amended Plan for the Adjustment of Debtors of the City of Detroit [Docket No. 3382 and 3384, Exhibit A(redline) in the Bankruptcy Case].

4. The term “Amended Plan” means the Amended Plan for the Adjustment of Debts of the City of Detroit (March 31, 2014) [Docket No. 3380 in the Bankruptcy Case].

5. The term “DFFA” means the Detroit Fire Fighters Association and any of its subsidiaries, affiliates, directors, officers, employees, agents, representatives, and any other persons acting on its behalf.

6. The term “DPOA” means the Detroit Police Officers Association and any of its subsidiaries, affiliates, directors, officers, employees, agents, representatives, and any other persons acting on its behalf.

7. The term “DPLSA” means the Detroit Police Lieutenants & Sergeants Association and any of its subsidiaries, affiliates, directors, officers, employees, agents, representatives, and any other persons acting on its behalf.

8. The term “DPCOA” means the Detroit Police Command Officers Association and any of its subsidiaries, affiliates, directors, officers, employees, agents, representatives, and any other persons acting on its behalf.

9. The term “Public Safety Unions” means the DFFA, the DPOA, the DPLSA, and the DPCOA and any of their subsidiaries, affiliates, directors, officers, employees, agents, representatives, and any other persons acting on their behalf.

10. The term “document(s)” shall have the meaning employed in Federal Rule of Civil Procedure 34(a) and shall include, without limitation, (a) all writings, data compilations, or tangible items of whatever type, nature or description, whether typed, handwritten, printed, or otherwise; (b) digital, tape or other sound or video recordings, computer tapes, disks and other electronic or mechanical recordings, however, recorded or reproduced; and (c) electronically stored information, including archived files and backup tapes, whether or not ever printed out or displayed. A draft is a separate document from the final text and each non-identical copy is a separate document. The term “document(s)” includes without limitation correspondence, emails, acknowledgments, memoranda, agreements,

interoffice communications, notes, diaries, contracts, and any data stored in any medium from which information can be obtained including computer file, computer tape and/or computer disk.

11. Unless otherwise indicated, any capitalized term that used herein shall have the meanings given to that term by the Amended Plan and Amended Disclosure Statement, including their various attachments and exhibits.

12. Unless otherwise indicated, any term that is not otherwise defined herein, but that is used in the Bankruptcy Code or Bankruptcy Rules, shall have the meaning given to that term in the Bankruptcy Code or Bankruptcy Rules.

13. To the extent any document responsive to these requests has already been filed in the Bankruptcy Case and is part of the record (whether or not produced or filed by the City), rather than produce such document(s), please identify such document(s) by docket number, date and page number(s).

### **INSTRUCTIONS**

In addition to the specific instructions enumerated below, the instructions set forth in Fed. R. Civ. P. 34 (made applicable to this proceeding by Fed. R. Bankr. P. 7034) are incorporated herein by reference.

1. The Request not only extends to any items in your possession, custody or control, but also calls for documents within the control of your representatives

and attorneys, and for all documents that are available to you by reasonable inquiry by you, your representatives and attorneys.

2. If any document covered by the Request is withheld by reason of a claim of privilege, a list is to be furnished identifying any such document for which the privilege is claimed together with the following information with respect to any such documents withheld: author(s); recipient(s); sender(s); indicated or blind copies; date; general subject matter; basis on which the privilege is claimed; and the paragraph of the Request to which such document relates.

3. You are instructed to produce documents as they are kept in the usual course of business or organized and labeled to correspond with the categories in the Request. Documents are to be produced in full and unexpunged form. However, to the extent any such document has already been filed in the Bankruptcy Case and is part of the record (whether or not produced or filed by the City), rather than produce such document(s), please identify such document(s) by docket number, date and page number(s).

4. The Request shall be deemed continuing so as to require further and supplemental production by you in the event you obtain or discover additional documents between the time of initial production and the time of trial.

## **REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Produce a copy of the State Contribution Agreement.

ERMAN, TEICHER,  
ZUCKER & FREEDMAN, P.C.

By: /s/ David M. Eisenberg  
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DATED: April 11, 2014

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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Chapter 9

City of Detroit, Michigan,

Case No. 13-53846

Debtor.

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on April 11, 2014, the Detroit Public Safety Unions' Requests for the Production of Documents to the State of Michigan were electronically filed with the Clerk of the Court for the United States Bankruptcy Court, Eastern District of Michigan, Southern Division using the CM/ECF System, which will send notification of such filing to all attorneys and parties of record registered electronically.

/s/ David M. Eisenberg

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Dated: April 11, 2014