

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

In re:	)	Chapter 9
	)	
CITY OF DETROIT, MICHIGAN,	)	Case No. 13-53846
	)	
Debtor.	)	Hon. Steven W. Rhodes
	)	

---

**DETROIT RETIREMENT SYSTEMS' REQUESTS FOR ADMISSION  
DIRECTED TO THE CITY OF DETROIT, MICHIGAN**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, as made applicable to this proceeding by Rules 7026, 7036 and 9014(c) of the Federal Rules of Bankruptcy Procedure, the Police and Fire Retirement System of the City of Detroit (“PFRS”) and the General Retirement System of the City of Detroit (“GRS,” and together with PFRS, the “Retirement Systems”) request that the City of Detroit, Michigan respond to the following requests for admission in writing:

**A. DEFINITIONS**

1. All capitalized terms used herein that are not otherwise specifically defined below shall be ascribed the same meaning as defined in the Amended Plan for the Adjustment of Debts for the City of Detroit (the “Plan”) [Dkt. No. 3380].

2. “**Accrued Financial Benefits**” shall have the same meaning ascribed to that term in Article IX, section 24 of the Michigan Constitution.



3. “**Bankruptcy Code**” means title 11 of the United States Code, 11 U.S.C. § 101, *et seq.*

4. “**City**” means the City of Detroit, Michigan, and, as applicable, its officers, employees, representatives, attorneys, advisors and/or agents.

5. “**Communications**” is used in the broadest sense and means any transmission of information from one Person (defined below) to another Person, by any means.

6. “**DIA**” means the Detroit Institute of Arts.

7. “**Disclosure Statement**” means the Amended Disclosure Statement with Respect to Amended Plan for the Adjustment of Debts of the City of Detroit [Dkt. No. 3382], as may be amended or supplemented.

8. “**Document**” means, Communications, all writings of any nature or any medium upon which intelligence or information can be recorded, maintained or retrieved in the possession, custody or control of the City, including, without limitation, the original and each copy, regardless of the origin and location, of any correspondence, book, pamphlet, periodical, letter, e-mail, memorandum (including any memorandum or report of a meeting or conversation), contract, agreement, study, report, analysis, invoice, bill, time sheet, time cards, expense voucher, receipt, book of account (including cash disbursement journal, cash receipt journal, income statement or reconciliation statement), financial statement, order form,

record, bond, requisition, plan, drawing, specification, sound recording, minutes, diary, bylaws, articles of incorporation, calendar, telegram, message, handwritten note, draft working paper, photostat, microfilm, film, photograph, comparison, print, graph, drawing, sketch, chart, summary, data sheet, data processing card, tape, advertisement, and any other written, recorded, transcribed, punched, taped, filmed, or graphic, photographic, or electronic matter of any kind or nature (including marginal comments appearing on any documents or any other writing), however produced or reproduced, and any computer records (including any information on hardware or software).

9. “**GRS**” means the General Retirement System of the City of Detroit, and its agents and representatives.

10. “**Pensions Clause**” means Article IX, Section 24 of the Michigan Constitution.

11. “**Person**” means a natural person, a partnership, a corporation, an unincorporated association, a professional association, or other form of entity.

12. “**PFRS**” means the Police and Fire Retirement System of the City of Detroit, and its agents and representatives.

13. “**Retirement Systems**” means the GRS together with the PFRS.

14. “**You**” or “**your**” means the City and its officers, employees, representatives, attorneys, and/or agents of each of them.

15. **Miscellaneous**. The singular includes the plural; the plural includes the singular; the masculine gender includes the feminine and neuter genders; the feminine gender includes the masculine and neuter genders; the neuter gender includes the masculine and feminine genders.

**B. INSTRUCTIONS**

1. By April 25, 2014, you are to respond in writing to these requests for admissions.

2. If a matter is not admitted, the answer must specifically deny it or state in detail why you cannot truthfully admit or deny it.

3. A denial must fairly respond to the substance of the matter; and when good faith requires that you qualify an answer or deny only a part of a matter, the answer must specify the part admitted and qualify or deny the rest.

4. You may assert lack of knowledge or information as a reason for failing to admit or deny only if you state that you have made reasonable inquiry and the information you know or can readily obtain is insufficient to enable you to admit or deny.

5. The grounds for objecting to a request must be stated. You may not object solely on the ground that the request presents a genuine issue for trial.

**C. RESERVATION OF RIGHTS**

The Retirement Systems reserve the right to request relief from or a modification of the Third Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment [Dkt. No. 3632] (the "Third Plan Scheduling Order") such that the Retirement Systems will be authorized to serve additional discovery requests if, and when, the City further amends the Plan.

**D. REQUESTS FOR ADMISSION**

1. Admit that the City does not have the right to set the discount rate or assumed rate of return used by the PFRS or the GRS for investment policy and/or actuarial purposes.

ANSWER:

2. Admit that the City does not have the right to reconstitute the boards of the PFRS or the GRS.

ANSWER:

3. Admit that the City cannot reconstitute the boards of trustees of the PFRS and the GRS without legislative changes.

ANSWER:

4. Admit that the City does not have the right to set investment or governance policies of the GRS or the PFRS.

ANSWER:

Respectfully submitted,

CLARK HILL PLC

/s/ Robert D. Gordon

Robert D. Gordon (P48627)

Shannon L. Deeby (P60242)

Jennifer K. Green (P69019)

151 South Old Woodward Avenue

Suite 200

Birmingham, Michigan 48009

Telephone: (248) 988-5882

Facsimile: (248) 988-2502

rgordon@clarkhill.com

Dated: April 11, 2014

*Counsel to the Police and Fire Retirement  
System of the City of Detroit and the General  
Retirement System of the City of Detroit*

# EXHIBIT A

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

In re:	)	Chapter 9
	)	
CITY OF DETROIT, MICHIGAN,	)	Case No. 13-53846
	)	
Debtor.	)	Hon. Steven W. Rhodes
	)	

---

**CERTIFICATE OF SERVICE**

The undersigned certifies that on April 11, 2014, the Detroit Retirement Systems' Requests for Admission Directed to the City of Detroit, Michigan was filed using the Court's CM/ECF system, which CM/ECF system will send notification of such filing to all parties of record.

CLARK HILL PLC

/s/ Robert D. Gordon

Robert D. Gordon (P48627)

Shannon L. Deeby (P60242)

Jennifer K. Green (P69019)

151 S. Old Woodward Avenue, Suite 200

Birmingham, Michigan 48009

Telephone: (248) 988-5882

rgordon@clarkhill.com

Dated: April 11, 2014

*Counsel to the Police and Fire Retirement  
System of the City of Detroit and the General  
Retirement System of the City of Detroit*