

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

<p>In re:</p> <p>City of Detroit, Michigan,</p> <p style="text-align: center;">Debtor.</p>	<p>Bankruptcy Case No. 13-53846</p> <p>Honorable Steven W. Rhodes</p> <p>Chapter 9</p>
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**DEBTOR'S SUPPLEMENT TO OBJECTION<sup>1</sup> TO MOTION FOR  
RELIEF FROM STAY FILED BY PHYLLIS HERNANDEZ**

The City notes that although Ms. Hernandez was listed on the City's schedules as a creditor, her claim was listed as contingent, unliquidated, and disputed. *Second Amended List of Creditors*, Schedule H, Doc. No. 1059-2, p. 1381. Thus, she was required to file a proof of claim by 4:00 p.m. Eastern Time on February 21, 2014, in order to qualify for payment on any pre-confirmation claim she might have. *Order, Pursuant to Sections 105, 501 and 503 of the Bankruptcy Code and Bankruptcy Rules 2002 and 3003(C), Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof*, Doc. No. 1782, ¶¶ 4, 8(h). To date, she has not filed a claim. Thus, the City withdraws as improper its offer to treat any pre-petition claim she ultimately might receive in her state court lawsuit<sup>2</sup> as allowed and unsecured.

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<sup>1</sup> Motion filed at Docket Number 6514; City's objection filed at Docket Number 7096.

<sup>2</sup> Case number 10-009510-CZ in the Circuit Court for the County of Wayne.



Dated: August 29, 2013

Respectfully submitted,

By: /s/Timothy A. Fusco  
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Stephen S. LaPlante (P48063)  
Timothy A. Fusco (P13768)  
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ATTORNEYS FOR THE CITY OF DETROIT

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on August 29, 2014, he filed the foregoing ***DEBTOR'S SUPPLEMENT TO OBJECTION TO MOTION FOR RELIEF FROM STAY FILED BY PHYLLIS HERNANDEZ*** using the court's CM/ECF system which will provide notice of the filing to all registered participants in this matter.

The undersigned further certifies that on August 29, 2014, he also caused a copy of the filing named above to be served upon the following party, via overnight delivery:

Phyllis Hernandez  
27201 Roney  
Brownstown, MI 48183

DATED: August 29, 2014

By: /s/Timothy A. Fusco  
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