

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

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

---

**NOTICE OF APPEAL OF ORDER REGARDING CITY'S OBJECTION TO  
PROOF OF CLAIM #2958 FILED BY AFSCME COUNCIL 25 AND ITS  
AFFILIATED DETROIT LOCALS (Dkt. #4876)**

**PLEASE TAKE NOTICE THAT** AFSCME Council 25 and its Affiliated Detroit Locals ("AFSCME"), pursuant to 28 U.S.C. § 158(a) and Rules 8001(a) and 8002(a) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), file this notice of appeal to the United States District Court for the Eastern District of Michigan, Southern Division from the order of the United States Bankruptcy Court for the Eastern District of Michigan (the Honorable Steven W. Rhodes, presiding) [Docket No. 8015, entered October 20, 2014] (the attached). This notice of appeal is timely filed pursuant to Bankruptcy Rule 8002(a). The names of the parties to the Order appealed from and the names, addresses, telephone and facsimile numbers of their respective attorneys are as follows:

**Appellants**

AFSCME Council 25 and its affiliated Detroit Locals, represented by:



Richard G. Mack, Jr., Esq.  
Jack W. Schulz, Esq.  
MILLER COHEN PLC  
600 West Lafayette Blvd., 4th Floor  
Detroit, MI 48226-3191  
Telephone: (313) 964-4454  
Facsimile: (313) 964-4490  
richardmack@millercohen.com  
jschulz@millercohen.com

**Appellee**

City of Detroit, represented by:

David G. Heiman (OH 0038271)  
Heather Lennox (OH 0059649)  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212  
dgheiman@jonesday.com  
hlennox@jonesday.com

Bruce Bennett (CA 105430)  
JONES DAY  
555 South Flower Street  
Fiftieth Floor  
Los Angeles, California 90071  
Telephone: (213) 243-2382  
Facsimile: (213) 243-2539  
[bbennett@jonesday.com](mailto:bbennett@jonesday.com)

Thomas F. Cullen, Jr. (DC 224733)  
Gregory M. Shumaker (DC 416537)  
Geoffrey S. Stewart (DC 287979)

JONES DAY

51 Louisiana Ave., N.W.  
Washington, D.C. 20001  
Telephone: (202) 879-3939  
Facsimile: (202) 626-1700  
tfcullen@jonesday.com  
gshumaker@jonesday.com  
[gstewart@jonesday.com](mailto:gstewart@jonesday.com)

Robert S. Hertzberg (P30261)  
Deborah Kovsky-Apap (P68258)  
PEPPER HAMILTON LLP  
4000 Town Center, Suite 1800  
Southfield, MI 48075  
Telephone: (248) 359-7300  
Facsimile: (248) 359-7700  
hertzbergr@pepperlaw.com  
kovskyd@pepperlaw.com

Dated: October 30, 2014

Respectfully submitted,

/s/ Richard G. Mack, Jr.  
Richard G. Mack, Jr., Esq.  
Jack W. Schulz, Esq.  
MILLER COHEN PLC  
600 West Lafayette Blvd., 4th Floor  
Detroit, MI 48226-3191  
Telephone: (313) 964-4454  
Facsimile: (313) 964-4490  
[richardmack@millercohen.com](mailto:richardmack@millercohen.com)  
[jschulz@millercohen.com](mailto:jschulz@millercohen.com)

*Counsel to Michigan Council 25 of the  
American Federation of State, County and  
Municipal Employees (AFSCME), AFL-CIO*

United States District Court  
Eastern District of Michigan

Bankruptcy Matter  
Civil Case Cover Sheet

District Court Label

In re:

CITY OF DETROIT, MICHIGAN

Case No.: 13-53846

Debtor.

AFSCME Council 25  
and its Affiliated Detroit Locals

Adv. No.:

Appellant,

v.

City of Detroit, Michigan,

Appellee.

**CAUSE OF ACTION/NATURE OF SUIT:** (This matter is referred to the district court for the following reasons)

<u>  X  </u>	[422] 28 U.S.C. 158	Bankruptcy Appeal
<u>      </u>	[422] 28 U.S.C. 158	Motion for Leave to Appeal
<u>      </u>	[423] 28 U.S.C. 157(d)	Motion for Withdrawal of Reference
<u>      </u>	[423] 28 U.S.C. 157(c) (1)	Proposed Findings of Fact and Conclusions of Law
<u>      </u>	[423] 28 U.S.C. 158 (c) (a)	Order of Contempt

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Dated: October 30, 2014

Respectfully submitted,

/s/ Richard G. Mack, Jr.  
Richard G. Mack, Jr., Esq.  
Jack W. Schulz, Esq.  
MILLER COHEN PLC  
600 West Lafayette Blvd., 4th Floor  
Detroit, MI 48226-3191  
Telephone: (313) 964-4454  
Facsimile: (313) 964-4490  
richardmack@millercohen.com  
jschulz@millercohen.com

*Counsel to Michigan Council 25 of the  
American Federation of State, County and  
Municipal Employees (AFSCME), AFL-CIO*

Name and Address of Interested Parties:

Richard G. Mack, Jr., Esq.  
Jack W. Schulz, Esq.  
MILLER COHEN PLC  
600 West Lafayette Blvd., 4th Floor  
Detroit, MI 48226-3191  
Telephone: (313) 964-4454  
Facsimile: (313) 964-4490  
richardmack@millercohen.com  
jschulz@millercohen.com

**Appellee**

City of Detroit, represented by:

David G. Heiman (OH 0038271)  
Heather Lennox (OH 0059649)  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212  
dgheiman@jonesday.com  
hlennox@jonesday.com

Bruce Bennett (CA 105430)  
JONES DAY  
555 South Flower Street  
Fiftieth Floor  
Los Angeles, California 90071  
Telephone: (213) 243-2382  
Facsimile: (213) 243-2539  
[bbennett@jonesday.com](mailto:bbennett@jonesday.com)

Thomas F. Cullen, Jr. (DC 224733)  
Gregory M. Shumaker (DC 416537)  
Geoffrey S. Stewart (DC 287979)

JONES DAY

51 Louisiana Ave., N.W.  
Washington, D.C. 20001  
Telephone: (202) 879-3939  
Facsimile: (202) 626-1700  
tfcullen@jonesday.com  
gshumaker@jonesday.com  
[gstewart@jonesday.com](mailto:gstewart@jonesday.com)

Robert S. Hertzberg (P30261)  
Deborah Kovsky-Apap (P68258)  
PEPPER HAMILTON LLP  
4000 Town Center, Suite 1800  
Southfield, MI 48075  
Telephone: (248) 359-7300  
Facsimile: (248) 359-7700  
hertzbergr@pepperlaw.com  
kovskyd@pepperlaw.com

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

Order Regarding City's Objection to Proof of Claim #2958  
Filed by AFSCME Council 25 and its Affiliated Detroit Locals  
(Dkt. #4876)

For the reasons set forth in open Court on October 20, 2014, AFSCME's claim entitled "AFSCME Council 25 (13<sup>th</sup> Check ULP). MERC Case No. C12-E-092" set forth on line #7 of its proof of claim shall be in Class 11. AFSCME's claim entitled "City of Detroit Retirees Health Care: Grievance No. C10 A-025" set forth on line #17 shall be in Class 12.

It is so ordered.

Signed on October 20, 2014

/s/ Steven Rhodes  
Steven Rhodes  
United States Bankruptcy Judge



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

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

**PROOF OF SERVICE**

The undersigned certifies that on October 30, 2014, the American Federation of State, County and Municipal Employees Council 25 (AFSCME) filed *Notice of Appeal of Order Regarding City's Objection to Proof Of Claim #2958 Filed By AFSCME Council 25 and Its Affiliated Detroit Locals (Dkt. #4876)* electronically 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/ Richard G. Mack, Jr.  
Richard G. Mack, Jr., Esq.  
MILLER COHEN PLC  
600 West Lafayette Boulevard, 4th Floor  
Detroit, MI 48226-3191  
Telephone: (313) 566-4787  
Facsimile: (313) 964-4490  
[richardmack@millercohen.com](mailto:richardmack@millercohen.com)