

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

-----	X	
	:	Chapter 9
In re	:	
	:	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	:	
	:	Hon. Thomas J. Tucker
Debtor	:	
-----	X	

DEBTOR'S THIRTEENTH OMNIBUS OBJECTION TO CERTAIN CLAIMS

(No Basis Claims)

THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN FILED PROOFS OF CLAIM. CLAIMANTS RECEIVING THIS OBJECTION SHOULD CAREFULLY REVIEW THIS OBJECTION AND LOCATE THEIR NAMES AND CLAIMS ON THE EXHIBIT ATTACHED TO THIS OBJECTION.

SPECIAL NOTICE REGARDING PENSION CLAIMS, RETIREE HEALTHCARE CLAIMS AND CERTAIN OTHER CLAIMS: THIS OBJECTION DOES NOT AFFECT ANY CLAIM (INCLUDING PENSION CLAIMS AND RETIREE HEALTHCARE CLAIMS) THAT IS NOT SUBJECT TO THE TREATMENT PROVIDED FOR CLAIMS IN CLASSES 3, 14 OR 15 UNDER THE PLAN. SEE PAGES 5-6 OF THIS OBJECTION FOR MORE INFORMATION.

The Debtor, the City of Detroit (the "City"), by and through its undersigned counsel, for its objection to claims (the "Objection") and its request for an order disallowing certain claims on the basis that they do not identify a valid basis for any liability of the City, substantially in the form attached hereto as Exhibit 1, respectfully states as follows:



JURISDICTION AND VENUE

1. This Court has jurisdiction over this Objection pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND FACTS

2. On July 18, 2013 (the “Petition Date”), the City filed a petition for relief in this Court, thereby commencing the largest Chapter 9 bankruptcy case in history.

3. Information regarding the City’s economic challenges and the events leading up to the filing of this case can be found in the *Declaration of Kevyn D. Orr in Support of City of Detroit, Michigan's Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code* filed on July 18, 2013 (Dkt. No. 11).

4. On December 5, 2013, this Court held that the City was eligible for relief under Chapter 9 of the Bankruptcy Code. *See Order for Relief Under Chapter 9 of the Bankruptcy Code* (Dkt. No. 1946).

5. On November 12, 2014, this Court entered an Order Confirming the Eighth Amended Plan for the Adjustment of Debts of the City of Detroit (Dkt. 8272) (the “Plan”).

6. The Plan became effective on December 10, 2014 (the “Effective Date”).

7. On November 21, 2013, this Court issued its *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* (Dkt. No. 1782) (the “Bar Date Order”) establishing deadlines to file certain proofs of claim in this case. The Bar Date Order set the deadline to file proofs of claim as February 21, 2014 at 4:00 p.m., Eastern Time (the “Bar Date”).

8. On July 9, 2014, this Court entered its *Order Pursuant to 11 U.S.C. § 105(a) and Fed. R. Bankr. P. 3007 Approving Claim Objection Procedures* (Dkt. No. 5872) (the “Claims Procedures Order”), allowing the City to file an omnibus objection with respect to claims which do not identify a valid basis for any liability of the City. (Claim Procedures Order at 2.)

9. Each of the Claims listed on Exhibit 2 do not identify a valid basis for any liability of the City (“No Basis Claims”).

10. Notwithstanding the fact that many of the claimants did not provide sufficient supporting documentation for their claims, the City reviewed each of the No Basis Claims and determined that there was no potential liability on the part of the City on the basis stated in the respective proofs of claim.

RELIEF REQUESTED

11. The City files this Objection pursuant to the Bar Date Order, Sections 502(b) of the Bankruptcy Code¹, Rule 3007(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the Claims Procedures Order, seeking entry of an order disallowing and expunging the No Basis Claims set forth in Exhibit 2 annexed hereto because they do not identify a valid basis for any liability of the City for the reasons set forth on Exhibit 2.

12. To the extent the Court does not disallow one or more of the No Basis Claims on the basis that they were filed without identifying a valid basis for any liability of the City, the City reserves all of its rights to object, on any basis, to any of the No Basis Claims, including beyond those bases set forth in this Objection.

¹ Sections 502 of the Bankruptcy Code are made applicable to Chapter 9 proceedings through Section 901(a) of the Bankruptcy Code.

BASIS FOR RELIEF REQUESTED

13. Only proofs of claim that comply with Bankruptcy Rule 3001 are presumed to be valid in the amount filed. Bankruptcy Rule 3001(f).

14. In order to meet the requirements of Rule 3001(f), a properly-filed proof of claim must contain the following: (1) the creditor's name and address; (2) the basis for the claims; (3) the date the debt was incurred; (4) the amount of the claim; (5) classification of the claim; and (6) supporting documents. *In re Hughes*, 313 B.R. 205, 209 (Bankr. E.D. Mich. 2004) (McIvor, J.) (citing *In re Dow Corning Corp.*, 250 B.R. 298, 321 (Bankr. E.D. Mich. 2000)).

15. The City has reviewed each of the No Basis Claims, the stated basis, and the available data sources in order to determine whether such claim may be valid and outstanding, including: the City's Vendor Database, the City's accounts payable records, the City's disbursement records, and the City's lists of active and retired employees (collectively, the "Data Sources"). In each case, the City has confirmed that the claims do not identify a valid basis for any liability of the City, even after it reviewed the Data Sources in order to determine whether there was a potential basis for the claim.

16. The Declaration of John Naglick, Finance Director with the City of Detroit, (the "Declaration") explains the process undertaken by the City and confirms that none of the No Basis Claims identify a valid basis for any liability of the City. *See Declaration of John Naglick*, attached hereto as Exhibit 3.

17. The claimants who filed the No Basis Claims have failed to meet the requirements of Bankruptcy Rule 3001(f) because they do not identify a valid basis for any liability of the City. Therefore, the No Basis Claims should be disallowed and expunged.

18. The Claims Procedures Order and Bankruptcy Rule 3007(c) allow the City to file this Objection as an omnibus objection. Specifically, Bankruptcy Rule 3007(c) authorizes the

Court to allow for omnibus objections beyond those circumstances itemized in Bankruptcy Rule 3007(d) and the Claims Procedures Order expressly permits the City to file an omnibus objection with respect to claims which do not identify a valid basis for any liability of the City. (Claims Procedures Order at 2.)

19. This Court has the authority to enter an order approving this Objection. Moreover, the streamlined process afforded by an omnibus objection (in lieu of individual objections to each No Basis Claim), as well as the proper classification of such claims, will result in material costs savings that will inure to the benefit of the City. Furthermore, an important goal of the Bankruptcy Code will be met: only valid and verifiable claims against the City will be paid. Accordingly, the City believes that the relief sought by this Objection is in the best interests of the City and its creditors.

20. Based upon the foregoing, the City seeks entry of an order, substantially in the form annexed hereto as Exhibit 1, disallowing and expunging the No Basis Claims. Accordingly, pursuant to section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007(c), the Court should grant the relief requested.

**NO EFFECT ON CLAIMS THAT ARE NOT SUBJECT TO TREATMENT IN
CLASSES 3, 14 OR 15 UNDER THE PLAN**

21. The City cannot in all cases determine the proper classification of the No Basis Claims under the Plan because, in some instances, the No Basis Claims were filed without adequate supporting documentation. Nevertheless, the City seeks the disallowance of the liabilities asserted in the No Basis Claims solely to the extent such liabilities, if allowed, would be subject to treatment in Classes 3 (Other Secured Claims), 14 (Other Unsecured Claims) or 15 (Convenience Claims) under the Plan. The disallowance of the proofs of claim identified on

Exhibit 2 shall have no effect on any types of claims – including, for example, Pension Claims² or OPEB³/Retiree Healthcare Claims – that are specifically allowed in other classes pursuant to Plan or subject to other specific treatment under the Plan.

SEPARATE CONTESTED MATTERS

22. To the extent that a response is filed regarding any claim listed in this Objection and the City is unable to resolve the response, each one of such claims, and the objection by the City to each one of such claims asserted, shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Any order entered by the Court regarding an objection asserted in this Objection shall be deemed a separate order with respect to each claim.

RESERVATION OF RIGHTS

23. The City files this Objection without prejudice to or waiver of its rights pursuant to section 904 of the Bankruptcy Code, and nothing herein is intended to, shall constitute or shall be deemed to constitute the City's consent, pursuant to section 904 of the Bankruptcy Code, to this Court's interference with (a) any of the political or governmental powers of the City, (b) any of the property or revenues of the City or (c) the City's use or enjoyment of any income-producing property.

NOTICE

24. The City has provided notice of this Objection to each of the claimants identified in Exhibit 2 at each address set forth in Exhibit 2, and all other parties who have requested notice

² “Pension Claims” are defined by the Plan as GRS Pension Claims or PFRS Pension Claims. Plan, Art. I.A.267.

³ “OPEB Claims” are defined by the Plan as any claims against the City for OPEB Benefits held by a retiree who retired on or before December 31, 2014 and is otherwise eligible for OPEB Benefits, and any eligible surviving beneficiaries of such retiree. Plan, Art. I.A.260. “OPEB Benefits” are post-retirement health, vision, dental, life and death benefits provided to retired employees of the City, the Detroit Public Library or the Detroit Regional Conventional Facility Authority and their surviving beneficiaries pursuant to the Employee Health and Life Insurance Benefit Plan, the Employees Death Benefit Plan or any comparable plan, including the members of the certified class in the action captioned *Weiler et al. v. City of Detroit*, Case No. 06-619737-CK (Wayne County Circuit Court), pursuant to the “Consent Judgment and Order of Dismissal” entered in that action on August 26,

pursuant to Bankruptcy Rule 2002. Each address reflects the address set forth by each of the claimants on its respective proof of claim. Given the nature of the relief requested, the City respectfully submits that no other or further notice of this Objection need be given.

NO PRIOR REQUEST

25. No previous request for the relief requested herein has been made to this or any other court.

WHEREFORE, the City respectfully requests that this Court enter an order, substantially in the form annexed hereto as Exhibit 1, granting the relief requested herein and granting the City such other and further relief as this Court may deem just and proper.

Dated: March 27, 2015

FOLEY & LARDNER LLP

By: /s/ John A. Simon
John A. Simon (P61866)
Jeffrey S. Kopp (P59485)
Tamar N. Dolcourt (P73425)
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*Counsel for the Debtor, City of Detroit,
Michigan*

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

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

**NOTICE OF DEBTOR'S THIRTEENTH OMNIBUS
OBJECTION TO CERTAIN CLAIMS**

(No Basis Claims)

PLEASE CAREFULLY REVIEW THIS OBJECTION AND THE ATTACHMENTS HERETO TO DETERMINE WHETHER THIS OBJECTION AFFECTS YOUR CLAIM(S).

PLEASE TAKE NOTICE THAT the City, by and through its undersigned counsel, has filed an objection to certain no basis claims (the "Thirteenth Omnibus Objection") and for an order disallowing and expunging such claims.

YOUR CLAIM MAY BE REDUCED, MODIFIED OR ELIMINATED.
PURSUANT TO FED. R. BANKR. P 3007(e)(1) AND PRIOR ORDERS OF THIS
COURT. YOU SHOULD REVIEW EXHIBIT 2 OF THE THIRTEENTH OMNIBUS
OBJECTION TO FIND YOUR NAME AND CLAIM. YOU SHOULD READ THESE
PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU
HAVE ONE.

If you do not want the court to eliminate or change your claim, or grant the relief request in the Thirteenth Omnibus Objection, then on or before **April 22, 2015**, you or your lawyer must:

1. File with the court, at the address below, a written response to the objection. Unless a written response is filed and served by the date specified, the court may decide that you do not oppose the objection to your claim.

Clerk of the Court
United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

2. A copy of your response must also be mailed to counsel for the City:

John A. Simon
Jeffrey S. Kopp
Tamar N. Dolcourt
Foley & Lardner LLP
500 Woodward Ave., Ste. 2700
Detroit, MI 48226

3. You must also attend the hearing on the objection scheduled to be held on **April 29, 2015** at 1:30 p.m. in Courtroom 1925, 211 W. Fort Street, Detroit, MI 48226 unless your attendance is excused by mutual agreement between yourself and the objector's attorney.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim, in which event the hearing will be canceled and the objection sustained.

Date: March 27, 2015

FOLEY & LARDNER LLP

By: /s/ John A. Simon
John A. Simon (P61866)
Jeffrey S. Kopp (P59485)
Tamar N. Dolcourt (P73425)
Leah R. Imbrogno (P79384)
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*Counsel for the Debtor, City of Detroit,
Michigan*

EXHIBIT 1: PROPOSED ORDER

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

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

**ORDER GRANTING DEBTOR'S
THIRTEENTH OMNIBUS OBJECTION TO CERTAIN CLAIMS
(No Basis Claims)**

Upon the thirteenth omnibus objection to claims, dated February 13, 2015 (the “Objection”),¹ of the Debtor, City of Detroit, Michigan, (the “City”), seeking entry of an order disallowing certain claims filed with no valid basis for any liability of the City; and it appearing that this Court has jurisdiction over the Objection pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Objection in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Objection is in the best interests of the City, and its creditors; and due and proper notice of the Objection having been given as provided in the Objection; and it appearing that no other or further notice of the Objection need be given; and a hearing on the Objection having been held before the Court; and any objections to the Objection having been overruled or withdrawn; and the Court finding that the legal and factual bases set forth in

¹ Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Objection.

the Objection and at the hearing establish just cause for the relief granted; and after due deliberation and good and sufficient cause appearing therefore; it is hereby

ORDERED, DECREED AND ADJUDGED that:

1. The Objection is granted as set forth herein.
2. All of the proofs of claim listed on Exhibit 2 annexed to the Objection are disallowed and expunged, pursuant to Section 502(b).
3. The City's claims agent is hereby authorized to update the claims register to reflect the relief granted in this Order.
4. The City is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Objection.
5. Each claim and the objections by the City to each claim as addressed in the Objection and set forth in Exhibit 2 constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim. Any stay of this Order shall apply only to the contested matter that involves such creditor and shall not act to stay the applicability or finality of this Order with respect to the other contested matters covered hereby, and further provided that the City shall have the right to submit a separate order with respect to contested matters or claims.
6. Notice of the Objection as provided therein is good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a) and the local rules of the Court are satisfied by such notice.

EXHIBIT 2: NO BASIS CLAIMS TO BE DISALLOWED

NO BASIS CLAIMS

Claim No.	Creditor Name and Address	Claim Amount as State on Proof of Claim Form	Classification as Stated on Proof of Claim Form	Stated Basis of Claim as Stated on Proof of Claim	Reason Basis Invalid
162	Bee Jones Harris 2124 E. Forest Detroit, MI 48207	\$2,500.00	Secured	<u>Stated Basis:</u> None.	Claim appears to be for claimant's unpaid rent and/or unpaid property taxes on several properties. Claims for claimant's unpaid rent or unpaid property taxes are not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes her money. To the extent the claimant is alleging overpayment of property taxes, and that the City owes her a refund, such claims are to be handled in the ordinary course, pursuant to Plan Art. IV.T.
169	Lashawn Hill 16515 Wildemere Detroit, MI 48221	\$6,924.00	Admin. Priority	<u>Stated Basis:</u> None.	Claim is for claimant's unpaid parking tickets. Individual parking tickets

					owed by the claimant to the City are not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes her money.
200	Carolyn & Earnest Johnson 15688 Rossini Dr. Detroit, MI 48205	Unliquidated	Admin. Priority	<u>Stated Basis:</u> “Mortgage”	Claim is for claimants’ mortgage payments. Individual mortgage agreements between the claimants and their lender, to which the City is not a party, are not the subject of this bankruptcy claims administration process. Claimants do not appear to be alleging that the City owes them money.
254	Adrian Brown 6520 Memorial Detroit, MI 48228	\$20,199.42	Secured	<u>Stated Basis:</u> “Taxes”	Listed property was foreclosed upon. Claim appears to be for claimant’s unpaid taxes. An individual’s failure to pay taxes to the City is not the subject of this bankruptcy

					claims administration process. Claimant does not appear to be alleging that the City owes him money. To the extent the claimant is alleging overpayment of property taxes, such claims are to be handled in the ordinary course, pursuant to Plan Art. IV.T.
433	Marilyn Walker-Osaboutien 1525 Chicago Blvd. Detroit, MI 48206	Unliquidated	General Unsecured	<u>Stated Basis:</u> None.	This claim has no supporting documents attached and no stated basis for the claim.
473	Eafter Lee Williams 5260 University St. Detroit, MI 48224	\$1,488.05 \$22,865.98	Secured General Unsecured	<u>Stated Basis:</u> None.	Claim appears to regard the foreclosure of the claimant's property and/or personal bankruptcy filing, which are not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes him money.
779	Sherrell Ann Peyton 10109 Curtis St. Detroit, MI 48221	\$80,000.00	Secured	<u>Stated Basis:</u> "Tax auction not valid after July 25, 2013."	Claim is for claimant's mortgage payments. Individual

					mortgage agreements between the claimant and her lender, to which the City is not a party, are not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes her money.
919	Joshna E. Pattilo 16706 Harlow Detroit, MI 48235	\$3,000.00	Admin. Priority	<u>Stated Basis:</u> “Tax bill for property.”	Claim appears to be for claimant’s unpaid taxes. An individual’s failure to pay taxes to the City is not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes him money. To the extent the claimant is alleging overpayment of property taxes, such claims are to be handled in the ordinary course, pursuant to Plan Art. IV.T.
935	Joseph McCray, Owner J&M Property Mgmt.	\$22,143.00 \$2,040.00	Secured General Unsecured	<u>Stated Basis:</u> “Breach of performance &	Claim has no supporting documentation attached. Claim

	5581 Courville Detroit, MI 48224			<p>services performed.”</p> <p>“The City has fail [sic] to meet its obligation to provide services & thus violated the [illegible] to receive any taxes from residence.”</p>	<p>appears to regard the claimant’s refusal to pay property taxes due to the City allegedly failing to provide services. An individual’s failure to pay taxes to the City is not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes him money. To the extent the claimant is alleging overpayment of property taxes, such claims are to be handled in the ordinary course, pursuant to Plan Art. IV.T.</p>
1074	Lue David Jackson 9336 Pierson Detroit, MI 48228	\$71,825.81	General Unsecured	<p><u>Stated Basis:</u></p> <p>“Contingent & unsecured principal & interest charges.”</p>	<p>Claim is for claimant’s mortgage payments. Individual mortgage agreements between the claimant and her lender, to which the City is not a party, are not the subject of this bankruptcy claims administration</p>

					process. Claimant does not appear to be alleging that the City owes him money.
1079	Audrey Rollins 8307 Bingham Detroit, MI 48228	Unliquidated	Secured	<u>Stated Basis:</u> “Property I don’t own.”	Claim appears to regard claimant’s taxes. An individual’s failure to pay taxes to the City is not the subject of this bankruptcy claims administration process. Claimant does not appear to be alleging that the City owes her money. To the extent the claimant is alleging overpayment of property taxes, such claims are to be handled in the ordinary course, pursuant to Plan Plan Art. IV.T.
3791	Cindy Darrah 492 Peterboro Detroit, MI 48201	Unliquidated	Priority	<u>Stated Basis:</u> “Destruction of property tax basis. Unequal no bid process.”	Claimant argues that the City of Detroit gives away land for one dollar that could be auctioned off to provide revenue. Claimant also argues that the City uses tax money to demolish viable properties. Claimant does not

					appear to be alleging that the City owes her money. Claimants arguments thus are not the subject of this bankruptcy claims administration process.
3792	Hunter L. Todd 14944 Ashton Detroit, MI 48223	\$70,000.00	Priority	<u>Stated Basis:</u> “None. The teachers’ retirement must be paid. Ownership of property, both homes and two white tractors. Purchased property from City of Detroit. Paid cash for both homes, \$60,000.00. 5,000.00 for [illegible] white tractors.”	Claimant appears to request that the City pay for the Claimant’s property, but provides no basis for payment. The City believes this claim is related to Claim No. 3473, which was included on the City’s Tenth Omnibus Objection because the underlying lawsuit in the Michigan Court of Claims had been dismissed (Case No. 1375MZ). Prior lawsuits on the same claim also have been dismissed.
3530	James Crowder Christopher Trainor & Associates 9750 Highland Rd. White Lake, MI 48386	\$75,000.00	General Unsecured	<u>Stated Basis:</u> “3 rd Party No Fault – Auto Accident – Pain & Suffering”	Underlying claim dismissed by agreement on February 3, 2015. <i>See</i> Case No. 14-005607-NI.
1917	Dorothy McCoy	\$235,422.52	General	<u>Stated Basis:</u>	The claim states

	c/o Mike Morse Law Firm 24901 Northwestern Hwy, Suite 700 Southfield, MI 48075		Unsecured	“BI and PIP Claim Due to Motor Vehicle Accident 10/1/13”	that it is based on post-petition events. There is no pre-petition claim owed by the City.
474	Richard Hall 3752 Eastern Place Detroit, MI 48208	\$100,000.00	General Unsecured	<u>Stated Basis:</u> “Injured”	The statute of limitations has expired on the underlying personal injury claim as of June 28, 2014.
1097	Richard Hall 3752 Eastern Place Detroit, MI 48208	\$1,000,00.00	General Unsecured	<u>Stated Basis:</u> “False arrest, excessive force, pursuant to 42 U.S.C. 1983 (or wrongful detention), assault & battery, false imprisonment under Michigan law”	The statute of limitations has expired on the underlying Section 1983 claim as of October 28, 2014.
3684	Thyssenkrupp c/o CST Co. P.O. Box 224768 Dallas, TX 75222	\$37,597.21	Priority	<u>Stated Basis:</u> “Service contract”	The claim states that it is based on post-petition events. There is no pre-petition claim owed by the City.
3687	Thyssenkrupp c/o CST Co. P.O. Box 224768 Dallas, TX 75222	\$439,089.10	Priority	<u>Stated Basis:</u> “Service contract total quarterly billing 4-1-2014 – 3-31-2017”	The claim states that it is based on post-petition events. There is no pre-petition claim owed by the City.

EXHIBIT 3: DECLARATION OF JOHN NAGLICK REGARDING NO BASIS CLAIMS

**IN THE UNITED STATES BANKRUPTCY COURT
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SOUTHERN DIVISION**

	X	
	:	Chapter 9
IN RE	:	
	:	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	:	
	:	Hon. Steven W. Rhodes
DEBTOR	:	
	:	
	X	

**DECLARATION OF JOHN NAGLICK IN SUPPORT OF DEBTOR'S THIRTEENTH
OMNIBUS OBJECTION TO CERTAIN CLAIMS**

(No Basis Claims)

I, John Naglick, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information and belief:

1. I am a Finance Director with the City of Detroit. Unless otherwise stated in this Declaration, I have personal knowledge of the facts set forth herein.

2. The City's ongoing claims reconciliation process involves the collective effort of a team of employees assembled from personnel specifically familiar with the operations and liabilities of the City. This team works together and in conjunction with City's counsel, the City's financial advisor, and the City's claims agent, to review proofs of claim filed against the City (each, a "Claim" and collectively, the "Claims").

3. In connection with the preparation of the Thirteenth Omnibus Objection to Certain Claims (No Basis Claims) (the "Thirteenth Omnibus Objection"), the City and its financial professionals reviewed the claims at issue, as described on Exhibit 2 of the Thirteenth Omnibus Objection. I have also personally reviewed the Thirteenth Omnibus Objection and the exhibits attached thereto. Accordingly, I am familiar with the information contained therein.

4. City employees, working with certain of the City's professionals, compared each of the claims listed in Exhibit 2 of the Thirteenth Omnibus Objection (the "No Basis Claims") to the following City data sources in order to determine whether such claim may be valid and outstanding: the City's Vendor Database, the City's accounts payable records, the City's disbursement records, and the City's lists of active and retired employees (collectively, the "Data Sources").

5. After comparing each of the No Basis Claims to the Data Sources, the City believes that the No Basis Claims do not identify a valid basis for any liability of the City for the reasons stated in Exhibit 2 to the Thirteenth Omnibus Objection.

[SIGNATURE PAGE FOLLOWS]

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: March 27, 2015

By: /s/ [Signature]
John Naglick