

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

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Hon. Thomas J. Tucker

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**CERTIFICATION OF NO RESPONSE OR OBJECTION REGARDING CITY OF  
DETROIT'S MOTION FOR THE ENTRY OF AN ORDER (I) ENFORCING THE PLAN  
OF ADJUSTMENT INJUNCTION AND (II) REQUIRING THE DISMISSAL WITH  
PREJUDICE OF THE FEDERAL COURT ACTION FILED BY JEROME COLLINS TO  
THE EXTENT IT SEEKS RELIEF AGAINST THE CITY OF DETROIT OR  
PROPERTY OF THE CITY OF DETROIT [DOC. NO. 10030]**

On July 8, 2015, the City Of Detroit ("City") filed its Motion For The Entry Of An Order (I) Enforcing the Plan Of Adjustment Injunction and (II) Requiring the Dismissal With Prejudice Of the Federal Court Action Filed By Jerome Collins To the Extent It Seeks Relief Against the City Of Detroit Or Property Of the City Of Detroit ("Motion"). [Doc. No. 10030]. The Motion was served via first class mail and electronic mail upon counsel for Jerome Collins on the same date. *See Certificate of Service* Exhibit A.

No response or objection to the Motion was filed with the Court and the time to do so has passed. The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order* Exhibit B.



Respectfully submitted,

By: /s/ Marc N. Swanson

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ATTORNEYS FOR THE CITY OF DETROIT

DATED: July 28, 2015

## **Exhibit A**

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

In re:

City of Detroit, Michigan,  
Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 8, 2015 the foregoing City of Detroit's Motion for the Entry of an Order (I) Enforcing the Plan of Adjustment Injunction and (II) Requiring the Dismissal with Prejudice of the Federal Court Action filed by Jerome Collins to the extent it Seeks Relief against the City of Detroit or Property of the City of Detroit was filed and served via the Court's electronic case filing and notice system and served upon counsel as listed below, via first class mail and electronic mail:

Benjamin Whitfield, Jr  
Benjamin Whitfield, Jr. & Associates, PC  
547 East Jefferson Avenue  
Detroit, MI 48226  
Benwlaw123@aol.com

DATED: July 8, 2015

By: /s/ Marc N. Swanson

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## **Exhibit B**

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

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**[PROPOSED] ORDER GRANTING CITY OF DETROIT’S MOTION FOR THE ENTRY  
OF AN ORDER (I) ENFORCING THE PLAN OF ADJUSTMENT INJUNCTION AND  
(II) REQUIRING THE DISMISSAL WITH PREJUDICE OF THE FEDERAL COURT  
ACTION FILED BY JEROME COLLINS TO THE EXTENT IT SEEKS RELIEF  
AGAINST THE CITY OF DETROIT OR PROPERTY OF THE CITY OF DETROIT**

This matter, having come before the court on the City of Detroit’s Motion for the Entry of an Order (I) Enforcing the Plan of Adjustment Injunction and (II) Requiring the Dismissal with Prejudice of the Federal Court Action filed by Jerome Collins to the Extent it Seeks Relief Against the City of Detroit or Property of the City of Detroit (“Motion”), upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

**THE COURT ORDERS THAT:**

1. The Motion is granted.
2. Within five days of the entry of this Order, Jerome Collins shall dismiss, or cause to be dismissed, with prejudice, Case No 15-11756 filed with the United States District Court for the Eastern District of Michigan, Southern Division, and captioned *Jerome Collins vs. City of Detroit, Detroit Police Department, Ralph Godbee, former Police Chief, Mattie Lewis, former Police Officer, and John Does, whose identities are presently unknown* (“Federal Court Action”) to the extent it seeks any relief against the City or property of the City.
3. Jerome Collins is permanently barred, estopped and enjoined from asserting any claims described in the Federal Court Action, or the alleged conduct forming the basis of the

Federal Court Action, against the City of Detroit or property of the City of Detroit, in the Federal Court Action or in any other action or proceeding.

4. Jerome Collins is prohibited from sharing in any distribution in this bankruptcy case.

5. The Federal Court Action was commenced and prosecuted in violation of the Plan injunction as it pertains to the City and its property.

6. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.