

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Case No. 13-53846

CITY OF DETROIT, MICHIGAN,

Chapter 9

Debtor.

Judge Thomas J. Tucker

**ORDER REGARDING FURTHER PROCEEDINGS ON:  
(1) CITY OF DETROIT'S MOTION TO ENFORCE ORDER, ETC.  
AGAINST DANNY CROMWELL, LEOTA MURPHY, AND JASMINE CROMWELL  
(DOCKET # 11357); AND (2) CITY OF DETROIT'S MOTION TO ENFORCE ORDER,  
ETC. AGAINST NAJIB HODGE (DOCKET # 11583)**

This case came before the Court for a hearing on November 16, 2016, on the following two motions filed by the City of Detroit: (1) the motion entitled "City of Detroit's Motion to Enforce Order, Pursuant to Sections 105, 501, and 503 of the Bankruptcy Code and Bankruptcy Rules 2001 and 3003(c), Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Therefore Against Danny CROMWELL, Leota Murphy and Jasmine CROMWELL" (Docket # 11357, the "CROMWELL/Murphy Motion"); and (2) the motion entitled "City of Detroit's Motion to Enforce Order, Pursuant to Sections 105, 501, and 503 of the Bankruptcy Code and Bankruptcy Rules 2001 and 3003(c), Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof Against Najib Hodge" (Docket #11583, the "Hodge Motion"). Confirming action taken by the Court during the hearing, and for the reasons stated by the Court on the record during the hearing,

IT IS ORDERED that:

1. The Court will hold a further, non-evidentiary hearing on each of the motions, on **March 22, 2017 at 1:30 p.m.**
2. With respect to the CROMWELL/Murphy Motion, the claimants (CROMWELL, CROMWELL, and Murphy) must file a supplemental brief, and any exhibits containing any evidentiary material (any affidavits or documentary evidence) in support of their argument that their claims against the City arose after the City filed its Chapter 9 bankruptcy petition on July 18, 2013, rather than before that date.<sup>1</sup> This must be filed no later than January 25, 2017.

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<sup>1</sup> During the November 16, 2016 hearing, the Court reiterated that the question whether the claim(s) arose before or after the filing of the bankruptcy petition is governed generally by the standard/test known as the "fair contemplation" test, as discussed and described in this Court's opinion filed in this case and reported as *In re City of Detroit, Michigan*, 548 B.R. 748 (Bankr. E.D. Mich. 2016).



3. The City may file a response (supplemental brief, exhibits) to any supplementary brief or exhibits filed by the claimants (CROMWELL, CROMWELL, and Murphy). This must be filed no later than February 24, 2017.

4. With respect to both motions, the claimants (CROMWELL, CROMWELL, and Murphy with respect to the CROMWELL/Murphy Motion and Najib Hodge with respect to the Hodge Motion) may file a further brief in support of their arguments opposing the City's motion to enforce, etc. (other than the pre-petition vs. post-petition claim issue involved in the CROMWELL/Murphy Motion, which is referred to in ¶ 2 above). This must be filed no later than December 15, 2016.

5. The City may file a further brief regarding the issues described in ¶ 4 above, no later than January 9, 2017.

**Signed on November 18, 2016**

**/s/ Thomas J. Tucker**  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**