

**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.

Judge Thomas J. Tucker

**CERTIFICATION OF NO RESPONSE OR OBJECTION TO THE CITY OF
DETROIT'S OBJECTION TO CLAIM NO. 3618
FILED BY ARCHIE MCCLAIN**

On May 10, 2017, the City Of Detroit ("City") filed its Objection to Claim No. 3618 Filed by Archie McClain ("Objection") [Doc. No. 11866]. The Objection was served via first class mail upon Archie McClain and upon counsel for Archie McClain on the same date. *See Certificate of Service* appended to the Objection.

No response to the Objection 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 Objection. *See Proposed Order Exhibit A.*



Respectfully submitted,

By: /s/ Marc N. Swanson

Jonathan S. Green (P33140)

Marc N. Swanson (P71149)

MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.

150 West Jefferson, Suite 2500

Detroit, Michigan 48226

Telephone: (313) 496-7591

Facsimile: (313) 496-8451

green@millercanfield.com

swansonm@millercanfield.com

and

Charles N. Raimi (P29746)

Deputy Corporation Counsel

City of Detroit Law Department

2 Woodward Avenue, Suite 500

Coleman A. Young Municipal Center

Detroit, Michigan 48226

Telephone: (313) 237-5037

Facsimile: (313) 224-5505

raimic@detroitmi.gov

Attorneys for the City of Detroit

DATED: June 15, 2017

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

**ORDER GRANTING THE CITY OF DETROIT'S OBJECTION TO
CLAIM NO. 3618 FILED BY ARCHIE MCCLAIN**

Upon the City of Detroit's Objection to Claim No. 3618 filed by Archie McClain ("Objection") seeking entry of an order disallowing Claim No. 3618, 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 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 sustained.
2. Claim No. 3618 is hereby disallowed and expunged, pursuant to section 502(b)(1) of the Bankruptcy Code.
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. Notice of the Objection as provided therein is good and sufficient notice of such objection, and the requirements of Federal Rule of Bankruptcy Procedure 3007(a) and the local rules of the Court are satisfied by such notice.