

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

In re:)	Chapter 11
)	
)	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,)	
)	Hon. Thomas J. Tucker
)	
Debtor.)	

**OBJECTION OF STEVEN WOLAK, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF CHRISTOPHER
WOLAK, DECEASED,
TO TRANSFER OF CLAIM NUMBER 3232**

Now comes STEVEN WOLAK, as Personal Representative of the Estate of CHRISTOPHER WOLAK, Deceased (“Claimant”), by and through his undersigned counsel, and for his Objection to Transfer of Claim Number 3232, respectfully states as follows:

Claimant objects to the transfer of this claim to the Trustee for the Bankruptcy Estate of Steven and Francine Wolak. **This claim belongs to the Estate of Christopher Wolak, Deceased.** The claim does not belong to either Steven or Francine Wolak in their individuals capacities. While these individuals may be entitled to a portion of the settlement proceeds pursuant to the order of distribution entered in the underlying action, it is not their



individual claim(s). The damages sought in this action were on behalf of the Estate of Christopher Wolak.

This claim arose from the tragic death of Christopher Wolak, on December 24, 2011, when he was struck and killed by a DDOT Bus owned by the City of Detroit and operated by its employee, Audrian Hardy. Claimant originally filed suit in the Circuit Court for the County of Wayne, State of Michigan, on January 25, 2012, and the parties ultimately settled that action for the amount of \$375,000.00. That settlement was placed on the record and an Order was entered by the Honorable Jeanne Stempien on May 12, 2013. This settlement, and a proposed disbursement, was approved by the Circuit Court. The settlement was further approved by the Detroit City Council, and an appropriate Release was signed on July 11, 2013. Before payment was made, however, only one week later, the City of Detroit filed its petition for bankruptcy protection on July 18, 2013.

The settlement was payable, and is still payable to the Estate of Christopher Wolak, which is represented by undersigned counsel. Any subsequent disbursement to Steven and/or Francine Wolak, in their individual capacity, is subject to the disbursement approved by the Circuit Court, which provided for payment of attorney costs and fees prior to disbursement of the net proceeds to the heirs. The Circuit Court additionally

ordered certain costs and a percentage of the attorney fee to the Estate of Christopher Wolak's prior counsel, as well as attorney costs to the Estate's probate counsel.

This claim should not be transferred to the Trustee for the Bankruptcy Estate of Steven and Francine Wolak. The claim does not belong to Steven and/or Francine Wolak; it belongs to the Estate of Christopher Wolak. Payment of this claim, and any future payments related to this claim, should be to the Estate of Christopher Wolak and its attorneys, Fieger, Fieger, Kenney and Harrington. Counsel will then disburse the settlement funds accordingly.

WHEREFORE, STEVEN WOLAK, as Personal Representative of the Estate of CHRISTOPHER WOLAK, Deceased, respectfully requests that this Honorable Court issue an Order denying transfer of claim.

FIEGER, FIEGER, KENNEY & HARRINGTON, P.C.

/s/ Stephanie L. Arndt
GEOFFREY N. FIEGER (P30441)
DAVID A. DWORETSKY (P67026)
STEPHANIE L. ARNDT (P66870)
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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2017, I electronically filed the below-listed documents with the Clerk of the Court using the ECF system, which sent notification of such filings to all participating attorneys:

- Objection of Steve Wolak, As Personal Representative of the Estate of Christopher Wolak, deceased, to Transfer of Claim Number 3232
- Certificate of Service

A paper copy of these documents was also served by first-class mail postage prepaid to:

Kurtzman Carson Consultants LLC
City of Detroit, Michigan Transfers Objection
2335 Alaska Ave.
El Segundo, CA 90245

and

Karen E. Evangelista, Trustee for the Bankruptcy Estate
of Steven and Francine Wolak, Case Number 15-53842
Kilpatrick & Associates, P.C.
903 N. Opdyke Rd.
Auburn Hills, MI 48326

Dated: August 11, 2017

/s/Stephanie L Arndt
STEPHANIE L. ARNDT (P66870)