

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

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	:	
In re	::	Chapter 9
	::	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	::	Judge Thomas J. Tucker
Debtor.	:	
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**STIPULATION FOR ORDER MODIFYING DPOA CLAIM NO. 1877 TO
WITHDRAW ALL RESOLVED DISCIPLINE CLAIMS AS MOOT AND
PRESERVING PRE-PETITION DISCIPLINE CLAIM OF OFFICER
CARRUTHERS**

The City of Detroit, Michigan (“City”) and the Detroit Police Officers Association (“DPOA”), by and through their undersigned counsel, hereby stipulate to the entry of an Order confirming that, with the exception of the pending pre-petition disciplinary action involving Ryan Carruthers (the “Carruthers Claim”), all of the discipline claims asserted by Claim No. 1877 have been resolved and modifying Claim No. 1877 to withdraw all of the pre-petition discipline claims asserted by DPOA Claim No. 1877 except the Carruthers Claim, in the form attached as Exhibit A. In support of their request, the City and the DPOA state the following:

1. On February 20, 2014, the DPOA filed Claim No. 1877.
2. Claim No. 1877 was filed during ongoing Court-ordered mediation between the City and the DPOA in these Chapter 9 proceedings. Claim



1877 asserts DPOA members' right to recovery for certain pre-petition disciplinary actions (the "Pre-petition Discipline Matters").

3. Among the Pre-petition Discipline Matters that are the subject of Claim No. 1877 is the Carruthers Claim. The Carruthers Claim arises out of a disciplinary action dismissing Ryan Carruthers. Ryan Carruthers is currently subject to prosecution in a criminal proceeding ("Criminal Proceeding"). If the resolution of the Criminal Proceeding results in Ryan Carruthers being convicted of a felony, the DPOA agrees to promptly withdraw the Carruthers Claim. If the Criminal Proceeding is resolved or disposed of other than by a felony conviction, to the extent the Carruthers Claim is not withdrawn by the DPOA or otherwise disallowed, it may be liquidated in accordance with the Stay Modification Notice served on the DPOA on or about July 28, 2017. The City reserves all claims, defenses and rights to object to or otherwise contest the Carruthers Claim.
4. The City and the DPOA further agree that: (a) all of the other pre-petition discipline claims asserted by Claim No. 1877 have been fully and finally resolved and rendered moot; (b) Claim No 1877 should be modified so that all of the claims, except the Carruthers Claim, are withdrawn as moot; (c) as a result of the modification of Claim No. 1877, except for any potential distribution under the City's Eighth Amended Plan of Adjustment of Debts of the City of Detroit [Doc. No. 8045] ("Plan") that may result from the

final disposition of the Carruthers Claim, the DPOA and its affected members will have no right to receive any distribution in these bankruptcy proceedings based on Claim No. 1877.

WHEREFORE, the parties request the Court enter an Order in the form attached hereto as Exhibit A.

November 21, 2017

STIPULATED AND AGREED:

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Exhibit A

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**ORDER MODIFYING DPOA CLAIM NO. 1877 TO WITHDRAW ALL
RESOLVED DPOA DISCIPLINE CLAIMS AS MOOT AND PRESERVING
PRE-PETITION DISCIPLINE CLAIM OF OFFICER CARRUTHERS**

This case is before the Court on the stipulation filed on _____ (Docket # _____, the Stipulation) entitled “Stipulation for Order Modifying DPOA Claim No. 1877 to Withdraw All Resolved DPOA Discipline Claims as Moot and Preserving Pre-Petition Discipline Claim of Officer Carruthers.”¹ Based on the Stipulation,

IT IS ORDERED THAT Claim No. 1877 filed on behalf of the Detroit Police Officers Association is modified to withdraw all of the discipline claims asserted by Claim No. 1877 as moot, except for the discipline matter involving Ryan Carruthers (the “Carruthers Claim”). If the resolution of the Criminal Proceeding results in Ryan Carruthers being convicted of a felony, the DPOA agrees to promptly

¹ Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Stipulation.

withdraw the Carruthers Claim. If the Criminal Proceeding is resolved or disposed of other than by a felony conviction, to the extent the Carruthers Claim is not withdrawn by the DPOA or otherwise disallowed, it may be liquidated in accordance with the Stay Modification Notice served on the DPOA on or about July 28, 2017. The City reserves all claims, defenses and rights to object to or otherwise contest the Carruthers Claim.

IT IS FURTHER ORDERED THAT, except for any potential distribution under the Plan that may result from the final disposition of the Carruthers Claim, the DPOA and its affected members will have no right to receive any distribution in these bankruptcy proceedings based on Claim No. 1877.

IT IS FURTHER ORDERED THAT this Court retains jurisdiction over any and all matters arising from the interpretation or implementation of this Order.