

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

In re:

City of Detroit, Michigan,  
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**STIPULATION BY AND BETWEEN THE CITY OF DETROIT,  
MICHIGAN AND T&T MANAGEMENT, INC. FOR EXPUNGEMENT OF  
CLAIM NUMBER 1409**

The City of Detroit, Michigan (“City”) and T&T Management, Inc. (“Claimant”; and collectively with the City, the “Parties”) stipulate and agree as follows:

WHEREAS, on February 18, 2014, Claimant filed proof of claim number 1409 (“Claim 1409”);

WHEREAS, on April 18, 2018, the City filed its Fifty-Eighth Omnibus Objection to Certain Claims (No Valid Basis for Any Liability of the City) (the “Omnibus Objection”) [Doc. No. 12765];

WHEREAS, on May 8, 2018, T&T Management, Inc. filed its amended response to the Omnibus Objection [Doc. No. 12777];

WHEREAS, on November 12, 2014, the Court entered the Order Confirming Eighth Amended Plan for the Adjustment of Debts of the City of



Detroit (the “Confirmation Order”) [Doc. No. 8272], which provided in pertinent part:

In accordance with Section III.D.4 of the Plan, except as specifically provided otherwise in the Plan or this Order, as of the Effective Date, pursuant to sections 524(a)(1), 524(a)(2) and 944(b) of the Bankruptcy Code, all debts of the City shall be, and hereby are, discharged . . . *provided that*, ...in accordance with section 944(c)(1) of the Bankruptcy Code, such discharge shall not apply to . . . (d) Claims of (i) T&T Management, Inc. . . . related to condemnation or inverse condemnation actions against the City alleging that the City has taken private property without just compensation in violation of the Takings Clause of the Fifth Amendment to the United States Constitution.

Confirmation Order, ¶ 30.

WHEREAS, Claimant and the City have now met, conferred and reached the following agreement regarding Claim 1409:

1. As a Claim expressly excluded from discharge in this bankruptcy case pursuant to paragraph 30 of the Confirmation Order, Claim 1409 will be expunged from the claims register maintained in the Case as a matter of administrative convenience. However, such expungement is not intended to, nor shall it, enlarge or constrict or otherwise affect any substantive or procedural right provided to T&T Management or the City under paragraph 30 of the Confirmation Order. Subject to the terms of the Confirmation Order, T& T expressly reserves any and all claims against the City, and the City expressly reserves any and all defenses to Claim 1409 (and any other claims of the Claimant).

2. Nothing in this Stipulation is intended to, or will, postpone, waive, modify or amend any substantive or procedural right or remedy of either of the Parties under the Confirmation Order or otherwise.

3. This Court retains jurisdiction over any and all matters arising from the interpretation or implementation of this Stipulation.

4. The City's claims and noticing agent, Kurtzman Carson Consultants, is authorized to update the claims register to reflect the terms of this Stipulation.

NOW, THEREFORE, the Parties respectfully request that the Court enter an order in the form attached hereto as Exhibit 1.

Stipulated and agreed to on May 16, 2018:

**MILLER CANFIELD PADDOCK & STONE, PLC**

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**EXHIBIT 1**

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

In re:

City of Detroit, Michigan,

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**ORDER GRANTING STIPULATION BY AND BETWEEN THE CITY OF  
DETROIT, MICHIGAN AND T&T MANAGEMENT, INC. FOR  
EXPUNGEMENT OF CLAIM NUMBER 1409**

This matter having come before the Court on the *Stipulation By and Between the City of Detroit, Michigan and T&T Management, Inc. For Expungement of Claim Number 1409* (the “Stipulation”)<sup>1</sup>; the parties having stipulated to the expungement of Claim 1409; and the Court being otherwise fully informed:

**IT IS HEREBY ORDERED THAT:**

1. As a Claim expressly excluded from discharge in this bankruptcy case pursuant to paragraph 30 of the Confirmation Order, Claim 1409 will be expunged from the claims register maintained in the Case as a matter of administrative convenience. However, such expungement is not intended to, nor shall it, enlarge or constrict or otherwise affect any substantive or procedural right provided to T&T Management or the City under paragraph 30 of the Confirmation Order.

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<sup>1</sup> Capitalized terms used but not otherwise defined in this Order shall have the meanings given to them in the Stipulation.

Subject to the terms of the Confirmation Order, T&T Management expressly reserves any and all claims against the City, and the City expressly reserves any and all defenses to Claim 1049 (and any other claims of the Claimant).

2. Nothing in this Order is intended to, or will, postpone, waive, modify or amend any substantive or procedural right or remedy of either of the Parties under the Confirmation Order or otherwise.

3. This Court retains jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

4. The City's claims and noticing agent, Kurtzman Carson Consultants, is authorized to update the claims register to reflect the terms of this Order.