

**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 WITHDRAWING DEBTOR'S OBJECTION TO
PROOF OF CLAIM NUMBER 3774
OF CLAIMANT NATHANIEL BRENT**

Nathaniel Brent, the claimant ("Claimant"), and the City of Detroit, Michigan ("City"), hereby stipulate and agree as follows in support of the entry of the Order Withdrawing Debtor's Objection to Claim No. 3774, filed by the Claimant, attached hereto as Exhibit 1.

1. Claimant filed the Claim Number 3774, on June 3, 2014.¹
2. Claim No. 3774 asserts a claim against the City in the amount of \$5,000,000.00, and is based on alleged civil rights violations.
3. On February 22, 2011, the Claimant filed a lawsuit against multiple defendants, among them, the Detroit Police Department as well as two named and two unnamed police officers ("City Defendants"), in the United States District Court, Eastern District of Michigan ("District Court"), captioned *Nathaniel Brent*

¹ Per the stipulation between Claimant and the City [Doc. No. 5044], this Court entered the Order Resolving Motion to Extend Time for Filing Proof of Claim Filed by Nathaniel Brent [Doc. No. 5143] which extended Claimant's deadline for filing his claim through 4:00 pm, Eastern time, June 16, 2014.



and Robert Brent v. Mia Wenk, et al., Case No. 11-cv-10724 (the “District Court Case”), based upon the facts and circumstances asserted in Claim No. 3774.

4. The District Court Case was subsequently decided in favor of the City Defendants on November 9, 2016.

5. Claimant filed an appeal [Case No. 17-1428] with the Sixth Circuit Court of Appeals (“Sixth Circuit Court”) related to the District Court’s judgment in favor of the City Defendants and on August 23, 2018, the Sixth Circuit Court affirmed the District Court’s judgment in favor of the City Defendants.

6. Claimant filed a petition for rehearing en banc of the Sixth Circuit Court’s decision. The petition was denied on October 11, 2018.

7. The City objected to Claim No. 3774 in the *Debtor’s Sixty-Third Omnibus Objection to Certain Claims* [Doc. No. 12942] filed on November 13, 2018 (the “Objection”), based on the evidence that the litigation upon which the claim was based had been decided in favor of the City.

8. On January 15, 2019, Claimant filed his response to the City’s Objection, which alleged that Claimant had filed a petition with the United States Supreme Court for review of the matter.


9. The City and the Claimant agree that Claim No. 3774 therefore remains the subject of unresolved litigation and the City’s objection should therefore be withdrawn without prejudice.

WHEREFORE, the City and the Claimant respectfully request that the Court enter an order in the form attached as Exhibit 1 hereto.

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) 963-6420
Facsimile: (313) 496-8451
green@millercanfield.com
swansonm@millercanfield.com

NATHANIEL H. BRENT

By: 
Nathaniel H. Brent
6110 Carleton Rockwood Rd.
South Rockwood, MI 48179
Telephone: (734) 236-4527

Dated: February 14, 2019

EXHIBIT 1

**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 WITHDRAWING DEBTOR'S OBJECTION TO
PROOF OF CLAIM NUMBER 3774
OF CLAIMANT NATHANIEL H BRENT**

Upon the *Stipulation Withdrawing Debtor's Objection to Proof of Claim Number 3774 of Claimant Nathaniel Brent*, submitted by the City of Detroit (the "City") and Claimant Nathaniel Brent, the holder of Claim Number 3774, for entry of an order withdrawing the Debtor's objection as to Claim Number 3774; and the Court being fully advised in the premises,

IT IS ORDERED that the City's objection to Claim Number 3774 is withdrawn without prejudice.