

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

In re:

City of Detroit, Michigan,
Debtor.

Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER GRANTING THE CITY OF DETROIT’S MOTION TO
IMPLEMENT DISTRIBUTIONS OF B NOTES TO HOLDERS OF
ALLOWED CLASS 14 CLAIMS UNDER THE CITY’S CONFIRMED
PLAN OF ADJUSTMENT**

This case is before the Court on the motion entitled “City of Detroit’s Motion to Implement Distributions of B Notes to Holders of Allowed Class 14 Claims Under the City’s Confirmed Plan of Adjustment” (Docket # 13126, the “Motion”),¹ notice having been given by first-class mail to all known holders of alleged Class 14 Claims under the Plan, a certification of no response or objection having been filed in connection with the Motion on November 12, 2019 (Docket # 13169), and no further notice being necessary or required, and the Court being fully advised in the premises, and there being good and sufficient cause to grant the relief requested,

THE COURT ORDERS THAT:

1. The Motion is granted.

¹ Capitalized terms used but not otherwise defined in this Order will have the meanings given to them in the Motion.



2. The forms of the Notice, Brokerage Account Form, Tax Form, and the Set up Your Brokerage Account Form in substantially the same form as those appended to the Notice are approved. The City is authorized to insert the name of the Class 14 Claimant on the Tax Form and the Brokerage Account Form before such forms are served on such Class 14 Claimant.

3. The City is authorized and directed to serve copies of this Order, the Notice, the Brokerage Account Form, the Tax Form, the Set Up Your Brokerage Account Form and the Envelope on each known Class 14 Claimant (other than those Class 14 Claimants whose claims have been disallowed, withdrawn or expunged) by first-class mail. Unless a Class 14 Claimant has complied with the requirements of the Plan and Fed. R. Bankr. P. 3001(e)(2) concerning a transfer of claim (other than for security after a proof of claim has been filed) or properly filed a change of address form, the Notice, Brokerage Account Form, and Tax Form must be sent to the name and address where notices should be sent as identified in the proof of claim. Further, unless a Class 14 Claimant has complied with the requirements of the Plan and Fed. R. Bankr. P. 3001(e)(2) concerning a transfer of claim (other than for security after a proof of claim has been filed), the name of the creditor on the Brokerage Account Form and the name on the Tax Form must match the name of the creditor on the proof of claim form and the Distribution will be made in the name of the creditor on the proof of claim form.

4. The City is further authorized to make modifications that the City in good faith believes are nonmaterial to the Notice, Brokerage Account Form, Tax Form and the Set Up Your Brokerage Account Form, both before and after completion of such forms, in each case, that in its opinion are necessary or appropriate to effectuate the relief provided for by this Order.

5. With respect to each Class 14 Claimant that has not returned a properly completed and valid copy of the Brokerage Account Form and the applicable Tax Form within 90 days of service, the City is authorized to send a second copy of the Notice, the Brokerage Account Form, the Tax Form, the Set Up Your Brokerage Account Form and the Envelope to such Class 14 Claimant by first-class mail.

6. If a Class 14 Claimant fails to return a properly completed and valid Tax Form and Brokerage Account Form to KCC at the address set forth on the Notice on or before 180 days after the date on which the Brokerage Account Form and the Tax Form are served (a) all Distributions of Related Income now owing or which may hereafter come due to such Class 14 Claimant will irrevocably revert to the City and any Claim in respect of such Distribution or Distributions will be released and forever barred from assertion against the City and its property; (b) the City is authorized and directed to cancel any B Notes held for Distribution to a Class 14 Claimant, and those B Notes will be of no further force or effect and (c)

the proof of claim(s) filed by such Class 14 Claimant will be disallowed and expunged. In addition to any other requirements in this Order, at law or otherwise, to be considered properly completed and valid within the meaning of this paragraph, the name of the creditor on the proof of claim must match the name and signature on the Brokerage Account Form and the name on the Tax Form.

7. The City is authorized to take any other action necessary or appropriate to further implement the terms of this Order and to make the Distributions to the Allowed Claimholder under the Plan, including, without limitation, to make: (a) any change or modification to any completed Tax Form or Brokerage Account Form that the City receives from any Class 14 Claimant that the City in good faith believes is not material and will not affect the amount or timing of any Distribution to such Allowed Claimholder; or (b) any modifications to the claims register at the appropriate time or times under paragraph 6 above. The City is further authorized to waive or modify any requirement under this Order with respect to any Allowed Claimholder that the City in good faith believes is necessary or appropriate to effectuate the relief provided in this Order or the Plan.

8. This Order is entered in furtherance of this Court's reserved jurisdiction to enter any orders that may be necessary or appropriate to implement or consummate the provisions of the Plan, and to ensure that Distributions to Holders of Allowed Class 14 Claims are accomplished pursuant to the provisions

of the Plan. The City and its Related Entities in implementing and enforcing the terms of this Order and the Plan are entitled to all of the privileges and protections of the Plan, including the exculpation set forth in Art. III. D.6., in connection therewith.

9. This Order does not modify the Plan or the Confirmation Order. Each and every term and condition in the Plan and Confirmation Order, including without limitation, those with respect to the Allowed Claims and Distributions, remains in full force and effect.

10. This Court retains jurisdiction over the interpretation and enforcement of this Order.

Signed on November 13, 2019



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge