# UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

In re:	)	
JEFFERSON COUNTY, ALABAMA,	)	Case No. 11-05736-TBB9
a political subdivision of the State of	)	
Alabama,	)	Chapter 9
	)	
Debtor.	)	

BENNETT RATEPAYERS'S AMENDMENT AND SUPPLEMENT OF

DOCUMENT NO. 2953 FILED AND SERVED ON AUGUST 15,

2019, CONTAINING DUPLCATES OF ORIGINAL

DESIGNATIONS IN DOCUMENTS NOS. 2297, 2297-1, 2297-2 AND

2297-3 OF ITEMS TO BE INCLUDED IN THE RECORD ON

APPEAL

Andrew Bennett, Former Jefferson County Tax Assessor, Bessemer Division, Roderick V. Royal, Former Birmingham City Council President, Mary Moore, Alabama State Legislator, John W. Rogers, Alabama State Legislator, William R. Muhammad, Carlyn R. Culpepper, Lt. Col. Rt., Freddie H. Jones, II, Sharon Owens, Reginald Threadgill, Rickey Davis, Jr., Angelina Blackmon, Sharon Rice, and David Russell, each a "special taxpayer" under 11 U.S.C. § 902(3) of, and/or "interested party" under 11 U.S.C. § 1109(b) with respect to, sewer user fees backed by real property liens constituting property taxes imposed upon ratepayers by the debtor, Jefferson County, Alabama, and jointly representatives of a putative class of approximately 130,000 special taxpayers of sewer property tax liens and/or interested party ratepayers of Jefferson County sewer bills (collectively, the "Bennett Ratepayers" or "Ratepayers"), creditors in the above-styled chapter 9 bankruptcy case (the "Bankruptcy Case"), by and through their undersigned counsel, pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, hereby file this supplement and amendment to designations of items to be included in the record on appeal with regard to the Bennett

Ratepayers' Notice of Appeal of the denial of their Proof of Claim [Bankr. 11-05736 Docket No. 2267].

EXPLANATION FOR THIS AMENDMENT AND SUPPLEMENT obe included in the record on appeal of the Bankruptcy Case (Doc. No. 2953) which, except for the documents set forth below, were duplicate designations of documents already designated and transmitted to the District Court pursuant to Designations in Docket Numbers 2297, 2297-1, 2297-2 and 2297-3. Bennett Ratepayers hereby amend and supplement Doc. No. 2953, by incorporating by reference Docket Nos. 2297, 2297-1, 2297-2 and 2297-3, and designating the additional documents not previously included in the record transmitted to the District Court, as follows:

### ITEMS FROM DOCKET OF IN RE JEFFERSON COUNTY, ALABAMA

Filing Date	Adv. Docket No.	Docket Text
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		1	
6/4/2012		1041	Notice of filing of claim # in the
		1041	amount of 1,630,000,000 by
			Calvin Grigsby on behalf of
			Roderick Royal, etc. al. Filed by
			Creditors DAVID RUSSELL,
			SHARON RICE, ANGELINA
			BLACKMON, RICKY DAVIS
			JR., REGINALD
			THREADGILL, SHARON
			OWENS, FREDDIE JONES II,
			CARLYN CULPEPPER,
			WILLIAM MUHAMMAD,
			ANDREW BENNETT, JOHN
			ROGERS, MARY MOORE,
			STEVEN HOYT, RODERICK
			ROYAL. (Attachments: #1
			Exhibit # 2 Exhibit # 3 Exhibit #
			4 Exhibit # 5 Exhibit # 6 Exhibit
			# 7 Exhibit # 8 Exhibit # 9
			Exhibit # 10 Exhibit # 11 Exhibit
			# 12 Exhibit # 13 Exhibit # 14
			Exhibit # 15 Exhibit # 16
			Exhibit)(Sullivan, David)
			(Entered: 06/04/2012)
	1168		Reply to (Re Item: 1129) INDENTURE
7/25/2012			TRUSTEE'S RESPONSE AND OBJECTION TO
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			MOTION SEEKING CERTIFICATION OF A
			CLASS PROOF OF CLAIM BY THE ROYAL
			CLAIMANTS Filed by Creditors ANDREW
			BENNETT, ANGELINA BLACKMON,
			CARLYN CULPEPPER, RICKY DAVIS JR.,
			STEVEN HOYT, FREDDIE JONES II, MARY
			MOORE, WILLIAM MUHAMMAD, SHARON
			OWENS, SHARON RICE, JOHN ROGERS,
			RODERICK ROYAL, DAVID RUSSELL,
			REGINALD THREADGILL (Attachments: # 1
			Exhibit A# 2 Exhibit B) (Sullivan, David)
			(Entered: 07/25/2012)
			(Lincion, 07/25/2012)

6/2012	1200	Objection to (related document(s): 1042 First Motion for Class Action Certification of their Class Proofs of Claim Pursuant to Bankruptcy Rules 7023 and 9014 and Rule 23 of the Federal Rules of Civil Procedure filed by Creditor RODERICK ROYAL, Creditor STEVEN HOYT, Creditor MARY MOORE, Creditor JOHN ROGERS, Creditor ANDREW BENNETT, Creditor WILLIAM MUHAMMAD, Creditor CARLYN CULPEPPER, Creditor FREDDIE JONES, Creditor SHARON OWENS, Creditor REGINALD THREADGILL, Creditor RICKY DAVIS, Creditor ANGELINA BLACKMON, Creditor SHARON RICE, Creditor DAVID RUSSELL) Filed by Debtor Jefferson County, Alabama (Darby) (Entered: 07/31/2012)  Reply to (Re Item: 1183) ROYAL RATEPAYER CLAIMANTS TO JEFFERSON COUNTYS OPPOSITION TO MOTION TO CERTIFY A CLASS Filed by Creditors ANDREW BENNETT, ANGELINA BLACKMON, CARLYN CULPEPPER, RICKY DAVIS JR., STEVEN HOYT, FREDDIE JONES II, MARY MOORE, WILLIAM MUHAMMAD, SHARON OWENS, SHARON RICE, JOHN ROGERS, RODERICK ROYAL, DAVID RUSSELL, REGINALD THREADGILL (Attachments: # 1 Exhibit A# 2 Exhibit B) (Sullivan, David) (Entered: 08/06/2012)
8/15/ 2012	1233, incl Attachment No. 1 Motion for Class Certificati on	of New York Mellon, as Indenture Trustee, Bank of

8/15/2012	1232	Order declaring Class Action Certification Motions Moot
8/2/2013	1945	Objection to Claim Objection of Jefferson County, Alabama to Proofs of Claim Filed by Roderick V. Royal and Others (Claim Numbers 1292 and 1305) Filed by Debtor Jefferson County, Alabama. (Attachments: # 1 Exhibit A - Proof of Claim Number 1292 # 2 Exhibit B - Proof of Claim Number 1305)(Darby) (Entered: 08/02/2013)
8/7/2013	1975and 1974	Order approving solicitation and Disclosure
8/26/2013	2013	Opposition Response to 1945 Debtor Opposition to Proof of Claim Filed by Creditor ANDREW BENNETT (Attachments: # 1 Appendix Annex A to Proof of Claim) (Grigsby, Calvin) (Entered: 08/26/2013)
8/26/2013	2016	Amended Response to (Re Item: 1945 Objection to Claim filed by Debtor Jefferson County, Alabama) Amended to add exhibits and exhibit references Filed by Creditor ANDREW BENNETT (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit # 4 Exhibit # 5 Exhibit # 6 Exhibit # 7 Exhibit # 8 Exhibit # 9 Exhibit # 10 Exhibit # 11 Exhibit # 12 Exhibit) (Grigsby, Calvin) (Entered: 08/26/2013)
8/26/2013	2017	Amended Reply to Annex A to Dkt No 2016 Amended Response to DKT No 1945 Filed by Creditor ANDREW BENNETT (Grigsby, Calvin) (Entered: 08/26/2013)

10/10/2013	2132	Opposition Objection to Confirmation of Plan Amendment and supplement to Doc 1920, July 30 Opposition Filed by Creditor ANDREW BENNETT. (Attachments: # 1 Affidavit # 2 Affidavit # 3 Affidavit # 4 Affidavit # 5 Affidavit # 6 Affidavit # 7 Affidavit General Bowman Declaration last of 7 parts # 8 Affidavit County Tax Assessor Andrew Bennett Declaration # 9 Affidavit Councilwoman Shelia Tyson Declaration)(Grigsby, Calvin) (Entered: 10/10/2013)
10/15/2013	2141	Amended Response to 1945 Debtor Objection to Proof of claim supplementing Response Doc. 2016 Filed by Creditor ANDREW BENNETT (Grigsby, Calvin) (Entered: 10/15/2013)
10/17/2103	2160	Reply to objection to claim 1945 motion for clarification Filed by Creditor ANDREW BENNETT (Grigsby, Calvin) (Entered: 10/17/2013)
10/22/2013	2163	Transcript of hearing held on: 10/17/13  See, Exhibit A to these Designations.
11/1/2013	2174	Motion to Amend and/or Alter (related documents 2163 Transcript) judgment of dis-allowance of claim Filed by Creditor ANDREW BENNETT (Grigsby, Calvin) (Entered: 11/01/2013)

11/12/2013	2196	Order Sustaining Objection of Jefferson County, Alabama to Proofs of Claim filed by Roderick V. Royal and Others (Claims 1292 and 1305) Signed on 11/12/2013 (RE: related document(s)1945 Objection to Claim filed by Debtor Jefferson County, Alabama sustained on the grounds that the Claimants have stated no right to payment or any other affirmative recovery against the County under Alabama law and the Disputed Claims (Claim Numbers 1292 and 1305) are disallowed in their entirety, 2013 Response filed by Andrew Bennett overruled, 2016 Response filed by Andrew Bennett overruled, 2141 Response filed by Andrew Bennett Overruled, 2151 Response filed by Andrew Bennett overruled). (klt) (Entered: 11/12/2013)
11/22/2013	2248	Findings of Fact, Conclusions of Law and Order Confirming the Chapter 9 Plan of Adjustment for Jefferson County, Alabama Signed on 11/22/2013 (RE: related document(s)1911 Amended Chapter 9 Plan filed by Debtor Jefferson County, Alabama, 2182 Amended Chapter 9 Plan filed by Debtor Jefferson County, Alabama). The Plan, as previously modified and as modified by any modifications made at the Confirmation Hearing, is APPROVED and CONFIRMED. The Plan Settlements Motion 2183 is GRANTED in its entirety. Any resolutions of objections to confirmation of the Plan or to the Plan Settlements Motion explained on the record at the Confirmation Hearing are hereby incorporated by reference.
11/26/2013	2251	Order Denying Motion for Clarification or Reconsideration Based On Two Cases Cited as Authority by the Court on Objection of Jefferson County, Alabama to Proofs Of Claim Filed by Roderick V. Royal and Others (Related Doc 2160 and Order Denying Motion to Alter or Amend or for Relief from a Final Judgment (Related Doc 2174), Signed on 11/26/2

# **DATED: AUGUST 19, 2019**

The interested parties to the Designation of Items to be Included in the Record on

Appeal, other than Bennett Ratepayers, represented by the undersigned attorneys, and the names, addresses, and telephone numbers of their respective attorneys are as set forth in the Certificate of Service list attached hereto.

## Respectfully Submitted By:

/s/ Calvin B. Grigsby

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Co-Counsel for Bennett Ratepayers

#### CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of August 2019, I electronically filed the foregoing with the Clerk of the Court using the CM-ECF system to serve same in accordance with the attached Master Service List.

/s/ Calvin B. Grigsby OF COUNSEL

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TERMINATED: 06/05/2014

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