

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

In re:

CITY OF DETROIT, MICHIGAN

Case No. 13-53846

Chapter 9

Hon. Thomas J. Tucker

THE POLICE AND FIRE
RETIREMENT SYSTEM OF THE
CITY OF DETROIT,

Adversary No. 20-04042-tjt

Plaintiff and Counter-
Defendant,

vs.

INVESTMENT COMMITTEE OF THE
POLICE AND FIRE RETIREMENT
SYSTEM OF THE CITY OF
DETROIT,

Defendant and Counter-
Plaintiff.

JOINT REPORT ON MEDIATION



Plaintiff and defendant submit this joint report on mediation to the Court.

Larry Rochkind, the Court appointed mediator, advised the parties that his physician would not allow him to personally attend the mediation at this time, and he stated: “I can’t do the mediation by teleconference because it deprives me of too many of the tools to have a successful mediation.” Therefore, given the state of affairs, the mediation cannot occur before the current deadline of April 3, 2020. The parties do not see utility at this point of setting a new deadline until clarity is reached on the timing for the ability to gather in person or a different approach is pursued.

Plaintiff’s Position

Plaintiff PFRS concurs with Mr. Rochkind, and does not believe that an effective mediation can occur via all tele-conference and desires to wait until clarity is reached on the COVID-19 emergency before attempting to reschedule mediation with Mr. Rochkind.

Defendant’s Position

Defendant Investment Committee believes that mediation can occur and be effective using all video conferencing (three separate group video calls) and that a mediator can be chosen who is comfortable with that approach, including, the IC believes, Howard Sher, the alternate named by the Court at the previous status conference. (The parties have not approached Mr. Sher.)

Conclusion/Request for Status Conference

The parties request that the Court schedule a telephonic status conference to address the mediation process.

Dated: March 31, 2020

COUZENS LANSKY, P.C.

By: /s/ David A. Lawrence
David A. Lawrence (P48630)
Bruce J. Lazar (P16475)
Mark S. Frankel (P41565)
Sarah Heisler Gidley (P53764)
Attorneys for The Police and Fire Retirement
System of the City of Detroit, Plaintiff
39395 West Twelve Mile Road, Suite 200
Farmington Hills, Michigan 48331
Phone: (248) 489-8600
Fax: (248) 324-2641
E-mail: david.lawrence@couzens.com

BODMAN PLC

By: /s/ Ralph E. McDowell
Ralph E. McDowell (P39235)
Jaimee L. Witten (P70068)
Attorneys for the Investment Committee of the
Police and Fire Retirement System of the City of
Detroit
1901 St. Antoine Street
6th Floor at Ford Field
Detroit, Michigan 48226
Telephone: (313) 259-7777
Email: rmcdowell@bodmanlaw.com
jwitten@bodmanlaw.com