UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION
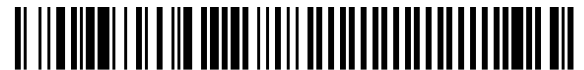
In re:	Bankruptcy Case No. 13-53846
City of Detroit, Michigan,	Judge Thomas J. Tucker
Debtor.	Chapter 9

CITY OF DETROIT'S COUNTER STATEMENT OF THE ISSUE PRESENTED ON APPEAL

Appellee, the City of Detroit ("City"), by and through its counsel, submits this counter statement of the issue to be presented on appeal in connection with appellant, Darell Deon Chancellor's ("Appellant") Statement of Issue to be Presented on Appeal filed October 26, 2023. The City states that the issue is

> Whether the Bankruptcy Court correctly ordered Appellant to dismiss the City of Detroit and Officer Stephen Geelhood, in his representative capacity, from the lawsuit Appellant filed because the record showed that Appellant's claim arose prior to the City's bankruptcy filing under the fair contemplation test, and thus Appellant's lawsuit violated both (1) the Bankruptcy Court's order setting a deadline for asserting claims against the City that arose prior to the City's bankruptcy filing and (2) the Bankruptcy Court's order confirming the City's plan for the adjustment of its debts.

41347422.4/022765.00213

November 9, 2023   Respectfully submitted,

By: /s/ Marc N. Swanson
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 ATTORNEYS FOR THE CITY OF DETROIT

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CERTIFICATE OF SERVICE

I, Marc N. Swanson, hereby certify that on November 9, 2023, the foregoing **CITY OF DETROIT'S COUNTER STATEMENT TO ISSUE ON APPEAL** was filed and served via the Court's electronic case filing and noticing system.

By: /s/ Marc N. Swanson

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