

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 13-53846

CITY OF DETROIT, MICHIGAN,

Chapter 9

Debtor.

Judge Thomas J. Tucker

**ORDER REGARDING FURTHER PROCEEDINGS ON THE
CITY OF DETROIT’S MOTION FOR THE ENTRY OF AN ORDER
ENFORCING THE BAR DATE ORDER AND CONFIRMATION ORDER AGAINST
KENNETH NIXON, AND SCHEDULING A FURTHER HEARING**

The case came before the Court for a telephonic hearing on December 13, 2023, on the City of Detroit’s motion entitled “City of Detroit’s Motion For The Entry Of An Order Enforcing The Bar Date Order And Confirmation Order Against Kenneth Nixon” (Docket # 13722, the “Motion”). Confirming action taken by the Court during the hearing, and for the reasons stated by the Court on the record during the hearing,

IT IS ORDERED that:

1. The City of Detroit and Kenneth Nixon are each granted leave to file supplemental exhibits regarding the Motion, limited to evidence regarding the following:
 - (a) when did Kenneth Nixon first learn, either personally or through any of his attorneys or agents, about the May 23, 2005 Memorandum by Kurtiss Staples?¹
 - (b) when did Kenneth Nixon first learn, either personally or through any of his attorneys or agents, that Stanley January was alleging, or had alleged, any of the facts regarding Detective Jimenez that are stated in Stanley January’s March 7, 2022 affidavit?²
2. Kenneth Nixon must file any such supplemental exhibits no later than January 12, 2024.
3. The City of Detroit must file any such supplemental exhibits no later than February 12, 2024.
4. The City of Detroit and Kenneth Nixon each may file a supplemental brief, limited to a

¹ A copy of this Memorandum appears as Exhibit 1 to the Corrected Response filed by Kenneth Nixon to the Motion (Docket # 13745 at pdf p. 21).

² A copy of this Affidavit appears as Exhibit 4 to the Corrected Response filed by Kenneth Nixon to the Motion (Docket # 13745 at pdf p. 36).



discussion of the following, which must be filed no later than the deadline stated above for each party to file supplemental exhibits:

- (a) The supplemental exhibits; and
- (b) The standard of municipal liability under 42 U.S.C. § 1983 as it relates to fair contemplation of Kenneth Nixon's claim(s) against the City of Detroit.

5. The Court will hold a further, non-evidentiary hearing on the Motion, on **Wednesday, February 28, 2024 at 1:30 p.m.**

6. The February 28, 2024 hearing will be held by telephone. Counsel for the parties and any other persons wishing to attend the hearing should call (202) 503-1666 and use Conference ID 654240580#.

Signed on December 13, 2023



/s/ **Thomas J. Tucker**

Thomas J. Tucker
United States Bankruptcy Judge