FILED 24 APR 26 AM 11:46
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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

CLASS 11 CREDITOR JOHN QUINN'S ANSWER TO CITY OF DETROIT'S MOTION FOR FINAL DECREE

I. INTRODUCTORY SUMMARY.

I[1] am a General Retirement System ("GRS") retiree and have a claim in Class 11, which consists of GRS pension claims.[2] I am one of several Class 11 retirees whose monthly pension payments are reduced by a fixed amount pursuant the Annuity Savings Fund Recoupment ("ASFR") provisions in the Plan of Adjustment ("POA").[3] Those monthly reductions will continue until my death or until provisions of the POA require they're termination, whichever is first.

Administration of this case necessarily includes ongoing administration and enforcement of the monthly pension deductions imposed on me

1 I am an individual representing only myself, so it seems appropriate to refer to myself in the first person singular.
2 Eighth Amended Plan of Adjustment of Debts of the City of Detroit, DOC 8045 (10/22/14) (hereinafter "POA") at 24, ¶ 212.
3 Id. at 40 ff.

and other similarly situated Class 11 retirees, including termination of the deductions when required by the POA. Future disputes concerning the correctness, duration, or termination of those deductions are foreseeable and may require judicial resolution. Accordingly, entry of a final decree at this time would be inconsistent with the statutory requirements governing closure of a Chapter 9 case and would risk leaving Plan-based rights without an available forum for enforcement.

II. THE COURT CANNOT CLOSE THIS CASE PURSUANT TO 11 U.S.C. §954(b) AND STILL RETAIN JURISDICTION PURSUANT TO 11 U.S.C. §954(a).

The City asks the Court to order that this case be closed pursuant to 11 U.S.C. § 954(b) "subject to the continuing jurisdiction provided under [11 U.S.C.] § 954(a)," seeming to suggest that the Court can retain jurisdiction even after closing the case.[4] That gets the structure of § 954 precisely backwards.

Here's § 954 in its entirety:

> (a) The court may retain jurisdiction over the case for such period of time as is necessary for the successful implementation of the plan.

4 City of Detroit's Motion for Final Decree, Doc 14007, 4/15/26, p. 11 of 15, Exhibit 1, Proposed Final Decree, ¶¶ 5, 7.

> (b) Except as provided in subsection (a) of this section, the court shall close the case when administration of the case has been completed.

The opening clause of subsection (b) ('Except as provided in subsection (a)...') confirms that retention of jurisdiction under subsection (a) operates as an exception to mandatory closure, not as a power that survives closure.

The bankruptcy court in *In re Lake Lotawana Cmty. Improvement Dist.*, Case No. 10-44629-can9, Doc 149; WL 1968282 (Bankr. W.D. Mo. May 11, 2017)[5], the only case the City discusses in support of its Motion for Final Decree, seems to adopt this reading of § 954, noting that, pursuant to § 954, "retaining jurisdiction over a confirmed Chapter 9 case is within the court's discretion, but when administration of the case has been completed, the court must close the case." Closure of that case was held proper because of a couple unusual factors, neither of which exists in this case, namely: by it's own terms, the POA had expired more than six months before the debtor filed the motion to close the case, leaving no plan to administer;[6] and shortly after the POA had expired, the debtor had commenced a new Chapter 9 case in the same bankruptcy court.[7]

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5 In this Answer I use the pagination in Doc. 149, not in West Law.
6 Id. at pp. 2 of 6, 4 of 6.
7 Id. At pp. 1 of 6, 2 of 6, 6 of 6

Once the case is closed pursuant to § 954(b), the Court's Chapter 9 jurisdiction terminates, including jurisdiction to supervise or enforce future implementation of the POA. If after closure the City finds itself in need of the bankruptcy court's protection, it will have to start over by filing a new petition. And any other party who might suffer violation of a right, privilege or immunity arising under the POA will be out of luck, since no court will have jurisdiction to enforce the POA. I am such a party.

III. ADMINISTRATION OF THIS CASE HAS NOT BEEN COMPLETED AND IS UNLIKELY TO BE COMPLETED SOON, SO THE CASE CANNOT BE CLOSED PURSUANT TO 11 U.S.C. § 945.

The City doesn't claim that administration of the case has been completed. Rather, it says that the "main work" remaining in the case, completing distributions to holders of allowed Class 14 claims, is moving along nicely; and that the City "intends to continue working with the claims agent *for at least a few more months* [my emphasis] to attempt to maximize" that work.[8] That implies that the case *might* be ready for closure at a point in the future that is at least a few months away.

But it's actually worse than that. The City offers no statutory or precedential basis for its implicit distinction between 'main' administrative

8 City of Detroit's Motion for Final Decree, Doc 14007, 04/15/26 at 2, 7-8.

work and other ongoing Plan-mandated obligations. That distinction collapses when the remaining obligations and entitlements are ongoing, individualized, and enforceable under the Plan, like those arising under ASFR. As to each affected retiree, the work of administering ASFR will be completed upon the retiree's death and reinstatement of the full pension payments to the retiree's beneficiary, if any. It may be completed while the retiree is still alive, *e.g.*, when the amount owed is falls to $0. I am aware of no mechanism under the POA for accelerating completion of ASFR administration other than events outside the control the Court, such as the deaths of all the affected retirees.

In a sense, ASFR is currently on autopilot. Each month GRS subtracts the required amounts from affected retirees' pension checks and reduces the amounts still owed accordingly. When no more is owed, or when the retiree dies, or when some other provision of the POA might call for discontinueing withholding as to that retiree, GRS should stop subtracting anything from the pension payments, and that will be the end of ASFR for the affected retiree or beneficiary.

But things can go wrong. Maybe GRS will fail to stop the ASFR when

an affected retiree dies and the beneficiary will need to enforce his/her right to full pension payments. Since this is the Court with jurisdiction to enforce the POA, the beneficiary will need to seek a remedy here. But if the case is closed prematurely, this Court and that remedy will not be available.

Moreover, we cannot rule out the possibility that at some point while some GRS retirees affected by the ASFR are still alive, the economy may tank, drastically reducing the value of GRS's portfolio; and the trustees may fear they can't afford to end ASFR even though the POA requires its termination. If the case is closed before that happens, the Court may be powerless to help those retirees and GRS toward a resolution of the problem.

RELIEF.

The Court should deny the City's Motion for Final Decree.

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Dated: April 24, 2026

* I am a member in good standing of the State Bar of Michigan but have not engaged in the practice of law on behalf of any person or entity other than myself for several years.

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EASTERN DISTRICT OF MICHIGAN
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PROOF OF SERVICE

I certify that on April 24, 2026, I mailed a copy of the attached CLASS 11 CLAIMANT JOHN P. QUINN'S ANSWER TO CITY OF DETROIT'S MOTION FOR FINAL DECREE by first class mail to:

Miller, Canfield, Paddock & Stone, PLC
Attn: Marc N. Swanson
150 West Jefferson, Suite 2500
Detroit, Michigan 48226.

On the same date I emailed a pdf of the same document to Mr. Swanson at swansonm@millercanfield.com.

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Dated: April 24, 2026