Form improperAP

UNITED STATES BANKRUPTCY COURT
Eastern District of Michigan

211 West Fort Street
Detroit, MI 48226

In Re: City of Detroit, Michigan
Debtor

Case No.: 13−53846−tjt
Chapter 9
Judge: Thomas J. Tucker

The Police and Fire Retirement System of the City of Detroit
Plaintiff

Adv. Proc. No. 20−04042−tjt

v.

Investment Committee of the Police and Fire Retirement System of the City of Detroit
Defendant

ORDER REGARDING IMPROPER SERVICE OF SUMMONS AND COMPLAINT ON DEFENDANT(S)

The Plaintiff filed a complaint in the above captioned case on 1/28/20 . This Court is advised that the proof of service of the summons and complaint is deficient for the following reasons(s):

☑ Proof of service of the summons and complaint has not been filed. (F.R.Bank.P. 7004(a) and F.R.CivP 4(1))

☐ The defendant is the debtor. Service was not made on the debtor. (F.R.Bank.P. 7004(b)(9))

☐ The defendant is the debtor. Service was not made on the attorney representing the debtor in the bankruptcy case. (F.R.Bank.P. 7004(g)). A paper copy of the Summons and Complaint must be served on Defendant and the attorney representing the debtor in the bankruptcy case. (ECF Procedure 12(b)(2)) .

☑ The defendant is a domestic/foreign corporation, partnership or unincorporated association. Service was not made on a named and identified officer, managing or general agent or any other agent authorized by appointment or by law to receive service of process. (F.R.Bank.P. 7004(b)(3))

☐ The defendant is the United States. Service was not made on the United States at the office of the United States attorney for the district and to the Attorney General of the United States at Washington, D.C. (F.R.Bank.P. 7004(b)(4))

☐ The defendant is an officer or agency of the United States. Service was not made on the officer or agency of the United States, at the office of the United States attorney for the district and to the Attorney General of the United States at Washington, D.C. (F.R.Bank.P. 7004(b)(5))

☑ Service was not made within 7 days after the summons was issued. (F.R.Bank.P. 7004(e))

☐ The defendant is an Insured Depository Institution. Service was not made by certified mail on a named and identified officer of the institution. (F.R.Bank.P. 7004(h))

☐ Other

IT IS ORDERED THAT the plaintiff correct the deficiency in the proof of service within seven (7) days from the date of this order. If a summons was not timely delivered or mailed, another summons shall be obtained and re−issued. If the correction requires the summons and complaint to be served again, another summons shall be obtained and re−issued.

IT IS FURTHUR ORDERED THAT if the plaintiff fails to timely correct the deficiency, this proceeding may be dismissed without a hearing.

Dated: 2/10/20

BY THE COURT

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge

United States Bankruptcy Court
Eastern District of Michigan

The Police and Fire Retirement System of,
Plaintiff

Adv. Proc. No. 20-04042-tjt

Investment Committee of the Police and F,
Defendant

CERTIFICATE OF NOTICE

District/off: 0645-2 User: kmcgr Page 1 of 1 Date Rcvd: Feb 10, 2020
Form ID: improper Total Noticed: 3

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 12, 2020.

aty +Bruce J. Lazar, Couzens, Lansky, 39395 W. Twelve Mile Road, Farmington Hill, MI 48331-2966
aty +David A. Lawrence, Couzens, Lansky, 39395 W. Twelve Mile Road, Farmington Hill, MI 48331-2968
aty +Sarah Heisler Gidley, Couzens, Lansky, 39395 W. Twelve Mile Road, Farmington Hill, MI 48331-2966

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****
NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 12, 2020 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 10, 2020 at the address(es) listed below:

Mark S. Frankel on behalf of Plaintiff The Police and Fire Retirement System of the City of Detroit mfrankel@couzens.com

TOTAL: 1