

How Detroit Resolved the Bankruptcy Crisis

Thursday, October 20, 2022
3:30 – 4:45 PM



**We recommend that participants preview ['Gradually, then Suddenly'](#) documentary prior to this session.

Faced with a major American city in crisis, the legal system provided a solution and rescue plan using the laws, tools and processes of bankruptcy and high-level negotiation and mediation to formulate and implement numerous inter-party agreements, deals, swaps, investments and payments that resulted in the largest, most successfully-envisioned and completed municipal bankruptcy in U.S. history. Our panel served key roles in the process and will provide firsthand, interesting insights into how Detroit's "Grand Bargain" came together, the hurdles overcome to reach the bankruptcy plan and some background that you may not have heard.

At the end of the session, participants should come away with:

1. What factors led to Detroit's financial crisis and its resort to bankruptcy?
2. How did the bankruptcy process provide relief to Detroit and allow Detroit formulate a plan to survive and arise from its crisis?
3. What was the "Grand Bargain"? Why was making that deal so important to the City of Detroit?
4. What role did mediation and ADR have in formulating the Detroit bankruptcy plan and its emergence from its financial crisis?

Speakers:

Hon. Gerald Rosen, Retired Chief Judge, U.S. District Court for the Eastern District of Michigan



Gerald E. Rosen, Retired Chief Judge, US District Court for the Eastern District of Michigan, joined JAMS in 2017 following nearly 27 years of distinguished service on the federal bench. Since coming to JAMS, the Judge's practice has focused on mediation, arbitration, and neutral evaluation of complex business/commercial disputes, complex domestic and international intellectual property disputes, Multi-District Litigation (MDL) and class action matters, False Claims Act litigation, as well as anti-trust and consumer cases. While on the bench, Judge had wide experience in facilitating settlements. Notably, he served as the Chief Judicial Mediator

for the Detroit Bankruptcy case—the largest, most complex municipal bankruptcy in our nation's

[Type here]

history—which resulted in an agreed upon, consensual plan of adjustment in just 17 months. Prior to taking the bench, Judge Rosen was a Senior Partner at the law firm of Miller, Canfield, Paddock and Stone where he was a trial lawyer specializing in commercial, employment and constitutional litigation.

Melvin B. Hollowell, Esq., Managing Partner, The Miller Law Firm Detroit



Melvin Butch Hollowell serves as Managing Partner of The Miller Law Firm - Detroit where he oversees the firm’s practice at its downtown Detroit location. He specializes in complex commercial litigation, class actions, government regulation, sensitive investigations and election law. Hollowell represents a range of clients, from Fortune 100 companies, to universities, nonprofits, and government officials and agencies across the United States and Canada.

He is presently on the litigation team representing Michigan’s Governor and Oakland County’s Prosecutor, in lawsuits to protect a woman’s right to choose under the Michigan constitution. The presiding judge’s opinion in the preliminary injunction trial cited Hollowell’s cross examination of opposing counsel’s chief witness in concluding he should give “zero weight” to the witness’ testimony.

Prior to his association with The Miller Law Firm, Hollowell served as Corporation Counsel of the City of Detroit, the City’s chief legal officer. There Hollowell reduced annual litigation payouts by 50%, won the case ending 11 years of Department of Justice oversight of the Detroit Police Department, and managed the City’s legal process through the 2014 Chapter 9 bankruptcy proceedings, including the recoupment of \$20 million from bankruptcy consultants for overbilling.

Hollowell served on the National NAACP Legal Committee and as General Counsel of the Detroit Branch NAACP. He was elected the first African American Chairman of the Michigan Democratic Party, and was a Member of the Democratic National Committee.

He is a “Fellow” of the Michigan State Bar Foundation, a Life Member of the U.S. Sixth Circuit Judicial Conference, and a Member of the Michigan State Bar Justice Initiatives Committee. Hollowell is a graduate of the University of Virginia School of Law, Albion College, and the University of Detroit Jesuit High School and Academy.

Michelle C. Harrell, Esq., Maddin, Hauser, Roth & Heller, PC – Moderator



Michelle C. Harrell, is an experienced litigator and chair of the Complex Litigation group at Maddin, Hauser, Roth & Heller, P.C. of Southfield, Michigan. Michelle concentrates her practice in the areas of complex commercial litigation, real estate matters (land use/zoning, easements, landlord/tenant), shareholder disputes, receiverships, franchise and distribution law, hospitality law, family law (divorce and probate), trust disputes (trustees and beneficiaries), class actions defense, and alternative dispute resolutions (ADR).

[Type here]

Michelle received her B.S. (Accounting/Finance) summa cum laude, from the University of Detroit in 1990 and her J.D., cum laude, from Wayne State University Law School in 1993. Michelle is a Master Emeritus in the American Inns of Court, an Oakland County and Macomb County case evaluator (Complex Commercial Neutral), and an arbitrator for the American Arbitration Association in commercial, construction, and consumer matters.

Michelle has been recognized as a Michigan Leading Lawyer in the areas of commercial litigation, land use, zoning and condemnation law and real estate law: commercial. She also was named a Top Lawyer by DBusiness Magazine for 2010 in the areas of real estate and litigation. In 2017, Crain's Detroit Business named Michelle one of the Most Notable Women Lawyers in Michigan and in 2020, she was recognized among Michigan Lawyers Weekly's "Women in the Law." Michelle was listed among Michigan's Most Valuable Professionals in 2021 by Corp! Magazine.