

**STATUS OF LAWSUITS  
AGAINST THE STATE OF MICHIGAN  
FY 1997-98 UPDATE**



**SENATE FISCAL AGENCY  
LANSING, MICHIGAN  
FEBRUARY 1999**

## THE SENATE FISCAL AGENCY

The Senate Fiscal Agency is governed by a board of five members, including the majority and minority leaders of the Senate, the Chairperson of the Appropriations Committee of the Senate, and two other members of the Appropriations Committee of the Senate appointed by the Chairperson of the Appropriations Committee with the concurrence of the Majority Leader of the Senate, one from the minority party.

The purpose of the Agency, as defined by statute, is to be of service to the Senate Appropriations Committee and other members of the Senate. In accordance with this charge the Agency strives to achieve the following objectives:

1. To provide technical, analytical, and preparatory support for all appropriations bills.
2. To provide written analyses of all Senate bills, House bills and Administrative Rules considered by the Senate.
3. To review and evaluate proposed and existing State programs and services.
4. To provide economic and revenue analysis and forecasting.
5. To review and evaluate the impact of Federal budget decisions on the State.
6. To review and evaluate State issuance of long-term and short-term debt.
7. To review and evaluate the State's compliance with constitutional and statutory fiscal requirements.
8. To prepare special reports on fiscal issues as they arise and at the request of members of the Senate.

The Agency is located on the 8th floor of the Victor Office Center. The Agency is an equal opportunity employer and is subject to the Americans with Disabilities Act.



Gary S. Olson, Director  
Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536  
Telephone (517) 373-2767  
TDD (517) 373-0543  
Internet Home Page <http://www.state.mi.us/sfa/>

## TABLE OF CONTENTS

ACKNOWLEDGMENTS .....	1
OVERVIEW .....	2
TABLE 1 TOTAL PAYMENTS BY DEPARTMENT FY 1988-89 THROUGH FY 1997-98 .....	3
TABLE 2 JUDGMENTS PAID BY DEPARTMENT FY 1988-89 THROUGH FY 1997-98 .....	4
TABLE 3 SETTLEMENTS PAID BY DEPARTMENT FY 1988-89 THROUGH FY 1997-98 .....	5
TABLE 4 FY 1997-98 NUMBER OF CASES AND PAYMENTS BY DEPARTMENT .....	6
FIGURE 1 HIGHWAY NEGLIGENCE PAYMENTS FY 1983-84 THROUGH FY 1997-98 .....	8
LISTING OF CASES RESULTING IN PAYMENTS DURING FY 1997-98:	
AGRICULTURE .....	9
COMMUNITY HEALTH .....	10
CONSUMER & INDUSTRY SERVICES .....	12
CORRECTIONS .....	14
EDUCATION .....	17
ENVIRONMENTAL QUALITY .....	19
FAMILY INDEPENDENCE AGENCY .....	20
LOTTERY .....	22
MANAGEMENT AND BUDGET .....	23
MICHIGAN JOBS COMMISSION .....	24
MILITARY AND VETERANS AFFAIRS .....	25
NATURAL RESOURCES .....	27
STATE .....	29
STATE POLICE .....	30
TRANSPORTATION - HIGHWAY NEGLIGENCE LITIGATION .....	35
TRANSPORTATION - OTHER CASES .....	41
TREASURY .....	43

## ACKNOWLEDGMENTS

This report was prepared by Bill Bowerman, Chief Analyst of the Senate Fiscal Agency General Government Unit. Pat Stinton-Harper typed the report. The Senate Fiscal Agency would like to thank all State departments and agencies for their cooperation.

Any questions regarding this report, or requests for additional copies, should be directed to:

Bill Bowerman  
Senate Fiscal Agency  
P.O. Box 30036  
Lansing, MI 48909-7536

Phone: (517) 373-2768  
TDD: (517) 373-0543

## OVERVIEW

The information in this document is based on reports filed by State departments and agencies pursuant to Section 396(4) of The Management and Budget Act (Public Act 431 of 1984). Based on the amounts reported, the State of Michigan paid \$236,093,563 for judgments and settlements in fiscal year (FY) 1997-98. Of the 143 cases that resulted in payments, 25 were judgments totaling \$220,396,284, and 118 were settlements totaling \$15,697,279. Of the amount paid, \$211,101,340.96 (89.4%) was the result of Durant v State of Michigan.

The funding sources for payments in FY 1997-98 were as follows:

	Amount	Percent
Budget Stabilization Fund	\$211,101,341	89.42
State General Fund	10,773,763	4.56
State Trunkline Fund	8,383,808	3.55
Other State Restricted Funds	3,088,471	1.31
State School Aid Fund	2,721,847	1.15
Federal Funds	<u>24,333</u>	<u>0.01</u>
Total:	\$236,093,563	100.00

Tables on pages 3, 4, and 5 provide a 10-year history (FY 1988-89 through FY 1997-98) of payments made by the State of Michigan. Table 1 provides information on total payments (judgments and settlements), Table 2 lists payments resulting from judgments only, and Table 3 lists settlements. This report does not include payments resulting from workers' compensation and unemployment claims. A summary of departments and agencies that made payments totaling over \$800,000 begins on page 6. The FY 1997-98 reports submitted by State departments and agencies follows beginning on page 9. For each payment the name of the case is listed along with information regarding the funding source, the county where the cause of action arose, and a brief description of the plaintiff's allegation (summary of case).

Table 1

TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98
Agriculture	\$0	\$800	\$0	\$0	\$30,895	\$75,800	\$34,000	\$100,500	\$224,710	\$10,000
Attorney General	0	0	0	0	0	0	0	0	0	0
Civil Rights	0	0	0	0	0	0	757	0	0	0
Civil Service	221,978	0	0	130,775	0	0	0	0	30,000	0
Commerce	4,473	14,000	0	14,000	0	7,000	231,467			
Community Health								727,838	908,000	2,131,565
Consumer & Industry Services								0	21,595	153,928
Corrections	1,444,860	1,149,955	3,184,181	1,145,294	1,859,508	3,554,111	4,969,224	2,581,259	4,639,321	3,227,817
Education	3,196,188	3,834,816	4,092,833	4,711,540	4,718,571	5,629,103	5,333,941	5,331,636	1,878,837	213,832,688
Environmental Quality								358,459	98,870	2,566
Executive	0	0	0	0	0	0	0	0	0	0
Family Independence Agency								511,587	1,399,850	2,115,076
Judiciary	0	0	424,000	0	0	248,332	268,250	45,000	724,000	0
Labor	212,625	80,000	1,204,071	12,347	16,300	306,700	0			
Library of Michigan	0	0	0	0	0	1,109,312	0	0	0	0
Licensing & Regulation	0	0	0							
Lottery	4,012	0	0	0	0	55,721	4,000	0	13,420	13,581
Management & Budget	4,591,412	46,446	494,777	38,500	21,000	113,863	85,000	126,170	106,000	5,500
Mental Health	332,078	3,621,074	380,095	389,468	2,140,651	379,850	515,500			
Michigan Jobs Commission							1,951,024	3,500	156,239	23,681
Military Affairs	250,000	0	0	0	0	0	0	25,000	225,000	2,405,000
Natural Resources	256,268	322,623	304,035	108,642	310,338	6,951,821	2,005,360	93,859,495	3,442,198	2,906,895
Public Health	25,000	0	0	81,586	687,240	38,365	318,959			
Social Services	158,291	345,726	3,670,848	4,010,689	1,095,341	274,776	2,727,681			
State	16,182	0	81,818	0	0	77,500	3,400	67,500	7,500	1,817
State Police	56,090	389,750	101,169	91,310	5,698,133	137,850	1,268,771	1,220,853	873,069	868,141
Transportation	16,626,950	20,709,143	22,784,855	12,861,671	20,922,840	12,871,557	9,882,412	9,567,095	11,080,416	8,383,808
Treasury	2,609	630,000	0	122,000	0	968,328	7,500	0	65,669	11,500
<b>TOTAL:</b>	<b>\$27,399,016</b>	<b>\$31,144,333</b>	<b>\$36,722,682</b>	<b>\$23,717,822</b>	<b>\$37,500,817</b>	<b>\$32,799,989</b>	<b>\$29,607,246</b>	<b>\$114,525,892</b>	<b>\$25,894,694</b>	<b>\$236,093,563</b>

Table 2

COURT JUDGMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98
Agriculture	\$0	\$800	\$0	\$0	\$30,895	\$0	\$0	\$0	\$0	\$0
Attorney General	0	0	0	0	0	0	0	0	0	0
Civil Rights	0	0	0	0	0	0	757	0	0	0
Civil Service	221,978	0	0	50,000	0	0	0	0	0	0
Commerce	4,473	14,000	0	0	0	0	0			
Community Health								50,000	136,000	0
Consumer & Industry Services								0	15,000	100,000
Corrections	1,040,684	502,516	2,325,847	815,634	1,224,624	2,589,407	3,784,529	1,472,162	2,905,509	1,165,825
Education	3,123,831	3,818,166	4,071,961	4,650,249	4,718,571	5,629,103	5,333,941	5,331,636	1,297,349	213,823,188
Environmental Quality								239,459	0	2,566
Executive	0	0	0	0	0	0	0	0	0	0
Family Independence Agency								0	1,066	3,310
Judiciary	0	0	0	0	0	0	0	0	0	0
Labor	0	0	1,737	0	0	251,700	0			
Library of Michigan	0	0	0	0	0	1,109,312	0	0	0	0
Licensing & Regulation	0	0	0							
Lottery	4,012	0	0	0	0	0	0	0	0	0
Management & Budget	4,563,672	0	1,500	0	0	113,863	45,000	120,000	0	0
Mental Health	16,055	1,663,846	244,570	22,500	87,500	0	0			
Michigan Jobs Commission							0	3,500	0	0
Military Affairs	0	0	0	0	0	0	0	0	5,000	2,400,000
Natural Resources	145,628	10,178	276,335	82,526	0	192,870	242,834	201,811	901,193	2,901,395
Public Health	0	0	0	80,336	0	38,365	60,289			
Social Services	4,845	0	2,767,641	2,900,000	29,223	1,520	2,137			
State	16,182	0	63,818	0	0	2,500	0	0	0	0
State Police	15,090	0	3,728	71,810	5,125,633	9,650	762,500	0	3,569	0
Transportation	2,996,707	11,160,062	12,036,801	6,018,686	11,290,468	5,107,256	1,871,956	661,000	1,331,974	0
Treasury	2,609	630,000	0	122,000	0	8,328	0	0	15,669	0
<b>TOTAL:</b>	<b>\$12,155,766</b>	<b>\$17,799,568</b>	<b>\$21,793,938</b>	<b>\$14,813,741</b>	<b>\$22,506,914</b>	<b>\$15,053,874</b>	<b>\$12,103,943</b>	<b>\$8,079,568</b>	<b>\$6,612,329</b>	<b>\$220,396,284</b>

Table 3

SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98
Agriculture	\$0	\$0	\$0	\$0	\$0	\$75,800	\$34,000	\$100,500	\$224,710	\$10,000
Attorney General	0	0	0	0	0	0	0	0	0	0
Civil Rights	0	0	0	0	0	0	0	0	0	0
Civil Service	0	0	0	80,775	0	0	0	0	30,000	0
Commerce	0	0	0	14,000	0	7,000	231,467			
Community Health								677,838	772,000	2,131,565
Consumer & Industry								0	6,595	53,928
Corrections	404,176	647,439	858,334	329,660	634,884	964,704	1,184,695	1,109,097	1,733,812	2,061,992
Education	72,357	16,650	20,872	61,291	0	0	0	0	581,488	9,500
Environmental Quality								119,000	98,870	0
Executive	0	0	0	0	0	0	0	0	0	0
Family Independence								511,587	1,398,784	2,111,766
Judiciary	0	0	424,000	0	0	248,332	268,250	45,000	724,000	0
Labor	212,625	80,000	1,202,334	12,347	16,300	55,000	0			
Library of Michigan	0	0	0	0	0	0	0	0	0	0
Licensing & Regulation	0	0	0							
Lottery	0	0	0	0	0	55,721	4,000	0	13,420	13,581
Management & Budget	27,740	46,446	493,277	38,500	21,000	0	40,000	6,170	106,000	5,500
Mental Health	316,023	1,957,228	135,525	366,968	2,053,151	379,850	515,500			
Michigan Jobs Commission							1,951,024	0	156,239	23,681
Military Affairs	250,000	0	0	0	0	0	0	25,000	220,000	5,000
Natural Resources	110,640	312,445	27,700	26,116	310,338	6,758,951	1,762,526	93,657,684	2,541,005	5,500
Public Health	25,000	0	0	1,250	687,240	0	258,670			
Social Services	153,446	345,726	903,207	1,110,689	1,066,118	273,256	2,725,544			
State	0	0	18,000	0	0	75,000	3,400	67,500	7,500	1,817
State Police	41,000	389,750	97,441	19,500	572,500	128,200	506,271	1,220,853	869,500	868,141
Transportation	13,630,243	9,549,081	10,748,054	6,842,985	9,632,372	7,764,301	8,010,456	8,906,095	9,748,442	8,383,808
Treasury	0	0	0	0	0	960,000	7,500	0	50,000	11,500
<b>TOTAL:</b>	<b>\$15,243,250</b>	<b>\$13,344,765</b>	<b>\$14,928,744</b>	<b>\$8,904,081</b>	<b>\$14,993,903</b>	<b>\$17,746,115</b>	<b>\$17,503,303</b>	<b>\$106,446,324</b>	<b>\$19,282,365</b>	<b>\$15,697,279</b>

PAYMENTS BY DEPARTMENTS

Eight State departments and agencies made payments totaling over \$800,000. Table 4 summarizes the number of cases and payments by department.

Table 4  
FY 1997-98 PAYMENTS BY DEPARTMENT

DEPARTMENT	NUMBER OF CASES	PERCENT OF TOTAL	STATE PAYMENTS	PERCENT OF TOTAL
COMMUNITY HEALTH	8	5.6	\$2,131,565	0.9
CORRECTIONS	42	29.4	3,227,817	1.4
EDUCATION	3	2.1	213,832,688	90.6
FAMILY INDEPENDENCE AGENCY	9	6.3	2,115,076	0.9
MILITARY AFFAIRS	2	1.4	2,405,000	1.0
NATURAL RESOURCES	6	4.2	2,906,895	1.2
STATE POLICE	15	10.5	868,141	0.4
TRANSPORTATION	48	33.6	8,383,808	3.6
OTHER DEPARTMENTS	10	7.0	222,573	0.1
TOTAL:	143	100.0	\$236,093,563	100.0

DEPARTMENT OF COMMUNITY HEALTH

Payments by the Department of Community Health in FY 1997-98 ranged from \$1,000 in Hitsman/DCH v Gaffney for court costs associated with a no cause verdict in a medical malpractice case to \$901,314.66 in Knox v SOM for violation of Civil Service severance pay policies. Fiscal Year 1997-98 payments of \$2,131,565 in eight cases represent an increase of 134.8% over the \$908,000 paid in FY 1996-97 for 12 cases.

DEPARTMENT OF CORRECTIONS

The Department of Corrections made payments in 42 cases totaling \$3,227,817. This represents a decrease of 30.4% from the \$4,639,321 paid in FY 1996-97 for 45 cases. Payments ranged from \$100 in Carter v MDOC for a case involving a petition for review to \$425,000 for an employee discrimination claim in LeGrow v MDOC. The median payment was \$28,863. Ten cases with payments over \$100,000 totaling \$2,440,750 accounted for 75.6% of payments made by the Department of Corrections. There were 16 cases alleging employee or employment discrimination that accounted for payments totaling \$1,790,489.

## DEPARTMENT OF EDUCATION

Payments by the Department of Education in three cases totaled \$213,832,688 in FY 1997-98. Of that amount, \$211,101,341 (98.7%) was the result of Durant v State of Michigan. The plaintiffs in that case claimed that the State violated Article 9, Section 29 (Headlee Amendment) of the Michigan Constitution when the State failed to maintain the State-financed proportion of the necessary costs of activities that State law requires plaintiff school districts to perform. Those activities included special education, special education transportation, driver education, and school lunch and supplemental milk programs. The July 31, 1997 Michigan Supreme Court Opinion in Durant was the consolidation of three cases. The original action was filed on May 7, 1980, on behalf of certain taxpayers in the Fitzgerald School District. Local and intermediate school districts that were not plaintiffs in the consolidated cases were required to submit a waiver of liability by March 2, 1998, to receive funding from the State. The resolution of the Durant case also includes additional payments from the Budget Stabilization Fund of \$73,700,000 on October 1, 1998, and \$32,000,000 on October 1, 1999.

The Department of Education also paid \$2,721,847 as a result of continuing payments in the Berry v Benton Harbor Area School District desegregation case. State payments in that case have totaled \$56,605,918 from FY 1980-81 through FY 1997-98.

## FAMILY INDEPENDENCE AGENCY

Fiscal Year 1997-98 payments by the Family Independence Agency in nine cases totaled \$2,115,076, which represents an increase of 51.1% over the \$1,339,850 paid in FY 1996-97. One case involving the murder of an FIA social worker by a Maxey resident, Synnestvedt v MDSS, accounted for \$2,000,000 (94.6%) of FIA payments in FY 1997-98.

## DEPARTMENT OF MILITARY AFFAIRS

Of the \$2,405,000 paid by the Department of Military Affairs in FY 1997-98, \$2,400,000 was the result of Weiman v State of Michigan. That case was a class action lawsuit for nonpayment of the \$2 enlisted per diem provided for in Michigan Compiled Laws 32.261. Enlisted personnel who served in the Michigan Army National Guard or the Michigan Air National Guard between February 12, 1988, and September 30, 1997, qualified for payment under the judgment.

## DEPARTMENT OF NATURAL RESOURCES

Payments by the Department of Natural Resources in six cases totaled \$2,906,895, representing a decrease of 15.6% from the \$3,442,198 paid in FY 1996-97 for 18 cases. Payments ranged from \$1,500 each for two cases involving fire damage to \$2,575,205.55 in Carnagel Oil Associates v State of Michigan for acquisition of mineral rights/alleged regulatory taking of property rights. The Carnagel case accounted for 88.6% of Department of Natural Resources payments in FY 1997-98. This case also had payments of \$30,000,000 in FY 1995-96 and \$2,320,005 in FY 1996-97. The related case of Miller Brothers v DNR included a payment of \$60,525,000 in FY 1995-96.

## DEPARTMENT OF STATE POLICE

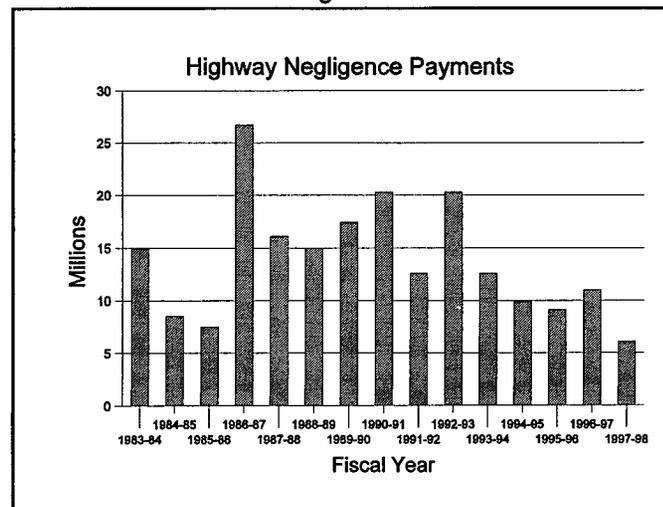
Payments by the Department of State Police in 15 cases totaled \$868,141. Payments ranged from \$216 in Dickow v MSP for a freedom of information claim to \$385,000 in Estate of Pritchett v Johnson for alleged use of excessive force resulting in death. Three cases with payments over \$100,000 accounted for \$735,000 (84.7%) of total payments by the Department. There were 11 cases with payments of less than \$15,000.

## DEPARTMENT OF TRANSPORTATION

Department of Transportation payments in 48 cases totaled \$8,383,808, representing a decrease of 24.3% from the \$11,080,416 paid in FY 1996-97 for 55 cases. Payments ranged from \$2,000 for a Freedom of Information Act request in MI Fair Contracting Center to \$2,003,255 in American Contracting v MDOT for a claim seeking payment for extra work, unpaid balance, breach of contract, and destruction of business. Thirty-nine highway negligence cases accounted for \$6,084,715 (72.6%) of Department of Transportation payments. Nine highway negligence cases with payments of \$200,000 or more accounted for \$4,558,315 (74.9%) of highway negligence payments in FY 1997-98. The median highway negligence payment was \$75,000. The largest highway negligence payment was \$1,725,000 in Marshall v MDOT for alleged failure to maintain proper width, smooth surface, adequate shoulder, warning signs, reasonable speed limits, proper guardrails, and proper ramp design.

From FY 1983-84 through FY 1997-98 the State has paid \$208 million resulting from 1,020 highway negligence cases. Figure 1 below shows highway negligence payments attributed to each fiscal year. The amount paid in FY 1997-98 is the lowest payout for highway negligence claims over the last 15 years.

Figure 1



**FISCAL YEAR 1997-98**

**DEPARTMENT:** Agriculture

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Artis Ivey, p/k/a "COOLIO", Plaintiff v State of Michigan	\$10,000.00	\$0	General Fund	Wayne	The performer Artis Ivey breached his contract with the Michigan State Fair by using profane language. MSF paid this settlement as a reduced amount.
<b>FY 1997-98 TOTAL:</b>	<b>\$10,000.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Community Health

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Mary Knox, et al v SOM, et al <sup>1</sup>	\$901,314.66	\$0	General Fund	Wayne	Violation of Civil Service severance pay policies.
McGee v Brown, et al	\$600,000.00	\$0	General Fund	Wayne	Patient-on-patient assault resulting in injuries to patient.
Karla Hoagland v Center for Forensic Psychiatry	\$65,000.00	\$0	General Fund	Washtenaw	Violation of Michigan Handicappers' Civil Rights Act.
Carolyn K. Toner v Caro Center	\$37,500.00	\$0	General Fund	Genesee	Violation of Michigan Handicappers' Civil Rights Act.
Ridenour, et al v DMB, DCH, et al	\$33,000.00	\$0	General Fund	Wayne	Breach of contract, leases for group homes.
Clayton Thompkins v SOM, et al	\$125,000.00	\$0	General Fund	Wayne	Alleged violations of Michigan Handicappers' Civil Rights Act for failure to accommodate and retaliation.
Lewis, Dorothy, as Personal Rep. of the Estate of Eugene Lewis v K.N. Mehra, et al	\$368,750.00	\$0	General Fund	Jackson	Patient/prisoner suicide.

<sup>1</sup>Due to an audit exception by the Auditor General's staff, \$799,183.40 was paid from FY 1996-97 funds and \$102,131.26 was paid from FY 1997-98 funds.

FISCAL YEAR 1997-98

DEPARTMENT: Community Health

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Sandra Hitsman/DCH v Willis Gaffney, M.D.	\$1,000.00	\$0	General Fund	Montcalm	Court costs associated with a no cause verdict in medical malpractice case.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,131,564.66</b>	<b>\$0</b>			



FISCAL YEAR 1997-98

DEPARTMENT: Consumer and Industry Services

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dowagiac Development, Inc. and J.A. Development, Inc. v MLCC, et al	\$53,928.00	\$0	Liquor Purchase Revolving Fund	Ingham	Alleged breach of contract.
<b>FY 1997-98 TOTAL:</b>	<b>\$53,928.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Corrections

**FORM 1: JUDGMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Barbara Tripp v Michigan Department of Corrections (MDOC) and Patrick Boggs, and Patrick Boggs v MDOC	\$5,555.35	\$55.35	General Fund	Arenac	Attorney fees.
J. Silva Goncalves v MDOC	\$1,000.00	\$0	General Fund	Washtenaw	Attorney fees.
Carter, Jimmie v MDOC	\$100.00	\$0	General Fund	Ingham	Petition judicial review.
Oakland County Prosecutor v MDOC	\$2,337.60	\$0	General Fund	Oakland	Attorney fees.
Goncalves v MDOC	\$3,372.00	\$0	General Fund	Washtenaw	Employment discrimination.
Hickerson v Koepps, et al	\$20,000.00	\$0	General Fund	Chippewa	Failure to protect prisoner.
Kensu v David Cason, et al	\$14,152.90	\$0	General Fund	Ionia	Discrimination/attorney fees.
Hickerson v Koepps, et al	\$34,269.13	\$0	General Fund	Chippewa	Attorney fees.
Marsh v Hawley	\$24,803.71	\$0	General Fund	Marquette	Attorney fees.
Miller v McGinnis	\$7,702.00	\$0	General Fund	Lenawee	Attorney fees.
James Nelson v MDOC, et al	\$200.00	\$0	General Fund	Marquette	Attorney fees.
Petrowski v G. Phipps, et al	\$130,000.00	\$0	General Fund	Saginaw	Failure to protect prisoner.
Mensah v MDOC	\$332.57	\$0	General Fund	Washtenaw	Personal injury prisoner.
Glover v Johnson	\$385,000.00	\$0	General Fund	Washtenaw	Contempt.
James LeGrow v MDOC	\$425,000.00	\$0	General Fund	Lapeer	Employee discrimination.
Nagi Zarka v MDOC, et al	\$112,000.00	\$0	General Fund	Macomb	Employee discrimination.
<b>FY 1997-98 TOTAL:</b>	<b>\$1,165,825.26</b>	<b>\$55.35</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Corrections

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Bassette v Michigan Department of Corrections (MDOC)	\$50,000.00	\$0	General Fund	Wayne	Employee discrimination.
Roland v Johnson, et al	\$40,000.00	\$0	General Fund	Jackson	Attorney fees.
Pamela Davis, et al v MDOC, et al	\$145,000.00	\$0	General Fund	Wayne	Employment discrimination.
Chambers v State of Michigan, et al	\$125,000.00	\$0	General Fund	Wayne	Employee discrimination.
Ronald Davis v MDOC	\$80,000.00	\$0	General Fund	Washtenaw	Civil rights.
Hicks v Larzelere	\$25,000.00	\$0	General Fund	Ionia	Use of force.
Collette Jones v MDOC	\$90,000.00	\$0	General Fund	Wayne	Sexual harassment.
Lewis v Mehra and Lewis v MDOC	\$368,750.00	\$0	General Fund	Jackson	Failure to protect prisoner.
Lige, et al v MDOC	\$150,000.00	\$0	General Fund	Ingham	Employee discrimination.
Lindsay v MDOC, et al	\$300,000.00	\$0	General Fund	Ingham	Employee discrimination.
Logan v MDOC	\$400.00	\$0	General Fund	Jackson	Harassment.
Amy Lucas v MDOC, et al	\$45,000.00	\$0	General Fund	Wayne	Employment discrimination.
Mansfield v Schooley	\$1,500.00	\$0	General Fund	Hillsdale	Personal injury prisoner.
Linda Niece, et al v Pat Fitzner, et al	\$65,000.00	\$0	General Fund	Montcalm	Attorney fees.
Alan McKee v MDOC, et al	\$10,116.85	\$116.85	General Fund	Jackson	Employment discrimination.
Miske v MDOC	\$45,000.00	\$0	General Fund	Isabella	Employee discrimination.
Thaddeus X. v Sgt. Hose, et al	\$500.00	\$0	General Fund	Jackson	Harassment.
Shelly Pretzer v MDOC	\$5,000.00	\$0	General Fund	Ionia	Employee discrimination.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Corrections

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Virginia Pringle v MDOC	\$10,000.00	\$0	General Fund	Wayne	Employee discrimination/sexual harassment.
Ragia v MDOC, et al	\$300,000.00	\$0	General Fund	Macomb	Employee discrimination.
Joseph Ruberto v MDOC	\$15,000.00	\$0	General Fund	Jackson	Employment discrimination.
Michelle Thompson v MDOC & Robert Lovett	\$27,500.00	\$0	General Fund	Gratiot	Sexual harassment.
Colvin v Colvin	\$8,000.00	\$0	General Fund	Wayne	Improper payment of workers' compensation.
Wayne County v State of Michigan and MDOC	\$30,225.00	\$0	General Fund	Wayne	Miscellaneous county jail reimbursement.
Versey Williams & Joseph Johnson v MDOC, et al	\$50,000.00	\$0	General Fund	Ionia	Employee discrimination.
Clinton Winger v MDOC	\$75,000.00	\$0	General Fund	Branch	Civil rights.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,061,991.85</b>	<b>\$116.85</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Education

**FORM 1: JUDGMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Berry v Benton Harbor	\$2,721,847.10	\$0	State School Aid Fund	Berrien	School desegregation.
Durant, et al v State of Michigan, et al	\$211,101,340.96	\$0	Countercyclical Budget and Economic Stabilization Fund (BSF) <sup>2</sup>	Multiple	Plaintiffs claimed that the State violated Art. 9, Sec. 29 of the Constitution (Headlee Amendment) when it failed to fund special education; special education transportation; bilingual education; driver education; and the school lunch programs at levels required by the amendment.
<b>FY 1997-98 TOTAL:</b>	<b>\$213,823,188.06</b>	<b>\$0</b>			

<sup>2</sup>The BSF appropriation was transferred to the State School Aid Fund for payment in this case.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Education

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Macomb County Taxpayers Association of L'Anse Creuse Public Schools	\$9,500.00	\$0	General Fund	Macomb	Plaintiffs challenged the constitutionality of Public Act 108 of 1991. The Macomb County Circuit Court declared that the statute violates the Headlee Amendment and ordered the State agency parties to pay attorney fees. The State claimed attorney fees were not recoverable under the Headlee Amendment. The Supreme Court disagreed with the State's position and ordered payment of attorney fees pursuant to Const 1963, Art 9, §32.
<b>FY 1997-98 TOTAL:</b>	<b>\$9,500.00</b>	<b>\$0</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Environmental Quality

**FORM 1: JUDGMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Kelley v Harvey Oil Company	\$2,566.50	\$0	Underground Storage Tank Fees	Marquette	Court's order regarding motion to compel discovery - actual costs and attorney fees.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,566.50</b>	<b>\$0</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Family Independence Agency

**FORM 1: JUDGMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Paul Garchow v FIA	\$3,310.00	\$0	General Fund	Bay	Appeal of FIA's recoupment of \$3,310.00 from retroactive SSI check.
<b>FY 1997-98 TOTAL:</b>	<b>\$3,310.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

DEPARTMENT: Family Independence Agency

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Synnestvedt v MDSS	\$2,000,000.00	\$0	General Fund	Livingston	Sexual harassment/ attempted rape/murder
Robert Blake Ego v Kent County FIA	\$50,000.00	\$0	General Fund	Kent	Negligent Child Protective Services investigation contributed to death.
Doris Lewis v FIA	\$114.00	\$0	General Fund	Genesee	Denial of Medicaid.
Ralph Slate, et al v FIA	\$15,000.00	\$0	General Fund	Wayne	Failure to promptly place delinquent ward in appropriate facility.
Mario Hogan v FIA, et al	\$7,500.00	\$0	General Fund	Wayne	Sexual harassment.
In the Matter of Amanda Bragg	\$3,500.00	\$0	General Fund	Oakland	Appeal of sanction against FIA worker.
Robert Carrier v DSS	\$652.00	\$0	Federal/Food Stamps	Clare	DSS denial of prospective budgeting of anticipated medical expenses in Food Stamp budgeting.
Kimberly Tomlinson v Miller, et al	\$35,000.00	\$0	General Fund	Wayne	Termination/failure to continue medical assistance.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,111,766.00</b>	<b>\$0</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Lottery

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Lonnie Bodiford v Bureau of State Lottery	\$13,581.00	\$0	State Lottery Fund	Ingham	Ethnic intimidation/racial discrimination.
<b>FY 1997-98 TOTAL:</b>	<b>\$13,581.00</b>	<b>\$0</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Management and Budget

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Robert LaFay v Department of Management and Budget	\$5,500.00	\$0	General Fund	Ingham	Employment settlement overtime dispute.
<b>FY 1997-98 TOTAL:</b>	<b>\$5,500.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Michigan Jobs Commission

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Norma Andres, et al v Department of Civil Service and Michigan Jobs Commission	\$23,680.96	\$0	DED-OSERS Rehabilitation Services, Vocational Rehabilitation, State Grants	Ingham	Settlement of counselor reclassification lawsuit.
<b>FY 1997-98 TOTAL:</b>	<b>\$23,680.96</b>	<b>\$0</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Military Affairs

**FORM 1: JUDGMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Weiman v State of Michigan, Military Affairs	\$2,400,000.00	\$0	General Fund	Ingham	Class action lawsuit for nonpayment of enlisted per diem, MCL 32.261.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,400,000.00</b>	<b>\$0</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Military Affairs

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Evans v Military Affairs	\$5,000.00	\$0	General Fund	Calhoun	Deminimus contribution for cleanup of toxic landfill.
<b>FY 1997-98 TOTAL:</b>	<b>\$5,000.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Natural Resources

**FORM 1: JUDGMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Platte Lake Improvement Association v Michigan Department of Natural Resources (MDNR)	\$305,540.41	\$0	Game & Fish Fund	Benzie	Phosphorous levels at Fisheries Platte River Hatchery.
Carnagel Oil Associates, et al	\$2,575,205.55	\$375,205.55	Michigan Natural Resources Trust Fund (MNRTF)	Mason	Acquisition of mineral rights. Alleged regulatory taking of property rights.
Oceana County v MDNR	\$20,649.33	\$0	Waterways Fund	Oceana	Lake level assessment.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,901,395.29</b>	<b>\$375,205.55</b>			

FISCAL YEAR 1997-98

DEPARTMENT: Natural Resources

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT		FUNDING SOURCE	LOCATION	SUMMARY OF CASE
	PAID	INTEREST			
SRW, Inc. v State of Michigan	\$1,500.00	\$0	Land Sale Fund	Huron	Fire damage.
MBPIA (Echols) v State of Michigan	\$2,500.00	\$0	Land Sale Fund	Wayne	Fire damage.
MBPIA (Allied Realty) v State of Michigan	\$1,500.00	\$0	Land Sale Fund	Wayne	Fire damage.
<b>FY 1997-98 TOTAL:</b>	<b>\$5,500.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

DEPARTMENT: State

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Acorn v Miller and LaPalm v Engler*	\$1,316.62	\$1,316.62	General Fund	Statewide	Noncompliance with the National Voter Registration Act.
Patrick Fortino v SOS	\$500.00	\$0	General Fund	Statewide	Attorney fees for a driver license restoration case.

\*Department of State made previous payments for this case of \$67,500 in FY 1995-96 and \$7,500 in FY 1996-97.

---

**FY 1997-98 TOTAL:**                      **\$1,816.62**      **\$1,316.62**

FISCAL YEAR 1997-98

DEPARTMENT: State Police

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Keuhn v MSP	\$200,000.00	\$0	General Fund	Livingston	Plaintiff, a white male employee, claims the Defendants have discriminated against him for promotions because of his age and race.
Root v MSP	\$150,000.00	\$0	General Fund	Marquette	Plaintiff was injured when a search warrant was erroneously served at his residence. Plaintiff engaged in a scuffle with officer.
Estate of Pritchett v Johnson	\$385,000.00	\$0	General Fund	Wayne	Plaintiff claims that the Defendant used excessive force against her son which resulted in his death.
Glenn Roger Wiederhold v MSP	\$1,600.00	\$0	General Fund	Arizona	Case of mistaken identity. Plaintiff was arrested in Arizona instead of Glen Robert Wiederhold, the real suspect.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** State Police

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dean v Gavin, et al	\$74,000.00	\$0	General Fund	Wayne	Plaintiff was parked in a parking lot and claims that the Defendants became verbally abusive and used excessive force to arrest him.
Kevin R. Fowler v MSP	\$1,200.00	\$0	General Fund	Mecosta	Plaintiff claims that he did not receive a response to his FOIA request.
Bender v MSP	\$14,999.90	\$0	General Fund	Ingham	Plaintiff claims she was treated differently than similarly situated men while she was assigned to Southeastern Criminal Investigation Division and that after she filed a civil rights complaint, she was retaliated against and denied various positions within the department.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** State Police

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Clark v Morton	\$13,000.00	\$0	General Fund	Cass	Plaintiff claims Defendant arrested him without probable cause or a valid search or arrest warrant on the false charge of possession of a police scanner.
Beauchamp v Morton	\$7,000.00	\$0	General Fund	Cass	Plaintiff claims Defendant arrested her without probable cause or a valid search or arrest warrant on suspicion of drug possession. Lab results proved negative for any controlled substances.
Gabryel v Macomb Sheriff, et al	\$2,250.00	\$0	General Fund	Macomb	Plaintiff claims Defendants without probable cause and/or provocation entered her home and proceeded to terrorize her.
Dickow v MSP	\$216.00	\$0	General Fund	Ontonagon	Freedom of information case.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** State Police

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Blade Communications v MSP	\$8,000.00	\$0	General Fund	Ohio	Plaintiff, a photographer for the Toledo Blade, was taking pictures for the Blade's coverage of the airplane crash that occurred near Monroe County and claims that the Defendants detained him until he turned over the film that was in his camera.
Paula Maki, et al v Adams & Stuck	\$3,500.00	\$0	General Fund	Iron	Plaintiff is responsible for two minors who were arrested for possession.
Josephine Aquisto v Bender, et al	\$4,125.00	\$0	General Fund	Wayne	Plaintiff claims the Defendants ransacked her house and belongings while investigating suspected drug activity from the separate downstairs living unit.

FISCAL YEAR 1997-98

DEPARTMENT: State Police

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Joseph Roberts v Sparks	\$3,250.00	\$0	General Fund	Wayne	Plaintiff claims that an accident occurred following a police chase which resulted in the Plaintiff being shot by Defendant.
<b>FY 1997-98 TOTAL:</b>		<b>\$868,140.90</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Transportation - Highway Negligence

**FORM 2: SETTLEMENTS PAID BY THE STATE**

<u>NAME OF CASE</u>	<u>AMOUNT PAID</u>	<u>INTEREST</u>	<u>FUNDING SOURCE</u>	<u>LOCATION</u>	<u>SUMMARY OF CASE</u>
Baydoun v Michigan Department of Transportation (MDOT)	\$185,000.00	\$0	State Trunkline Fund	Wayne	Failure to provide adequate deceleration lane, signing, placement of traffic lights, reduced speed limits.
Beard v MDOT	\$3,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain due to pothole.
Blewett v MDOT	\$3,000.00	\$0	State Trunkline Fund	St. Clair	Failure to properly design, maintain pavement markings, post signs, signals, and establish pedestrian zone.
Borle v MDOT	\$95,000.00	\$0	State Trunkline Fund	Tuscola	Failure to properly warn and barricade detour, sight obstruction, lack of positive guidance.
Brady v MDOT	\$3,000.00	\$0	State Trunkline Fund	Kent	Failure to warn, sign, barricade, funnel, design, provide clear visibility, lower speed limit at ramp.
Carlton v MDOT	\$10,000.00	\$0	State Trunkline Fund	Benzie	Failure to properly position stop sign so visible.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Transportation - Highway Negligence

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Chirco v MDOT	\$17,500.00	\$0	State Trunkline Fund	Macomb	Lack of appropriate aggregate, coefficient of friction, curve, slope, ramp design.
Commercial Carrier v MDOT	\$12,500.00	\$0	State Trunkline Fund	Genesee	Failure to erect sign or barrier warning.
Conn v MDOT	\$15,000.00	\$0	State Trunkline Fund	Calhoun	Failure to barricade construction holes.
Crownier v MDOT	\$150,000.00	\$0	State Trunkline Fund	Ottawa	Failure to warn, lack of traffic control device, failure to lengthen merge lane at turn-around, improper signage, merge lanes.
Dakhlallah v MDOT	\$370,000.00	\$0	State Trunkline Fund	Wayne	Inadequate deceleration lane, traffic lights, speed limits, warning signs.
Degel v MDOT	\$350,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain due to pothole.
Dinnell v MDOT	\$7,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain due to temporary construction sign which fell onto highway.
Ebel v MDOT	\$6,900.00	\$0	State Trunkline Fund	Bay	Failure to maintain due to gravel on highway.

**FISCAL YEAR 1997-98**

DEPARTMENT: Transportation - Highway Negligence

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT		FUNDING SOURCE	LOCATION	SUMMARY OF CASE
	PAID	INTEREST			
Edwards v MDOT	\$135,000.00	\$0	State Trunkline Fund	Wayne	Failure to adequately design for sight observations, failure to provide acceleration lane.
Flowers v MDOT	\$4,000.00	\$0	State Trunkline Fund	Monroe	Failure to repair or warn regarding residue in rest stop bathroom.
Glenn v MDOT	\$5,000.00	\$0	State Trunkline Fund	Wayne	Failure to properly design, inspect, repair, warn regarding concrete falling from overpass bridge.
Green v MDOT	\$125,000.00	\$0	State Trunkline Fund	Allegan	Improper design of barrier curb, lack of overhead lighting, shoulder warning devices, improper ramp design.
Jackson v MDOT	\$570,000.00	\$0	State Trunkline Fund	Washtenaw	Failure to properly design freeway ramp, provide proper traffic control devices, design geometric curve, maintain proper speed limit.
Julian v MDOT	\$15,000.00	\$0	State Trunkline Fund	Bay	Traffic signals malfunctioned, were improperly timed and designed, and failure to warn and sign.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Transportation - Highway Negligence

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Kincannon v MDOT	\$5,000.00	\$0	State Trunkline Fund	Macomb	Failure to maintain traffic signal, warn, & confusing and dangerous design.
Lewis v MDOT	\$10,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain and warn regarding concrete falling from bridge overpass.
Lowell v MDOT	\$10,000.00	\$0	State Trunkline Fund	Macomb	Inadequate sight distance, inappropriate traffic control devices, improper intersection design, pavement markings, merge distance, surface and lanes.
Majed v MDOT	\$200,000.00	\$0	State Trunkline Fund	Wayne	Failure to provide properly placed and timed signal, signing, design, deceleration lane.
Marshall v MDOT	\$1,725,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain proper width, smooth surface, adequate shoulder, warning signs, reasonable speed limits, proper guardrails, proper ramp design.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Transportation - Highway Negligence

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT		FUNDING SOURCE	LOCATION	SUMMARY OF CASE
	PAID	INTEREST			
Matson v MDOT	\$90,000.00	\$0	State Trunkline Fund	Grand Traverse	Defective edge of paved portion of road and shoulder and failure to warn for.
Miller v MDOT	\$25,000.00	\$0	State Trunkline Fund	Shiawassee	Slippery highway surface due to clay and rain.
Nichols v MDOT	\$150,000.00	\$0	State Trunkline Fund	Wayne	Inadequate freeway ramp design, lack of traffic control measures.
Ostas v MDOT	\$9,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain and warn regarding potholes.
Papastergion v MDOT	\$360,000.00	\$0	State Trunkline Fund	Wayne	Lack of warning, lighting, and inadequate drainage regarding flooding.
Sammut v MDOT	\$75,000.00	\$0	State Trunkline Fund	Washtenaw	Failure to properly maintain overhead sign structure.
Schippers v MDOT	\$75,000.00	\$0	State Trunkline Fund	Ottawa	Improper design of ramp intersection, lack of traffic signals or signs.
Sentry Ins. v MDOT	\$3,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain and warn regarding pothole.
Shively v MDOT	\$150,000.00	\$0	State Trunkline Fund	Iosco	Failure to properly design and sign for passing.

**FISCAL YEAR 1997-98**

DEPARTMENT: Transportation - Highway Negligence

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Silverberg v MDOT	\$381,315.00	\$0	State Trunkline Fund	Wayne	Failure to prohibit turning maneuvers with appropriate signage; geometric defects.
Staskievitz v MDOT	\$227,000.00	\$0	State Trunkline Fund	Washtenaw	Inadequate draining, lack of warning signs, median, guardrails, excessive speed, curvature.
Symons v MDOT	\$125,500.00	\$0	State Trunkline Fund	Allegan	Improper barrier curb, lack rumble strips, improper ramp design.
Westfield Ins. v MDOT	\$7,000.00	\$0	State Trunkline Fund	Oakland	Failure to maintain due to lack of manhole cover.
Wozniac v MDOT	\$375,000.00	\$0	State Trunkline Fund	Alcona	Failure to maintain surface condition.
<b>FY 1997-98 TOTAL:</b>	<b>\$6,084,715.00</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Transportation - Other Cases

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
American Contracting v Michigan Department of Transportation (MDOT)	\$35,000.00	\$0	State Trunkline Fund	Ingham	Contractor sought payment for breach of contract - alleging County Road Commission agreed to pay for extra work.
American Contracting v MDOT	\$5,000.00	\$0	State Trunkline Fund	Washtenaw	Contractor alleged MDOT wrongfully took advantage of erroneously transposed bid numbers for sewers and pavement markings.
American Contracting v MDOT	\$2,003,255.28	\$0	State Trunkline Fund	Montmorency	Contractor sought payment for extra work; unpaid balance; breach; destruction of business, etc.
Evans v State	\$5,000.00	\$0	State Trunkline Fund	Calhoun	Third party suit for contribution in environmental contamination suit.
Gove v MDOT	\$31,400.00	\$0	State Trunkline Fund	Ingham	Contractor provided computer software services to MDOT in good faith reliance on representations by MDOT that existing contract had been extended. Friendly lawsuit.

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Transportation - Other Cases

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Holland Systems v MDOT	\$57,438.00	\$0	State Trunkline Fund	Ingham	Contractor provided computer software services for the CATS system before MDOT amended an existing contract to expand the scope to cover those services. Friendly lawsuit.
L. Surath & Sons v MDOT	\$10,000.00	\$0	State Trunkline Fund	Saginaw	Surath alleged that public auction sale of crane included rails for it.
MI Fair Contracting Center	\$2,000.00	\$0	State Trunkline Fund	Oakland	Noncompliance with Freedom of Information Act request.
U.S. Department of Justice	\$150,000.00	\$0	Comprehensive Transportation Fund	Clare	Environmental cleanup.
<b>FY 1997-98 TOTAL:</b>	<b>\$2,299,093.28</b>	<b>\$0</b>			

**FISCAL YEAR 1997-98**

**DEPARTMENT:** Treasury

**FORM 2: SETTLEMENTS PAID BY THE STATE**

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
A. Joanne Siegla v State of Michigan, Department of Treasury	\$11,500.00	\$0	Delinquent Tax Collection Revenue	Cause of action arose at Michigan Department of Treasury work station in Independence, Ohio.	Alleged harrassment.
<b>FY 1997-98 TOTAL:</b>	<b>\$11,500.00</b>	<b>\$0</b>			







### RECENT SENATE FISCAL AGENCY REPORTS

"BUDGET STATUS REPORT ISSUE 1998-2"  
December, 1998

"MICHIGAN COURT OF APPEALS BACKLOG  
REDUCTION"  
by Bill Bowerman December, 1998

"THE ECONOMIC DEVELOPMENT PROGRAMS OF  
THE MICHIGAN JOBS COMMISSION"  
by Maria Tyszkiewicz December, 1998

"1998 STATISTICAL REPORT"  
December, 1998

"OVERVIEW OF THE STATE BUDGET PROCESS"  
November, 1998

"THE U.S. AND MICHIGAN MOTOR VEHICLE  
STATISTICAL REPORT"  
November, 1998

"THE WHEELS ON THE BUS GO ROUND AND ROUND  
MICHIGAN'S SUPPORT FOR LOCAL PUBLIC TRANS-  
PORTATION"  
by Philip Alderfer November, 1998

"FY 1998-99 APPROPRIATIONS REPORT"  
October, 1998

"STATE REIMBURSEMENT FOR TRIAL COURT  
OPERATIONS AND PENDING LEGISLATION"  
by Bill Bowerman September, 1998

"AN UPDATE ON TAX CHANGES IN MICHIGAN -  
1991 THROUGH AUGUST, 1998"  
by Jay Wortley & George Towne September, 1998

"BUDGET STATUS REPORT - Issue 1998-1 Economic,  
Revenue, and Year-End Balance Estimates, FY 1997-98,  
and FY 1998-99"  
May, 1998

"ESTIMATED STATE SPENDING AND STATE TAX  
COLLECTIONS BY COUNTY FY 1995-96"  
April, 1998

### RECURRING SENATE FISCAL AGENCY REPORTS

RECURRING SENATE FISCAL AGENCY REPORTS	
Analysis of the Governor's Major Budget Recommendations	Produced Annually
Appropriations Report	Produced Annually
Estimated State Spending by County	Produced Annually
Fiscal Digest	Produced Annually
Status of Lawsuits Against the State	Produced Annually
Higher Education Appropriations Report	Produced Annually
Michigan Public University Enrollment Patterns	Produced Annually
Statistical Report	Produced Annually
Economic Revenue and Budget Forecast	Produced Twice a Year
Monthly Revenue Report	Produced Monthly
Michigan Economic Indicators	Produced Monthly
Notes on the Budget and Economy	Produced 6 Times a Year
Quarterly Lottery Report	Produced Quarterly
U.S. and Michigan Motor Vehicle Statistical Report	Produced Annually