

**FY 2012-13
STATUS OF LAWSUITS
INVOLVING THE STATE OF MICHIGAN**



**SENATE FISCAL AGENCY
LANSING, MICHIGAN
JUNE 2014**

THE SENATE FISCAL AGENCY

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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.



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TABLE OF CONTENTS

Overview.....	1
Table 1 Total Court Judgments and Settlements Paid by the State - FY 2003-04 through FY 2012-13	2
Table 2 Court Judgments Paid by the State - FY 2003-04 through FY 2012-13.....	3
Table 3 Court Settlements Paid by the State - FY 2003-04 through FY 2012-13	4
Table 4 FY 2012-13 Payments by Department	5
Table 5 Highway Negligence Statistics	8
Table 6 Risk Management Fund - Automotive Liability Payments.....	9
Table 7 Total Court Judgments and Settlements Paid to the State	10

LISTING OF CASES RESULTING IN PAYMENTS DURING FY 2012-13

Attorney General.....	12
Community Health	13
Corrections	14
Education.....	17
Human Services.....	18
Licensing and Regulatory Affairs.....	19
Natural Resources	20
State	22
State Police.....	23
Transportation.....	25
Treasury.....	26
Treasury - Michigan Strategic Fund	27

OVERVIEW

The information in this document is based on reports filed by State departments and agencies pursuant to Section 396(3) of The Management and Budget Act (Public Act 431 of 1984). Based on the amounts reported, the State of Michigan paid \$85.6 million for judgments and settlements in fiscal year (FY) 2012-13. Of the 71 cases that resulted in payments, 18 were judgments totaling \$688,200, and 53 were settlements totaling \$84.9 million. Payments in FY 2012-13 were \$9.5 million higher than the \$76.1 million reported in FY 2011-12. The increase is attributable to payments by the Department of Corrections and the Department of Treasury. Payments by the Department of Corrections increased by \$5.1 million (33.2%), from \$15.5 million to \$20.6 million. Department of Treasury payments totaled \$62.2 million, an increase of \$6.8 million over FY 2011-12 payments. Department of Treasury payments resulted mainly from three cases involving large refunds of the Use Tax and the Single Business Tax. The State General Fund was the funding source for \$84.7 million (98.9%) of FY 2012-13 payments.

Tables on pages 2, 3, and 4 provide a 10-year history (FY 2003-04 through FY 2012-13) 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. Table 4 provides a summary of FY 2012-13 payments by department. Table 5 on page 8 provides a history of highway negligence payments from FY 1983-84 through FY 2012-13. Table 6 on page 9 includes a history of payments from the State's Risk Management Fund for automotive liability. Payments from the Fund are not included in amounts reported by departments. This report also includes an overview of cases that resulted in payments to the State of Michigan. Table 7 and information on pages 10 and 11 provide an overview of amounts received by the State.

The FY 2012-13 reports submitted by State departments and agencies on payments made by the State follow, beginning on page 12. 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 cause of action (summary of case). This report does not include payments resulting from workers' compensation and unemployment claims.

Table 1

TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID BY THE STATE (Actual Dollars)										
DEPARTMENT	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Community Health	\$114,889	\$156,000	\$1,428,000	\$800,000	\$2,481,500	\$615,000	\$0	\$365,185	\$338,296	\$916,000
Corrections	1,672,725	3,007,509	904,749	612,097	4,886,697	450,134	14,676,073	10,571,572	15,503,188	20,647,428
Education	2,299,211	1,717,015	1,163,905	309,441	573,965	455,791	76,458	46,561	49,316	175,000
Human Services	447,237	224,861	227,007	1,355,000	287,750	6,609,260	1,433,783	1,243,304	572,415	391,498
State Police	842,330	264,900	323,702	1,617,738	2,544,330	31,090	89,529	263,296	711,482	276,900
Transportation	10,774,291	3,045,406	743,500	8,466,876	316,000	582,000	2,716,961	230,662	2,538,165	322,900
Treasury	120,632	82,011	254	0	2,046,531	2,087,042	111,752	939,330	55,432,447	62,199,908
Other Departments	2,039,696	4,119,346	4,647,661	18,633,577	2,664,746	1,019,516	899,865	2,264,453	988,340	709,892
TOTAL	\$18,311,011	\$12,617,048	\$9,438,778	\$31,794,729	\$15,801,519	\$11,849,833	\$20,004,421	\$15,924,363	\$76,133,649	\$85,639,526

Table 2

COURT JUDGEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Community Health	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Corrections	1,035,594	373,974	83,881	27,950	4,469	8,287	4,006	41,551	34,656	458,248
Education	2,287,211	1,717,015	1,159,905	309,441	210,965	455,791	76,458	46,561	49,316	0
Human Services	115,652	0	0	0	0	4,500	9,582	0	0	0
State Police	41,328	0	0	1,881	383	9,590	15,000	0	1,250	33,000
Transportation	0	0	0	0	0	0	0	0	0	0
Treasury	120,632	34,511	254	0	46,531	87,042	51,752	550,000	39,397,366	0
Other Departments	77,204	2,281,700	141,477	2,136,175	600	288,212	207,739	159,824	182,062	196,952
TOTAL	\$3,777,621	\$4,407,200	\$1,385,517	\$2,475,447	\$262,948	\$853,422	\$364,537	\$797,936	\$39,664,650	\$688,200

Table 3

COURT SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	
Community Health	\$14,889	\$156,000	\$1,428,000	\$800,000	\$2,481,500	\$615,000	\$0	\$365,185	\$338,296	\$916,000
Corrections	637,131	2,633,535	820,868	584,147	4,882,228	441,847	14,672,067	10,530,021	15,468,532	20,189,180
Education	12,000	0	4,000	0	363,000	0	0	0	0	175,000
Human Services	331,585	224,861	227,007	1,355,000	287,750	6,604,760	1,424,201	1,243,304	572,415	391,498
State Police	801,002	264,900	323,702	1,615,857	2,543,947	21,500	74,529	263,296	710,232	243,900
Transportation	10,774,291	3,045,406	743,500	8,466,876	316,000	582,000	2,716,961	230,662	2,538,165	322,900
Treasury	0	47,500	0	0	2,000,000	2,000,000	60,000	389,330	16,035,081	62,199,908
Other Departments	1,962,492	1,837,646	4,506,184	16,497,402	2,664,146	731,304	692,126	2,104,629	806,278	512,940
TOTAL	\$14,533,390	\$8,209,848	\$8,053,261	\$29,319,282	\$15,538,571	\$10,996,411	\$19,639,884	\$15,126,427	\$36,468,999	\$84,951,326

PAYMENTS BY DEPARTMENTS

Table 4 summarizes FY 2012-13 payments by department.

Table 4
FY 2012-13
PAYMENTS BY DEPARTMENT

DEPARTMENT	STATE PAYMENTS	PERCENT OF TOTAL
Community Health	\$916,000	1.1%
Corrections	20,647,428	24.1
Human Services	391,498	0.5
Natural Resources	265,952	0.3
State Police	276,900	0.3
Transportation	322,900	0.4
Treasury	62,199,908	72.6
Other Departments	618,940	0.7
TOTAL	\$85,639,526	100.0%

Community Health

The Department of Community Health made payments in three cases totaling \$916,000. The Minter/Caver v Dazzo case accounted for \$750,000 (81.9%) of the payments made by the Department. The case involved a class action lawsuit regarding the Department's requirement to provide Medicaid coverage for Applied Behavior Analysis for a class of Medicaid-eligible children diagnosed with autism spectrum disorder.

Corrections

The Department of Corrections made payments in 27 cases totaling \$20.6 million, accounting for 24.1% of the payments made by the State in FY 2012-13. Payments ranged from \$150 in two cases, one involving a petition for review (appeal of misconduct) and the other involving the parole revocation process, to \$20.0 million in Neal, et al. v Department of Corrections et al./Anderson et al. v Department of Corrections, a class action that involved allegations of sexual assault and harassment by male prison guards. The Neal case was filed in 1996. Subsequent to jury verdicts in Neal and Anderson, the State entered into a settlement agreement in 2009 to pay \$100.0 million for class members, costs, and attorney fees over a five-year period, as follows:

October 15, 2009: \$10.0 million
October 15, 2010: \$10.0 million
October 15, 2011: \$15.0 million
October 15, 2012: \$20.0 million
October 15, 2013: \$20.0 million
October 15, 2014: \$25.0 million

There were a total of 806 claimants who qualified for payments under the class action settlement. At the time of the settlement, 677 of the claimants were not in the custody of the State Department of Corrections and 129 were still incarcerated. After the FY 2012-13 Neal payment, the next-highest payment by the Department was \$347,509 in Howard v MDOC, et al., a case involving alleged employee discrimination. The remaining 25 cases had payments of \$60,000 or less.

Human Services

The Department of Human Services made payments in five cases totaling \$391,498, with payments ranging from \$500 for a Freedom of Information Act (FOIA) case to \$199,999 for an employee discrimination claim in Taylor v DHS. Three cases alleging employee discrimination accounted for \$379,998 (97.1%) of the total amount paid by the Department in FY 2012-13.

Natural Resources

The Department of Natural Resources (DNR) paid \$265,952 for seven cases in FY 2012-13. Payments ranged from \$42.22 for mediation costs in Britten v Achenbach, et al., to \$161,051 for costs of a court-appointed expert in Platte Lake Improvement Association v DNR. The next-highest payment by the DNR was \$60,000 in Anderson v Smith, DNR, for alleged civil rights violations related to a vehicle search and arrest.

State Police

The Department of State Police made payments in eight cases totaling \$276,900. Payments ranged from \$150 for a FOIA claim to \$115,000 in Salewsky v Bartell, et al., a case alleging assault and battery.

Transportation

Michigan Department of Transportation (MDOT) payments in four cases totaled \$322,900. Payments ranged from \$5,000 for a case alleging injuries in a motorcycle accident caused by a highway defect, to \$200,000 for alleged failure to remediate contamination on property purchased from MDOT in Bergmann v MDOT. There were three cases with payments totaling \$122,900 alleging injuries due to defective highways. All three claims involved motorcycle accidents. They included a \$99,900 payment in Peasley v MDOT, an \$18,000 payment in Hackett v MDOT, and a \$5,000 payment in Unverzagt v State of Michigan. Highway negligence/defect payments in FY 2011-12 also exclusively involved motorcycle accidents.

From FY 1983-84 through FY 2012-13, the State paid \$236.7 million resulting from 1,173 highway negligence cases. Total payments and the number of cases resulting from highway negligence litigation have declined dramatically over recent years. Of the total amount paid over the last 30 years, \$225.4 million was paid prior to FY 2000-01. The reduction in payments can be attributed to statutory changes (tort reform) and rulings by the Michigan Supreme Court that limited the State's exposure to liability. Table 5 provides a history of highway negligence payments by fiscal year from FY 1983-84 through FY 2012-13

Table 5

HIGHWAY NEGLIGENCE STATISTICS				
FISCAL YEAR	NUMBER OF CASES	JUDGMENTS	SETTLEMENTS	TOTAL PAYMENTS
1983-84	62	\$12,541,651	\$2,444,976	\$14,986,627
1984-85	55	4,399,001	4,128,751	8,527,752
1985-86	64	3,242,143	4,347,140	7,589,283
1986-87	69	22,699,603	4,151,959	26,851,562
1987-88	81	5,195,041	10,897,265	16,092,306
1988-89	90	2,869,944	12,151,689	15,021,633
1989-90	86	8,908,886	8,460,458	17,369,344
1990-91	83	10,043,560	10,353,328	20,396,888
1991-92	93	6,018,686	6,606,453	12,625,139
1992-93	70	11,290,468	8,968,167	20,258,635
1993-94	79	5,107,256	7,472,542	12,579,798
1994-95	47	1,871,956	8,010,456	9,882,412
1995-96	52	661,000	8,413,595	9,074,595
1996-97	50	1,331,974	9,679,852	11,011,826
1997-98	39	0	6,084,715	6,084,715
1998-99	33	0	4,721,422	4,721,422
1999-2000	34	2,875,000	9,461,500	12,336,500
2000-01	12	0	668,400	668,400
2001-02	14	0	1,222,240	1,222,240
2002-03	10	0	458,500	458,500
2003-04	12	0	1,521,200	1,521,200
2004-05	10	0	1,443,250	1,443,250
2005-06	9	0	614,000	614,000
2006-07	6	0	1,327,776	1,327,776
2007-08	4	0	246,000	246,000
2008-09	2	0	520,000	520,000
2009-10	1	0	2,500,000	2,500,000
2010-11	1	0	10,000	10,000
2011-12	2	0	679,000	679,000
2012-13	3	0	122,900	122,900
TOTAL	1,173	\$99,056,169	\$137,687,534	\$236,743,703
Source: Senate Fiscal Agency Lawsuit Reports				

Treasury

The Department of Treasury made payments in six cases totaling \$62.2 million. Of that amount, \$61.4 million (98.7%) resulted from payments in three cases: General Motors Corporation, \$41.0 million Use Tax refund; Proquest Information & Learning, LLC, \$12.5 million Single Business Tax refund; and El Dupont De Nemours & Co. Inc., \$7.8 million Single Business Tax refund.

RISK MANAGEMENT FUND

The Risk Management Fund was administratively established to account for specific centralized risk management functions performed for all State agencies by the Department of Management and Budget (now the Department of Technology, Management, and Budget). Effective July 1, 1992, the State became self-insured for automotive liability claims. Motor transport charges to State departments and agencies include a cost associated with projected automotive liability. This amount is deposited in the State's Risk Management Fund. Automotive liability payments that do not exceed \$1.0 million are paid from the Fund. Table 6 provides a history of payments from the Fund. Amounts are reported based on the fiscal year in which the payment was made, and therefore do not necessarily reflect the year in which the liability occurred.

Table 6

RISK MANAGEMENT FUND AUTOMOTIVE LIABILITY PAYMENTS			
FY 1991-92	\$28,318	FY 2002-03	\$2,487,429
FY 1992-93	\$138,194	FY 2003-04	\$2,718,182
FY 1993-94	\$435,862	FY 2004-05	\$2,941,684
FY 1994-95	\$1,135,659	FY 2005-06	\$1,457,041
FY 1995-96	\$1,977,178	FY 2006-07	\$2,506,962
FY 1996-97	\$1,743,580	FY 2007-08	\$1,316,613
FY 1997-98	\$1,223,622	FY 2008-09	\$1,432,166
FY 1998-99	\$3,985,189	FY 2009-10	\$863,269
FY 1999-2000	\$775,972	FY 2010-11	\$798,449
FY 2000-01	\$2,590,458	FY 2011-12	\$1,840,225
FY 2001-02	\$1,780,009	FY 2012-13	\$188,624

PAYMENTS TO THE STATE OF MICHIGAN

The following table provides a summary of FY 2011-12 lawsuit payments to the State as reported by departments pursuant to Section 396(3) of The Management and Budget Act.

Table 7

TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID TO THE STATE (Actual Dollars)	
DEPARTMENT	FY 2012-13
Attorney General	\$311,765,357.89
Corrections	2,758,826.93
Environmental Quality	4,900,196.38
Natural Resources	644,181.98
Transportation	2,594,241.59
Treasury	92,833,413.66
Other Departments	372,561.33
TOTAL	\$415,868,779.76

Attorney General

Of the amount reported by the Department of Attorney General, approximately \$292.2 million resulted from annual payments under the Master Settlement Agreement. The 1998 settlement resolved public health-related claims filed by Michigan and other states against the nation's major tobacco companies. The total FY 2012-13 amount received by the State under the Master Settlement Agreement was \$385.0 million. The difference (\$92.8 million) is listed under the Department of Treasury and is due to securitization of a portion of the payments owed to the State. The next-largest payment was \$8.1 million in U.S. v Abbott Laboratories, which involved health care fraud. The Health Care Fraud Division reported \$10.7 million in payments to the State, including the Abbott case.

Corrections

All of the payments listed by the Department of Corrections resulted from cases filed under the Prisoner Reimbursement Act. The Department reported 248 cases with payments totaling \$2.8 million. Payments ranged from \$14.99 to \$229,753. There were 213 cases with payments of less than \$20,000, accounting for \$1.2 million. Thirty-five cases with payments over \$20,000 accounted for \$1.5 million of the amount recovered by the Department of Corrections. The median payment was \$5,379. Pursuant to Section 309 of the FY 2012-13 General Government appropriation act (Article VIII of Public Act 200 of 2012), the Department of Attorney General received an appropriation of \$497,900 from the prisoner reimbursement funds to support activities related to the State Correctional Facility Reimbursement Act, MCL 800.401 to 800.406. In addition, this appropriation act specified that, if the Department of Attorney General collected in excess of \$1,131,000 in gross annual prisoner reimbursement receipts provided to the General Fund, the

excess, up to a maximum of \$1,000,000, was appropriated to the Department of Attorney General and could be spent on the representation of the Department of Corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the State, its departments, officers, employees, or agents in civil actions filed by prisoners.

Environmental Quality

A majority of the \$4.9 million received by the Department of Environmental Quality (DEQ) in FY 2012-13 involved reimbursement for environmental contamination. Recoveries in those cases were deposited into various funds. There were several cases that involved discharges made without a permit. Settlement revenue is restricted by legal agreements or court orders for specific environmental cleanup activities at specific sites of environmental contamination or restricted to other environmental programs as appropriated. Of the 183 cases reported by the DEQ, 36 were judgments totaling \$584,984, and 147 were settlements or the result of other agreements totaling \$4.3 million. The largest payment reported was \$2.3 million for the Enbridge environmental remediation case. From October 2011 to February 2014, the DEQ collected \$9.0 million in revenue from Enbridge.

Natural Resources

The \$644,181.98 reported by the Department of Natural Resources resulted from one case, MDNR, et al. v Consumer Energy, involving a multiyear settlement with Consumers Energy for fisheries damage from hydropower operations. The Fisheries Settlement Fund was established to receive payments by Consumers. Under the settlement, payments will continue through 2035. Settlement funds are earmarked and subsequently used for habitat mitigation work in the area or watershed where the violation occurred. Since 1995, payments by Consumers have totaled over \$12.0 million.

Transportation

Payments to the Michigan Department of Transportation (MDOT) included 24 cases totaling \$2,594,241.59. Nineteen cases alleging damage to bridge overpasses, guardrails, signs, and other State property resulted in payments totaling \$1.1 million. Fiscal year 2012-13 payments to MDOT ranged from \$185.53 in MDOT v Nemeth for damage to a guardrail on I-75, to \$1.4 million in MDOT v Detroit International Bridge Co., et al. for liquidated damages involving the Gateway Project. After a bench trial, the Court ordered the Detroit International Bridge Company to pay MDOT a total of \$4,462,021.31 for breach of contract damages. The Department has collected \$1,435,793.11 of the award, leaving a balance still owed of \$3,026,228.20. This balance is on appeal in the Michigan Court of Appeals.

Treasury

The Department of Treasury reported \$385.0 million related to the Master Settlement Agreement. To avoid double-counting due to the amount reported by the Department of Attorney General for that case, the amount listed under Department of Treasury in Table 6 reflects only the \$92.8 million that is allocated for debt service on the securitized portion of the Master Tobacco Agreement revenue.

FISCAL YEAR 2012-13

DEPARTMENT: ATTORNEY GENERAL

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
DaNeil Mitchell	\$85,333.33	\$0	General Fund	Wayne	Human Resources Division - Settlement for physical injuries, pain and suffering, emotional damage, lost wages, and retirement contribution.
Law Offices of Diana L. McClain & Associates, PC	39,666.67	0	General Fund	Wayne	Human Resources Division - Attorney fees and costs.
Calhoun and DiPnoio, PLC	116.60	0	General Fund	Oakland	Environmental National Resources and Agricultural Division - court costs.
James Speet and Ernest Sims v Bill Schuette, Attorney General for the State of Michigan, City of Grand Rapids, Police Chief Kevin Belk, Officer Gregory Bauer	80,000.00	0	General Fund	Kent	Executive Division - Attorneys' fees, costs, and expenses.
FY 2011-12 TOTAL:	\$205,116.60	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: COMMUNITY HEALTH

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Minter/Caver v Dazzo	\$750,000.00	\$0	General Fund	Oakland	Class action lawsuit regarding MDCH requirement to provide Medicaid coverage for Applied Behavior Analysis for a class of Medicaid-eligible children diagnosed with autism spectrum disorder.
Buda (Keegan) v Davis	150,000.00	0	General Fund	Ionia	PR Buda brought lawsuit that prisoner Keegan was improperly medicated and unattended by MDCH staff resulting in his suicide.
Davis v WRPH	16,000.00	0	General Fund	Wayne	Plaintiff Roberta Davis brought civil rights lawsuit against WRPH (DCH) for wrongful termination after 30 years of service as housekeeper after having a three-inch paring knife in her bag that she used for cutting food.
FY 2012-13 TOTAL:	\$916,000.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: CORRECTIONS

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Cadarette, Jeffrey v MDOC	\$275.70	\$0	General Fund	Ionia	Petition for Judicial Review - costs; permanent visitor restriction appeal.
Dobbins, Keith v George Craycraft	720.00	0	General Fund	Chippewa	Harassment/Retaliation: alleged he lost his food service position due to filing grievances.
Gause, John v Mich Parole Board	150.00	0	General Fund	Ingham	Parole Revocation Process - costs; alleged the evidence against him did not support parole violation.
Howard, Robert v MDOC, et al.	347,509.00	0	General Fund	Gratiot	Employee Discrimination; alleged age and disability discrimination.
Iswed, Bahaa E. v Patricia Caruso	53,562.57	0	General Fund	Muskegon	Discrimination/Harassment: alleged First Amendment violation based on inability to make calls to Jordan.
Perkins, Antoine v Laura Kinder, et al.	14,694.42	0	General Fund	Ingham	Medical: alleged denied medical care in response to an asthma attack.
Quinn, Anthony Jay v MDOC	150.00	0	General Fund	Ionia	Petition for Judicial Review: misconduct appeal.
Smith, Sam III v Unknown Eyke, et al.	494.68	0	General Fund	Chippewa	Harassment/Retaliation & Failure to Protect: alleged subjected to sexual abuse and retaliation for reporting it. Costs.
Tanner, Hattie Mae v Katrina Borthwe	40,499.00	0	General Fund	Wayne	Access to courts: alleged denied access to the courts due to delay by defendants in mailing an appeal.
Thomas Jr, Albert v MDOC	192.83	0	General Fund	Luce	Petition for Judicial Review: misconduct appeal.
FY 2012-13 TOTAL:	\$458,248.20	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Akrawi, Ragheed v John Remillet, et al.	\$47,000.00	\$0	General Fund	Ingham	Parole Appeal: alleged parole improperly continued after discharge.
Cantu, Mario v MDOC, et al.	55,000.00	0	General Fund	Wayne	Discrimination: alleged racial harassment by coworkers and supervisors.
Catanzaro, Matthew v MDOC, et al.	750.00	0	General Fund	Jackson	Conditions of confinement: alleged staff attempted to hit him with motorized cart and labeled him a "snitch" resulting in threats by other prisoners.
Davis, Tamara v MDOC	10,000.00	0	General Fund	Ingham	Discrimination: alleged race and gender discrimination.
Eidam, Jason v Virgil Ackley	750.00	0	General Fund	Montcalm	Failure to Protect - Prisoner: alleged was sexually assaulted by cellmate.
Gordon, Deontae v Gary Collins, et al.	4,500.00	0	General Fund	Gratiot	Security Classification: alleged inappropriately designated an STG member.
Hoffman, Joseph v Lyle Rutter, et al.	6,000.00	0	General Fund	Alger	Harassment/Retaliation: alleged was placed in segregation subject to RPA hold in retaliation for interview he provided to media regarding attempted prison escape.
Jones, Brian v Carol Howes, et al.	1,500.00	0	General Fund	Branch	Harassment/Retaliation: alleged termination from work assignment due to writing negative articles.
Jones, Raymond E., deceased v George Pramstaller, et al.	50,000.00	0	General Fund	Ingham	Medical: alleged that prisoner Jones's serious medical needs were not appropriately addressed in 2007, resulting in his death.
Joseph, Desmond v MDOC, et al.	350.00	0	General Fund	Macomb	Religion: alleged that use of the Manteux skin test for tuberculosis violated his religious tenets in that it contained animal proteins.

FISCAL YEAR 2012-13

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Lavia, Bernard v MDOC, et al.	3,000.00	0	General Fund	Ionia	Employee: alleged wrongful termination.
Murphy, Timothy	4,000.00	0	General Fund	Arenac	Harassment/Retaliation: alleged was placed in segregation subject to RPA hold in retaliation for interview he provided to media regarding attempted prison escape.
Neal, et al. v MDOC/Anderson, et al. v MDOC, et al.	19,939,597.62	0	General Fund	Washtenaw	Failure to protect - Prisoners; Fifth of six installment payments to be made 10/15/09 every year through 10/2014.
Niergarth, K v MDOC	4,250.00	0	General Fund	Ionia	Employee: alleged retaliatory discharge.
Sareini, Ali v Dave Burnett, et al.	482.50	0	General Fund	Saginaw	Religion: Muslim prisoner claimed vegetarian diet did not meet Halal requirements.
Siler, Robert v W. Baldwin, et al.	2,000.00	0	General Fund	Jackson	Medical: alleged inaccurate information provided to health care resulting in lack of treatment for head injury.
Toner, David v MDOC	60,000.00	0	General Fund	Ingham	Employee: alleged demotion in retaliation for making complaint of discrimination.
FY 2012-13 TOTAL:	\$20,189,180.12	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: EDUCATION

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Daniel Adair, a taxpayer of the Fitzgerald Public Schools, and Fitzgerald Public Schools, a Michigan municipal corporation, et al. v Michigan Department of Education; Department of Management and Budget; Mark A. Murray, Treasurer of Michigan	\$175,000.00	\$0	School Aid Fund	Oakland	Settlement of Plaintiffs' recovery of litigation costs and expenses post the Court of Appeals Order of Remand of November 6, 2012.
FY 2012-13 TOTAL:	\$175,000.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: HUMAN SERVICES

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dwayne B v Snyder	\$11,000.00	\$0	General Fund	Statewide	Attorney fees for 5/1/12-7/31/12 related to class action lawsuit re: MI foster care system.
Mack Taylor v DHS	199,999.00	0	General Fund	Livingston	Employment discrimination.
Jerry Romans v DHS	99,999.00	0	General Fund	Livingston	Employment discrimination.
Kristin Wolf v DHS	80,000	0	General Fund	Macomb	Employment discrimination.
Gerald Shallman v Corrigan	500	0	General Fund	Ionia	Freedom of Information Act.
FY 2012-13 TOTAL:	\$391,498.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: LICENSING AND REGULATORY AFFAIRS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Raquel Vanderpool v Steve Arwood, et al.	\$33,600.00	\$0	Health Professions Regulatory Fund	Monroe	Department's improper determination that plaintiff was not eligible for long-term care employment.
S.A. Restaurants, Inc. v Andrew J. Deloney, MI Liquor Control Commission	13,583.30	0	Liquor Purchase Revolving Fund and Liquor License Revenue	Wayne	Challenged the constitutionality of MCL 436.1916(10).
Martin Contreras and MPB, Inc. v Andrew J. Deloney, MI Liquor Control Commission	7,500.00	0	Liquor Purchase Revolving Fund and Liquor License Revenue	Washtenaw	Challenged the constitutionality of administrative rule R436.1335.
FY 2011-12 TOTAL:	\$54,683.30	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: NATURAL RESOURCES

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Britten v Achenbach et al.	\$42.22	\$0	Restricted Funds	Grand Traverse	Court ordered payment of mediation costs connected with action to amend plat and vacate portions of private roadway.
Bunn, E et al. v JA Beech, DNR et al.	266.66	0	General Fund	Barry	Court ordered payment of mediation costs split between the parties, involving use of a platted road adjacent to Fine Lake.
Platte Lake Improvement Assoc. v DNR	161,051.00	0	Game & Fish Protection Fund	Benzie	Support of court-appointed expert pursuant to consent judgment dated 3/10/2000 regarding effluent discharge from State hatchery.
Roger Zilke, Berrien County Drain Commissioner, et al. v DNR	29,535.10	781.93	General Fund	Berrien and various counties	Lake level assessments for State-owned property.
Tomassucci v DNR	56.60	0	General Fund - \$5.09 Restricted Funds - \$51.51	Iron	Court ordered restitution related to improper notice of tax reversion.
FY 2012-13 TOTAL:	\$190,951.58	\$781.93			

FISCAL YEAR 2012-13

DEPARTMENT: NATURAL RESOURCES

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Anderson, JB v J. Smith, DNR	\$60,000.00	\$0	General Fund - \$9,000 Federal - \$9,000 Game & Fish Fund - \$42,000	Wayne	Allegation of civil rights violations incidental to on-scene vehicle search and arrest.
Bell, K. v DNR	15,000.00	0	Park Improvement Fund	Ingham	Compensation for injuries sustained while riding a motorcycle in a State park.
FY 2012-13 TOTAL:	\$75,000.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: STATE

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Nancy Lee Steers v MDOS	\$75,000.00	\$0	Transportation Administration Collection Fund	Ingham	Claim for violation of the FMLA. Payment to Nancy Lee Steers as a complete settlement of the lawsuit, and payment to Nacht, Roumel, Salvatore, Blanchard & Walker as attorney fees paid in the case.
Michael Bryanton, et al.v Ruth Johnson, in her official capacity as Michigan Secretary of State	103,140.00	0	Transportation Administration Collection Fund	Statewide	Challenge of the citizenship check box.
FY 2012-13 TOTAL:	\$178,140.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: STATE POLICE

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dupuis v Charlevoix County Concealed Weapons Licensing Board	\$1,000.00	\$0	General Fund	Charlevoix	Concealed weapons lawsuit.
Prins v MSP	32,000.00	0	General Fund	Ionia	Freedom of information lawsuit
FY 2012-13 TOTAL:	\$33,000.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: STATE POLICE

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Short v Brown, et al.	\$12,750.00	\$0	General Fund	St. Clair	Search warrant lawsuit.
Townsend v Hunt, et al.	90,000.00	0	General Fund	Saginaw	42 USC Sec. 1983 lawsuit.
Moore v WMU PD, et al.	1,000.00	0	General Fund	Kalamazoo	Freedom of information lawsuit.
Salewsky v Bartell, et al.	115,000.00	0	General Fund	Menominee	Assault and battery lawsuit.
Nichols Law Firm v MSP	150.00	0	General Fund	Ingham	Freedom of information lawsuit.
Ward v Szukhent	25,000.00	0	General Fund	Genesee	Gross negligence lawsuit.
FY 2012-13 TOTAL:	\$243,900.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: TRANSPORTATION

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Peasley v MDOT Court No. 09-132-MD	\$99,900.00	\$0	State Trunkline Fund	Muskegon	Plaintiff claimed he suffered injuries due to motorcycle accident caused by highway defect on I-96 near the US-31 interchange.
Unverzagt v State of Michigan Court No. 11-08-MD	5,000.00	0	State Trunkline Fund	Wayne	Plaintiff claimed injuries due to motorcycle accident caused by highway defect on WB Fort Street east of Rosa Parks Blvd.
Bergmann v MDOT Court No. 89-cv-72046-DT	200,000.00	0	State Trunkline Fund	Wayne	Plaintiff claimed MDOT failed to remediate contamination on property at McNichols and I-75, which plaintiff purchased from MDOT.
Hackett v MDOT Court No. 12-002-MD	18,000.00	0	State Trunkline Fund	Muskegon	Plaintiff claimed injuries and damages from motorcycle accident caused by hitting a pothole at the Sherman Street ramp entering US-31.
FY 2021-13 TOTAL:	\$322,900.00	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: TREASURY

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Jeffrey Denha	\$387.00	\$0	Delinquent Tax Collection Revenue	Ingham	Bill of Costs and Attorney Fees – Order partially granting petitioner’s request for costs.
City of Port Huron	794,596.15	0	General Fund	Ingham	Refund of a State-assessed telephone tax payment per court order.
Braysley Famurewa	20,000.00	0	Delinquent Tax Collection Revenue	Statewide	Claims under Title VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act of 1967, Americans with Disabilities Act, the Elliott-Larsen Civil Rights Act and the Michigan Persons with Disabilities Civil Rights Act.
El Dupont De Nemours & Co. Inc.	7,806,334.71	0	General Fund	Ingham	SBT refund per court order.
Proquest Information & Learning LLC	12,546,854.55	0	General Fund	Ingham	SBT refund per court order.
General Motors Corporation	41,031,735.67	0	General Fund	Ingham	Use Tax refund per court order.
FY 2012-13 TOTAL:	\$62,199,908.08	\$0			

FISCAL YEAR 2012-13

DEPARTMENT: TREASURY - MICHIGAN STRATEGIC FUND

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Robert Gardner v Rudy Redmond, King Chavez Parks Initiative and Michigan Department of Labor and Economic Growth	\$6,000.00	\$0	General Fund	Ingham	King Chavez Parks Initiative settlement agreement.
FY 2012-13 TOTAL:	\$6,000.00	\$0			