

**STATUS OF LAWSUITS
AGAINST THE STATE OF MICHIGAN
FY 1998-99 UPDATE**



**SENATE FISCAL AGENCY
LANSING, MICHIGAN
JANUARY 2000**

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 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/>

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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 \$12,684,878 for judgments and settlements in fiscal year (FY) 1998-99. Of the 135 cases that resulted in payments, 28 were judgments totaling \$3,203,699, and 107 were settlements totaling \$9,481,179. Fiscal year 1998-99 payments total \$223,408,685 less than FY 1997-98 payments. The level of payments in FY 1997-98 was due to the \$211,101,341 payment in Durant v State of Michigan.

The funding sources for payments in FY 1998-99 were as follows:

	Amount	Percent
State General Fund	\$5,172,090	40.8
State Trunkline Fund	5,074,922	40.0
State School Aid Fund	1,684,540	13.3
Other State Restricted Funds	753,326	5.9
Total:	\$12,684,878	100.0

Tables on pages 3, 4, and 5 provide a 10-year history (FY 1989-90 through FY 1998-99) 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. A summary of departments that made payments totaling over \$600,000 in FY 1998-99 begins on page 6. The FY 1998-99 reports submitted by State departments and agencies that list payments 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). This report does not include payments resulting from workers' compensation and unemployment claims. Also not included are payments from the State's Risk Management Fund for automotive liability.

Table 1

TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Agriculture	\$800	\$0	\$0	\$30,895	\$75,800	\$34,000	\$100,500	\$224,710	\$10,000	\$0
Attorney General	0	0	0	0	0	0	0	0	0	0
Career Development										0
Civil Rights	0	0	0	0	0	757	0	0	0	0
Civil Service	0	0	130,775	0	0	0	0	30,000	0	0
Commerce	14,000	0	14,000	0	7,000	231,467				
Community Health							727,838	908,000	2,131,565	659,922
Consumer & Industry Services							0	21,595	153,928	178,460
Corrections	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	1,780,090
Education	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	1,705,551
Environmental Quality							358,459	98,870	2,566	10,998
Executive	0	0	0	0	0	0	0	0	0	0
Family Independence Agency							511,587	1,399,850	2,115,076	320,938
Judiciary	0	424,000	0	0	248,332	268,250	45,000	724,000	0	10,000
Labor	80,000	1,204,071	12,347	16,300	306,700	0				
Library of Michigan	0	0	0	0	1,109,312	0	0	0	0	0
Licensing & Regulation	0	0								
Lottery	0	0	0	0	55,721	4,000	0	13,420	13,581	17,565
Management & Budget	46,446	494,777	38,500	21,000	113,863	85,000	126,170	106,000	5,500	75,000
Mental Health	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	
Michigan Strategic Fund										0
Military Affairs	0	0	0	0	0	0	25,000	225,000	2,405,000	90,000
Natural Resources	322,623	304,035	108,642	310,338	6,951,821	2,005,360	93,859,495	3,442,198	2,906,895	1,872,915
Public Health	0	0	81,586	687,240	38,365	318,959				
Social Services	345,726	3,670,848	4,010,689	1,095,341	274,776	2,727,681				
State	0	81,818	0	0	77,500	3,400	67,500	7,500	1,817	101,460
State Police	389,750	101,169	91,310	5,698,133	137,850	1,268,771	1,220,853	873,069	868,141	787,057
Transportation	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	5,074,922
Treasury	630,000	0	122,000	0	968,328	7,500	0	65,669	11,500	0
TOTAL:	\$31,144,333	\$36,722,682	\$23,717,822	\$37,500,817	\$32,799,989	\$29,607,246	\$114,525,892	\$25,894,694	\$236,093,563	\$12,684,878

Table 2

COURT JUDGMENTS PAID BY THE STATE
(Actual Dollars)

DEPARTMENT	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Agriculture	\$800	\$0	0	\$30,895	\$0	\$0	\$0	\$0	\$0	\$0
Attorney General	0	0	0	0	0	0	0	0	0	0
Career Development										0
Civil Rights	0	0	0	0	0	757	0	0	0	0
Civil Service	0	0	50,000	0	0	0	0	0	0	0
Commerce	14,000	0	0	0	0	0				
Community Health							50,000	136,000	0	310,422
Consumer & Industry Services							0	15,000	100,000	160,000
Corrections	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	627,851
Education	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	1,684,540
Environmental Quality							239,459	0	2,566	10,998
Executive	0	0	0	0	0	0	0	0	0	0
Family Independence Agency							0	1,066	3,310	0
Judiciary	0	0	0	0	0	0	0	0	0	0
Labor	0	1,737	0	0	251,700	0				
Library of Michigan	0	0	0	0	1,109,312	0	0	0	0	0
Licensing & Regulation	0	0								
Lottery	0	0	0	0	0	0	0	0	0	0
Management & Budget	0	1,500	0	0	113,863	45,000	120,000	0	0	0
Mental Health	1,663,846	244,570	22,500	87,500	0	0				
Michigan Jobs Commission						0	3,500	0	0	
Michigan Strategic Fund										0
Military Affairs	0	0	0	0	0	0	0	5,000	2,400,000	0
Natural Resources	10,178	276,335	82,526	0	192,870	242,834	201,811	901,193	2,901,395	409,888
Public Health	0	0	80,336	0	38,365	60,289				
Social Services	0	2,767,641	2,900,000	29,223	1,520	2,137				
State	0	63,818	0	0	2,500	0	0	0	0	0
State Police	0	3,728	71,810	5,125,633	9,650	762,500	0	3,569	0	0
Transportation	11,160,062	12,036,801	6,018,686	11,290,468	5,107,256	1,871,956	661,000	1,331,974	0	0
Treasury	630,000	0	122,000	0	8,328	0	0	15,669	0	0
TOTAL:	\$17,799,568	\$21,793,938	\$14,813,741	\$22,506,914	\$15,053,874	\$12,103,943	\$8,079,568	\$6,612,329	\$220,396,284	\$3,203,699

Table 3

SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Agriculture	\$0	\$0	\$0	\$0	\$75,800	\$34,000	\$100,500	\$224,710	\$10,000	\$0
Attorney General	0	0	0	0	0	0	0	0	0	0
Career Development										0
Civil Rights	0	0	0	0	0	0	0	0	0	0
Civil Service	0	0	80,775	0	0	0	0	30,000	0	0
Commerce	0	0	14,000	0	7,000	231,467				
Community Health							677,838	772,000	2,131,565	349,500
Consumer & Industry Services							0	6,595	53,928	18,460
Corrections	647,439	858,334	329,660	634,884	964,704	1,184,695	1,109,097	1,733,812	2,061,992	1,152,239
Education	16,650	20,872	61,291	0	0	0	0	581,488	9,500	21,011
Environmental Quality							119,000	98,870	0	0
Executive	0	0	0	0	0	0	0	0	0	0
Family Independence Agency							511,587	1,398,784	2,111,766	320,938
Judiciary	0	424,000	0		248,332	268,250	45,000	724,000	0	10,000
Labor	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								
Lottery	0	0	0	0	55,721	4,000	0	13,420	13,581	17,565
Management & Budget	46,446	493,277	38,500	21,000	0	40,000	6,170	106,000	5,500	75,000
Mental Health	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	
Michigan Strategic Fund										0
Military Affairs	0	0	0	0	0	0	25,000	220,000	5,000	90,000
Natural Resources	312,445	27,700	26,116	310,338	6,758,951	1,762,526	93,657,684	2,541,005	5,500	1,463,027
Public Health	0	0	1,250	687,240	0	258,670				
Social Services	345,726	903,207	1,110,689	1,066,118	273,256	2,725,544				
State	0	18,000	0	0	75,000	3,400	67,500	7,500	1,817	101,460
State Police	389,750	97,441	19,500	572,500	128,200	506,271	1,220,853	869,500	868,141	787,057
Transportation	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	5,074,922
Treasury	0	0	0	0	960,000	7,500	0	50,000	11,500	0
TOTAL:	\$13,344,765	\$14,928,744	\$8,904,081	\$14,993,903	\$17,746,115	\$17,503,303	\$106,446,324	\$19,282,365	\$15,697,279	\$9,481,179

PAYMENTS BY DEPARTMENTS

Six State departments made payments totaling over \$600,000. Table 4 summarizes the number of cases and payments by department.

Table 4

FY 1998-99 PAYMENTS BY DEPARTMENT				
DEPARTMENT	NUMBER OF CASES	PERCENT OF TOTAL	STATE PAYMENTS	PERCENT OF TOTAL
COMMUNITY HEALTH	9	6.7	\$659,922	5.2
CORRECTIONS	40	29.6	1,780,090	14.0
EDUCATION	2	1.5	1,705,551	13.4
NATURAL RESOURCES	13	9.6	1,872,915	14.8
STATE POLICE	12	8.9	787,057	6.2
TRANSPORTATION	37	27.4	5,074,922	40.0
OTHER DEPARTMENTS	22	16.3	804,421	6.3
TOTAL:	135	100.0	\$12,684,878	100.0

DEPARTMENT OF COMMUNITY HEALTH

Payments by the Department of Community Health in FY 1998-99 ranged from \$2,101.54 in Brewer v MDCH for a Freedom of Information Act violation case to \$195,298.50 in St. James Nursing & Physical Rehabilitation Inc. et al v MDCH for failure to promulgate rules for enforcement of penalties against long-term care nursing facilities. Fiscal year 1998-99 payments of \$659,922 in nine cases represent a decrease of \$1,471,643 (69.0%) from the \$2,131,565 paid in FY 1997-98 for eight cases.

DEPARTMENT OF CORRECTIONS

The Department of Corrections made payments in 40 cases totaling \$1,780,090. This represents a decrease of \$1,447,727 (44.9%) from the \$3,227,817 paid in FY 1997-98 for 42 cases. Payments ranged from \$62 in Peoples-Bey v MDOC for a case involving a petition for review to \$265,000 for an employee discrimination claim in Goncalves v MDOC. The median payment was \$11,322. Six cases with payments over \$100,000 totaling \$1,239,000 accounted for 69.6% of payments made by the Department of Corrections. There were 11 cases alleging employee discrimination that accounted for payments totaling \$1,017,500.

DEPARTMENT OF EDUCATION

Payments by the Department of Education in two cases totaled \$1,705,551 in FY 1998-99. Almost all of that amount (\$1,684,540) relates to continuing payments in the Berry v Benton Harbor Area School District desegregation case. State payments in that case have totaled \$58,290,458 from FY 1980-81 through FY 1998-99.

The FY 1998-99 payment compares to \$213,832,688 paid in FY 1997-98. However, \$211,101,341 of the FY 1997-98 amount 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. Local and intermediate school districts that were not plaintiffs in Durant were required to submit a waiver of liability by March 2, 1998, in order to receive funding from the State. Payments to nonplaintiff school districts in FY 1998-99 are not included in this report.

DEPARTMENT OF NATURAL RESOURCES

Payments by the Department of Natural Resources in 13 cases totaled \$1,872,915, representing a decrease of \$1,033,980 (35.6%) from the \$2,906,895 paid in FY 1997-98 for six cases. Payments ranged from \$2,265.51 in MBPIA - Ivory v MDNR for a case involving fire damage to adjacent property to \$1,253,672.00 in Chase v MDNR for a motor vehicle fatality.

DEPARTMENT OF STATE POLICE

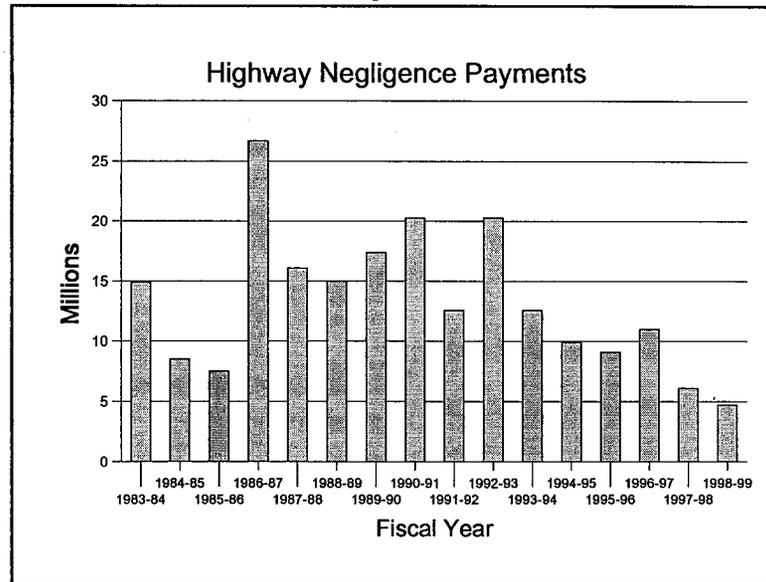
Payments by the Department of State Police in 12 cases totaled \$787,057, representing a decrease of \$81,084 (9.3%) from FY 1997-98 payments of \$868,141 paid in 15 cases. Payments ranged from \$250 in Schneider v MSP for a freedom of information case to \$295,000 in Cremonte v MSP for alleged age, gender, and race discrimination regarding the promotion process. The median payment was \$11,125. Four cases accounted for \$735,500 (93.4%) of total payments by the Department.

DEPARTMENT OF TRANSPORTATION

Department of Transportation payments in 37 cases totaled \$5,074,942, representing a decrease of \$3,308,886 (39.5%) from the \$8,383,808 paid in FY 1997-98 for 48 cases. Payments ranged from \$600 in Auto Club v MDOT for a case alleging failure to warn for and maintain road surface to \$767,500 in Skiba v MDOT for a case involving lack of left turn prohibitions and separate signal phases. Thirty-three highway negligence cases accounted for \$4,721,422 (93.0%) of Department of Transportation payments. Eleven highway negligence cases with payments in excess of \$100,000 accounted for \$4,086,822 (86.6%) of highway negligence payments in FY 1998-99. The median highway negligence payment was \$50,000.

From FY 1983-84 through FY 1998-99 the State paid \$212.7 million in 1,053 highway negligence cases. Figure 1 below shows highway negligence payments attributed to each fiscal year. The amount paid in FY 1998-99 is the lowest payout for highway negligence claims over the last 16 years.

Figure 1



FISCAL YEAR 1998-99

DEPARTMENT: Community Health

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
St. James Nursing & Physical Rehabilitation, Inc., et al v Michigan Department of Community Health (DCH)	\$195,298.50	\$0	General Fund	Statewide	DCH failed to promulgate rules for enforcement of penalties against long-term care nursing facilities; fines imposed by DCH must be returned to each facility.
Brewer, Lingg v Michigan DCH	\$2,101.54	\$0	General Fund	Ingham	Freedom of Information Act (FOIA) violation.
Sheena Boatman, et al v Marva Livingston Hammons, et al	\$110,037.45	\$0	General Fund	Statewide	Attorney fees and costs.
Apolinar Derilo and Fred Lustig v Michigan Department of Public Health, et al	\$2,985.00	\$0	General Fund	Ingham	Attorney fees and costs.
FY 1998-99 TOTAL:	\$310,422.49	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Community Health

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Alicia Hammond-Osborne v State of Michigan, et al	\$75,000.00	\$0	General Fund	Ingham	Employment issues; violations of Elliott-Larsen Civil Rights Act; sexual harassment.
Clarence Preston v State of Michigan, et al	\$185,000.00	\$0	General Fund	Washtenaw	Alleged violations of Elliott-Larsen Civil Rights Act.
Binkowski v Family & Children's Services, et al	\$10,000.00	\$0	General Fund	Kalamazoo	Negligence; former patient killed citizen.
Maryanne Mahaffey, Ethelen Crockett, et al v Attorney General of Michigan, et al and Northland Family Planning Clinic, et al v John Engler, et al	\$24,500.00	\$0	General Fund	Wayne	Attorney fees assessed against Department of Community Health.
Kaselitz Leases: Settlements	\$55,000.00	\$0	General Fund	Wayne	Kaselitz-Curtis home lease adjustments.
FY 1998-99 TOTAL:	\$349,500.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Consumer and Industry Services

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Evans, M.D., et al v Kelley*	\$50,000.00	\$0	Health Professions Regulatory Fund	Ingham	Challenge to Michigan's "Partial Birth Abortion" Ban.
Constantine Panos v MESC	\$110,000.00	\$0	State Restricted	Wayne	Improper notice of Family Medical Leave Act.

*Second payment resulting from this case. \$100,000 was paid in FY 1997-98.

FY 1998-99 TOTAL: **\$160,000.00** **\$0**

FISCAL YEAR 1998-99

DEPARTMENT: Consumer and Industry Services

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Nevada Sherwood Inc. v MI Liquor Control Commission	\$18,460.00	\$0	Liquor Purchase Revolving Fund and Restricted General Fund	Wayne	Lease Disagreement.
FY 1998-99 TOTAL:	\$18,460.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Corrections

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Rosenburg, Bonnie v Jack Cronk	\$10,039.00	\$0	General Fund	Grand Traverse	Attorney Fees/Failure to Protect.
Dickerson-Bey, Chester v MDOC	\$100.00	\$0	General Fund	Baraga	Petition for review.
Dye, Jeffrey et al v Wayne Jackson, et al	\$85,540.60	\$5,333.05	General Fund	Jackson	Failure to protect prisoner.
Berryman, Philip v Dean Rieger, et al	\$5,959.24	\$0	General Fund	Lenawee	Medical.
Goncalves, J. Silva v MDOC	\$265,000.00	\$0	General Fund	Wayne	Employee discrimination.
Wycoff, Michael v MDOC	\$80.00	\$0	General Fund	Ingham	Petition for review.
Dansby, Deangelo v MDOC	\$90.00	\$0	General Fund	Ingham	Petition for review.
Firmingham, Kathleen v MDOC	\$90.00	\$0	General Fund	Ingham	Petition for review.
Mills, Kam v Michigan Parole Board	\$120.00	\$0	General Fund	Jackson	Parole appeal.
Hayes v Robert Mayer	\$153.53	\$0	General Fund	Alger	Property non-legal.
Hickerson, Earl v John Koepp, et al	\$52,756.37	\$3,408.87	General Fund	Chippewa	Failure to protect prisoner.
Mata, Frank v MDOC, et al	\$82.66	\$0	General Fund	Marquette	Miscellaneous.
Mullins v MDOC	\$120.00	\$0	General Fund	Jackson	Petition for judicial review.
Heit, Richard, et al v Margorie Van Ochten, et al	\$4,620.00	\$0	General Fund	Muskegon	Disciplinary process.
Spence, Diane Earl v MDOC, et al	\$3,000.00	\$0	General Fund	Ingham	Freedom of Information Act.
Williams, Wanda v MDOC	\$100.00	\$0	General Fund	Macomb	Freedom of Information Act.

FISCAL YEAR 1998-99

DEPARTMENT: Corrections

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Whitcomb v Sizemore, et al and Whitcomb v MDOC	\$200,000.00	\$0	General Fund	Wayne	Harrassment.
FY 1998-99 TOTAL:	\$627,851.40	\$8,741.92			

FISCAL YEAR 1998-99

DEPARTMENT: Corrections

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Spencer, Diane v John Engler, et al	\$125,000.00	\$0	General Fund	Wayne	Failure to protect prisoner.
Tripp and Boggs v MDOC	\$1,000.00	\$0	General Fund	Arenac	Employee-other.
Allen, James v MDOC	\$45,000.00	\$0	General Fund	Wayne	Employee discrimination.
Austin, Annae L. v MDOC	\$15,000.00	\$0	General Fund	Wayne	Employee discrimination.
Womble v MDOC	\$32,500.00	\$0	General Fund	Wayne	Employee discrimination.
Prison Legal News, et al v E.M. Ranson, et al	\$12,605.00	\$0	General Fund	Marquette	Non-legal mail.
Esson, Valery v MDOC	\$250,000.00	\$0	General Fund	Lenawee	Employee discrimination.
Favors, Gene v Judy Stetten, et al	\$7,000.00	\$0	General Fund	Lenawee	Religion.
Girard Glenn A. v MDOC	\$4,000.00	\$0	General Fund	Lenawee	Sexual harassment.
Graham, Lisa v MDOC, et al	\$16,000.00	\$0	General Fund	Wayne	Employee-other.
Grove, James Cordy as Next of Kin of Philip Joplin v Bay	\$2,500.00	\$0	General Fund	Jackson	Improper medical care.
White-Bey, Allan v MDOC	\$72.00	\$0	General Fund	Ingham	Petition for review.
Peoples-Bey, Leonard v MDOC	\$62.00	\$0	General Fund	Ingham	Petition for review.
Thomas, Julia v Yvonne Bates, et al & Julia Thomas v MDOC	\$15,000.00	\$0	General Fund	Jackson	Failure to protect prisoner.
Lakatos v Spearman	\$199,000.00	\$0	General Fund	Macomb	Sexual harassment.
Moncrief, B. Joe et al v MDOC	\$75,000.00	\$0	General Fund	Washtenaw	Employee discrimination.
McKinney, Jill v MDOC	\$65,000.00	\$0	General Fund	Jackson	Employee discrimination.

FISCAL YEAR 1998-99

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	\$1,684,540.49	\$0	State School Aid Fund	Berrien	School Desegregation.
FY 1998-99 TOTAL:	\$1,684,540.49	\$0			

FISCAL YEAR 1998-99

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 v L'Anse Creuse Public Schools	\$21,011.25	\$0	General Fund	Macomb	Settlement of claim for outstanding costs and attorney fees to prevailing party in a Headlee Amendment suit under Article 9, Section 29 challenging 1991 PA 108.
FY 1998-99 TOTAL:	\$21,011.25	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Environmental Quality

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Jennifer M. Granholm, Attorney General, State of Mich, ex rel, Michigan Department of Environmental Quality v Hennessey Engineers, Inc., T&T Landclearing, Inc. and Robert Leighton Associates, Inc.	\$5,498.00	\$0	Land & Water Permit Fund	Wayne	Paid Hennessey Engineering, Inc.'s attorney fees. Defendant improperly named in suit.
Jennifer M. Granholm, Attorney General, State of Mich, ex rel, Michigan Department of Environmental Quality v Hennessey Engineers, Inc., T&T Landclearing, Inc. and Robert Leighton Associates, Inc.	\$5,500.00	\$0	Land & Water Permit Fund	Wayne	Paid Robert Leighton Associates Inc.'s attorney fees. Defendant improperly named in suit.
FY 1998-99 TOTAL:	\$10,998.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Family Independence Agency

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Randall Peterson v FIA, et al	\$7,500.00	\$0	General Fund	Oakland	Unjust employment termination.
Lashelle Spence-Lowe v Wayne Metro Residential Services, et al	\$40,000.00	\$0	General Fund	Wayne	Sexual harassment.
Ione Norman, et al v Marlys Schutjer, et al	\$120,000.00	\$0	General Fund	Lenawee	Wrongful death.
Charter Behavioral Health System of Arizona v Oakland FIA, et al	\$51,937.50	\$0	General Fund	Oakland	Breach of contract.
Baidaa Street v John R. Stortz	\$1,500.00	\$0	General Fund	Oakland	Employee assault of FIA client.
Mark Dull v FIA	\$100,000.00	\$0	General Fund	Livingston	Unjust employment demotion.
FY 1998-99 TOTAL:	\$320,937.50	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Judiciary

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Bennett v State of Michigan	\$10,000.00	\$0	General Fund	Wayne	Wrongful discharge.
FY 1998-99 TOTAL:	\$10,000.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Lottery

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Bernice Misa v Bureau of State Lottery	\$15,000.00	\$0	State Lottery Fund	Wayne	Slip and fall injury.
Lonnie Bodiford v Bureau of State Lottery	\$2,565.00	\$0	State Lottery Fund	Ingham	Racial intimidation/racial discrimination.
FY 1998-99 TOTAL:	\$17,565.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Management and Budget

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Leo Tolia v Department of Management and Budget	\$75,000.00	\$0	Restricted-User Fees	Ingham	Employment settlement for employment selection process.
FY 1998-99 TOTAL:	\$75,000.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Military Affairs

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Larry Hopkins v State	\$40,000.00	\$0	General Fund	Ingham	Slip and fall.
Gloria Matthews v State	\$50,000.00	\$0	General Fund	Ingham	Harassment.

FY 1998-99 TOTAL: \$90,000.00 \$0

FISCAL YEAR 1998-99

DEPARTMENT: Natural Resources

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Multi-Lakes Water & Sewer Authority	\$237,500.00	\$0	Parks & Recreation	Livingston and Washtenaw	Sewer connection.
Platte Lake Improvement Association	\$172,387.89	\$0	Game and Fish	Benzie	Phosphorous levels at fisheries - Platte River Hatchery.
FY 1998-99 TOTAL:	\$409,887.89	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Natural Resources

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
MDNR v Mecosta Co. Park Commission (MCPC)	\$10,000.00	\$0	Game & Fish Protection Fund	Mecosta	Pollution issue of hatchery DNR gave to MCPC
Chase v MDNR	\$1,253,672.00	\$0	General Fund	Lake	Motor vehicle fatality.
MBPIA - Calhoun v MDNR	\$5,330.76	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - Ivory v MDNR	\$2,265.51	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - Jones v MDNR	\$2,500.00	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - Holley-Bowen v MDNR	\$9,750.00	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - K. Davis v MDNR	\$3,500.00	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - Reese v MDNR	\$7,500.00	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - Hornbarger v MDNR	\$7,328.65	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
MBPIA - Williams v MDNR	\$13,240.00	\$0	Land Sale Fund	Wayne	Fire damage adjacent property.
Fleming, et al v MDNR	\$147,939.64	\$0	General Fund	Allegan*	Lake level assessments.
FY 1998-99 TOTAL:	\$1,463,026.56	\$0			

*Antrim, Berrien, Branch, Calhoun, Cass, Hillsdale, Ionia, Lake, Livingston, Montmorency, Newaygo, Oakland, Tuscola, and Washtenaw Counties.

FISCAL YEAR 1998-99

DEPARTMENT: State

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Ferwerda v SOS	\$500.00	\$0	General Fund	Statewide	Driver license restoration case.
Right to Life v SOS	\$21,960.00	\$0	General Fund	Statewide	Campaign Finance rule found unconstitutional.
Right to Life v SOS	\$150.00	\$0	General Fund	Statewide	Campaign Finance rule found unconstitutional.
ACLU for Planned Parenthood v SOS	\$14,850.00	\$0	General Fund	Statewide	Campaign Finance rule found unconstitutional.
Detroit Free Press v SOS	\$64,000.00	\$0	General Fund	Statewide	Lost Freedom of Information Act case seeking copy of driver file.
FY 1998-99 TOTAL:	\$101,460.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: State Police

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Green v Gillespie	\$15,000.00	\$0	General Fund	Berrien	Plaintiff claimed the Defendants set a dangerous road block that caused decedent's vehicle to collide with a tractor/trailer rig resulting in his death.
Mack v Oswald-Debottis, et al	\$7,250.00	\$0	General Fund	Wayne	Plaintiff claimed the Defendants used excessive force to falsely arrest and imprison him.
Miami Motor Sales, Inc. v MSP	\$858.00	\$0	General Fund	Wayne	Defendants impounded Plaintiffs' vehicles and Plaintiffs wanted their vehicles back.
Hurley v SWET	\$1,449.00	\$0	General Fund	Calhoun	Defendants seized property from Plaintiff and he wanted his property returned.
Cremonte v MSP	\$295,000.00	\$0	General Fund	Livingston	Plaintiff, a white male employee, claimed the Defendants discriminated against him for promotions based on his age, gender and race.

FISCAL YEAR 1998-99

DEPARTMENT: State Police

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Elbeco, Inc., et al v MSP	\$90,500.00	\$0	General Fund	Kent	Plaintiffs entered into a contract with MSP to provide, among other items, uniform trousers. Plaintiffs claimed MSP canceled their order for 1,665 pairs of trousers, which had been cut, but not assembled. Plaintiffs claimed they incurred loss based on the breach of contract.
Miller v MSP	\$250,000.00	\$0	General Fund	Wayne	Plaintiff, an employee, claimed after filing an internal affairs complaint regarding a hostile work environment for female employees, she became the target of intensified acts that constituted a hostile work environment and acts of retaliation.
MSPTA v MSP	\$3,000.00	\$0	General Fund	Ingham	Plaintiffs requested public documents under the Freedom of Information Act (FOIA) and claimed that Defendants neither granted their request to view the documents nor issued a written notice denying the request as required by law.

FISCAL YEAR 1998-99

DEPARTMENT: State Police

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
MSPTA v MSP	\$1,250.00	\$0	General Fund	Eaton	Plaintiffs requested public documents under FOIA and claimed that Defendants neither granted their request to view the documents nor issued a written notice denying the request as required by law.
Schneider v MSP	\$250.00	\$0	General Fund	Ingham	Plaintiff requested information under FOIA pertaining to the removal of three people from their cadet positions and claimed the Defendants failed to respond to this request.
Lee v Fifer, et al	\$22,500.00	\$0	General Fund	Wayne	Plaintiff was asleep in her home when she heard a loud banging on the door and she claimed the Defendants entered her home without warning and discharged a firearm causing severe and permanent injury.
Garrett v MSP	\$100,000.00	\$0	General Fund	Calhoun	Plaintiff, a white male employee, claimed the Defendants discriminated against him for promotions based on his age and race.
FY 1998-99 TOTAL:	\$787,057.00	\$0			

FISCAL YEAR 1998-99

DEPARTMENT: Transportation - Highway Negligence Division

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Araniego v MDOT	\$180,000.00	\$0	State Trunkline Fund	Saginaw	Improper vehicle mounted attenuator; lack of demarcations and warnings; failure to close lane.
Auto Club v MDOT	\$600.00	\$0	State Trunkline Fund	Wayne	Failure to warn for and maintain road surface.
Barbee v MDOT	\$150,000.00	\$0	State Trunkline Fund	Wayne	Failure to maintain due to potholes.
Bartlett v MDOT	\$30,000.00	\$0	State Trunkline Fund	Huron	Failure to maintain due to depressed area of pavement around storm sewer.
Boussi v MDOT	\$480,000.00	\$0	State Trunkline Fund	Wayne	Inadequate visibility of and improper placement of traffic control signals due to obstruction on dual viaduct.
Brown v MDOT	\$730,000.00	\$0	State Trunkline Fund	Emmet	Lack of intersection sight distance, lack of warning signs and traffic control devices.
Carter v MDOT	\$75,000.00	\$0	State Trunkline Fund	Kent	Trespass nuisance of water from MDOT drain spout causing depression to city sidewalk.
Czarnik v MDOT	\$40,000.00	\$0	State Trunkline Fund	Lapeer	Failure to warn and to regulate speed.

FISCAL YEAR 1998-99

DEPARTMENT: Transportation - Highway Negligence Division

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dulecki v MDOT	\$55,000.00	\$0	State Trunkline Fund	Monroe	Failure to maintain due to potholes.
Gershman Transport v MDOT	\$9,500.00	\$0	State Trunkline Fund	St. Clair	Failure to maintain overpass bridge sign which fell.
Gonzalez v MDOT	\$7,500.00	\$0	State Trunkline Fund	Wayne	Impaired field of vision due to intersection design offset.
Hamilton v MDOT	\$80,000.00	\$0	State Trunkline Fund	Roscommon	Failure to maintain due to edge drop off.
Holtsberry v MDOT	\$15,000.00	\$0	State Trunkline Fund	Lapeer	Failure to warn and to regulate speed.
Jory v MDOT	\$601,821.91	\$1,821.91	State Trunkline Fund	Genesee	Improper sight distance; improper curves; ineffective traffic control devices.
Kowalski v MDOT	\$35,000.00	\$0	State Trunkline Fund	Oakland	Failure to maintain highway due to protruding pipe.
Lewis v MDOT	\$80,000.00	\$0	State Trunkline Fund	Oakland	Excessive speed limit; failure to warn of school; lack of traffic control devices.
Lowe v MDOT	\$117,500.00	\$0	State Trunkline Fund	Grand Traverse	Failure to maintain due to elevation differences and failure to warn.
Lyle-Loar v MDOT	\$500,000.00	\$0	State Trunkline Fund	Genesee	Lack of "No Left Turn" sign; lack of proper signing and traffic control devices.

FISCAL YEAR 1998-99

DEPARTMENT: Transportation - Highway Negligence Division

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
McGhee v MDOT	\$60,000.00	\$0	State Trunkline Fund	Calhoun	Improper design; lack of warning signs; lack of maintenance of surface lines and traffic control devices.
McGhee v MDOT	\$7,500.00	\$0	State Trunkline Fund	Calhoun	Improper design; lack of warning signs; lack of maintenance of surface lines and traffic control devices.
Moss v MDOT	\$3,500.00	\$0	State Trunkline Fund	Wayne	Failure to maintain and warn regarding potholes.
Polly v MDOT	\$20,000.00	\$0	State Trunkline Fund	Oakland	Signal facing wrong direction.
Seibert v MDOT	\$140,000.00	\$0	State Trunkline Fund	Monroe	Impaired vision due to vegetation; acute angle design; improper stop sign placement.
Shelton v MDOT	\$3,000.00	\$0	State Trunkline Fund	Wayne	Malfunctioning traffic signals and failure to provide barriers and warnings.
Skiba v MDOT	\$767,500.00	\$0	State Trunkline Fund	Genesee	Lack of left turn prohibitions and separate signal phases.
Smigiel v MDOT	\$1,000.00	\$0	State Trunkline Fund	Wayne	Traffic signal inoperative.

FISCAL YEAR 1998-99

DEPARTMENT: Transportation - Highway Negligence Division

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Suttles v MDOT	\$7,500.00	\$0	State Trunkline Fund	Genesee	Unnatural accumulation of snow due to plowing and failure to warn for same.
Tidwell v MDOT	\$25,000.00	\$0	State Trunkline Fund	Wayne	Failure to repair and warn regarding deteriorated highway surface.
Trausch v MDOT	\$200,000.00	\$0	State Trunkline Fund	Hillsdale	Lack of signal; failure to remove hazard; improper speed limit.
Wallis v MDOT	\$50,000.00	\$0	State Trunkline Fund	Livingston	Improper design and failure to maintain due to inadequate drainage system resulting in water accumulation on highway.
Wilde v MDOT	\$2,000.00	\$0	State Trunkline Fund	Huron	Failure to properly position stop sign and warn of intersection; T intersection preceded by railroad tracks.
Wiley v MDOT	\$27,500.00	\$0	State Trunkline Fund	Genesee	Improper sight distance; failure to straighten site; lack of warning; inadequate traffic control devices.
Wojcik v MDOT	\$220,000.00	\$0	State Trunkline Fund	Saginaw	Improper vehicle mounted attenuator; lack of demarcations and warnings; failure to close lane.
FY 1998-99 TOTAL:	\$4,721,421.91	\$1,821.91			

FISCAL YEAR 1998-99

DEPARTMENT: Transportation - Transportation Division

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
United States of America v MDOT	\$150,000.00	\$0	State Trunkline Fund	Clare	Friendly lawsuit - MDOT agreed to contribute to the environmental response costs for contamination of the Clare Water Supply Site.
Champagne-Webber, Inc. v MDOT	\$30,000.00	\$0	State Trunkline Fund	Washtenaw and Wayne	Contractor claimed defective plans and unforeseen conditions caused delay, overtime, etc; breach of contract.
J. Slagter & Son Construction v MDOT	\$18,500.00	\$0	State Trunkline Fund	Jackson	Contractor alleged MDOT wrongfully paid for bituminous patch removal by force account rather than unit price.
Angelo laFrate Construction Co.	\$155,000.00	\$0	State Trunkline Fund	Macomb	Contractor alleged improper central office review reduction; direct use of topsoil without payment; improper deletion of topsoil; and breach of contract.
FY 1998-99 TOTAL:	\$353,500.00	\$0			



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