

**FY 2011-12  
STATUS OF LAWSUITS  
INVOLVING THE STATE OF MICHIGAN**



**SENATE FISCAL AGENCY  
LANSING, MICHIGAN  
FEBRUARY 2013**

# 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.



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## **ACKNOWLEDGMENTS**

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## 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 \$76.1 million for judgments and settlements in fiscal year (FY) 2011-12. Of the 82 cases that resulted in payments, 19 were judgments totaling \$39.7 million, and 63 were settlements totaling \$36.4 million. Payments in FY 2011-12 were \$60.2 million higher than the \$15.9 million reported in FY 2010-11. This increase is mainly the result of four cases involving the refund of Single Business Tax and use tax payments. The State General Fund was the funding source for \$61.6 million (80.9%) of the FY 2011-12 payments.

Tables on pages 2, 3, and 4 provide a 10-year history (FY 2002-03 through FY 2011-12) 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 2011-12 payments by department. Table 5 on page 7 provides a history of highway negligence payments from FY 1983-84 through FY 2011-12. Table 6 on page 8 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 9 through 11 provide an overview of amounts received by the State.

The FY 2011-12 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	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Community Health	\$2,092,756	\$114,889	\$156,000	\$1,428,000	\$800,000	\$2,481,500	\$615,000	\$0	\$365,185	\$338,296
Corrections	1,788,948	1,672,725	3,007,509	904,749	612,097	4,886,697	450,134	14,676,073	10,571,572	15,503,188
Education	3,046,081	2,299,211	1,717,015	1,163,905	309,441	573,965	455,791	76,458	46,561	49,316
Human Services	144,597	447,237	224,861	227,007	1,355,000	287,750	6,609,260	1,433,783	1,243,304	572,415
State Police	1,075,239	842,330	264,900	323,702	1,617,738	2,544,330	31,090	89,529	263,296	711,482
Transportation	1,085,324	10,774,291	3,045,406	743,500	8,466,876	316,000	582,000	2,716,961	230,662	2,538,165
Treasury	269,000	120,632	82,011	254	0	2,046,531	2,087,042	111,752	939,330	55,432,447
Other Departments	1,000,372	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
<b>TOTAL</b>	<b>\$10,502,317</b>	<b>\$18,311,011</b>	<b>\$12,617,048</b>	<b>\$9,438,778</b>	<b>\$31,794,729</b>	<b>\$15,801,519</b>	<b>\$11,849,833</b>	<b>\$20,004,421</b>	<b>\$15,924,363</b>	<b>\$76,133,649</b>

Table 2

COURT JUDGEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Community Health	\$1,025,273	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Corrections	194,054	1,035,594	373,974	83,881	27,950	4,469	8,287	4,006	41,551	34,656
Education	3,046,081	2,287,211	1,717,015	1,159,905	309,441	210,965	455,791	76,458	46,561	49,316
Human Services	0	115,652	0	0	0	0	4,500	9,582	0	0
State Police	975,615	41,328	0	0	1,881	383	9,590	15,000	0	1,250
Transportation	360,000	0	0	0	0	0	0	0	0	0
Treasury	0	120,632	34,511	254	0	46,531	87,042	51,752	550,000	39,397,366
Other Departments	541,372	77,204	2,281,700	141,477	2,136,175	600	288,212	207,739	159,824	182,062
<b>TOTAL</b>	<b>\$6,142,395</b>	<b>\$3,777,621</b>	<b>\$4,407,200</b>	<b>\$1,385,517</b>	<b>\$2,475,447</b>	<b>\$262,948</b>	<b>\$853,422</b>	<b>\$364,537</b>	<b>\$797,936</b>	<b>\$39,664,650</b>

Table 3

COURT SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Community Health	\$1,067,483	\$14,889	\$156,000	\$1,428,000	\$800,000	\$2,481,500	\$615,000	\$0	\$365,185	\$338,296
Corrections	1,594,894	637,131	2,633,535	820,868	584,147	4,882,228	441,847	14,672,067	10,530,021	15,468,532
Education	0	12,000	0	4,000	0	363,000	0	0	0	0
Human Services	144,597	331,585	224,861	227,007	1,355,000	287,750	6,604,760	1,424,201	1,243,304	572,415
State Police	99,624	801,002	264,900	323,702	1,615,857	2,543,947	21,500	74,529	263,296	710,232
Transportation	725,324	10,774,291	3,045,406	743,500	8,466,876	316,000	582,000	2,716,961	230,662	2,538,165
Treasury	269,000	0	47,500	0	0	2,000,000	2,000,000	60,000	389,330	16,035,081
Other Departments	459,000	1,962,492	1,837,646	4,506,184	16,497,402	2,664,146	731,304	692,126	2,104,629	806,278
<b>TOTAL</b>	<b>\$4,359,922</b>	<b>\$14,533,390</b>	<b>\$8,209,848</b>	<b>\$8,053,261</b>	<b>\$29,319,282</b>	<b>\$15,538,571</b>	<b>\$10,996,411</b>	<b>\$19,639,884</b>	<b>\$15,126,427</b>	<b>\$36,468,999</b>

**PAYMENTS BY DEPARTMENTS**

Table 4 summarizes FY 2011-12 payments by department.

Table 4  
FY 2011-12  
PAYMENTS BY DEPARTMENT

DEPARTMENT	STATE PAYMENTS	PERCENT OF TOTAL
Corrections	\$15,503,188	20.4%
Environmental Quality	672,000	0.9
Human Services	572,415	0.8
State Police	711,482	0.9
Transportation	2,538,165	3.3
Treasury	55,432,447	72.8
Other Departments	703,952	0.9
<b>TOTAL</b>	<b>\$76,133,649</b>	<b>100.0%</b>

Corrections

The Department of Corrections made payments in 28 cases totaling \$15.5 million. Payments ranged from \$150 in two cases involving petitions for review (appeal of misconduct) to \$15.0 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.

## Environmental Quality

Payments by the Department of Environmental Quality (DEQ) consisted of two cases totaling \$672,000. One case, Richfield Landfill, Inc. et al., accounted for \$650,000 of the amount paid by the DEQ. This was the second payment by the DEQ in Richfield. The DEQ paid \$1.0 million for this case in FY 2010-11. The case involved the settlement of a regulatory taking claim that dated back to 1991. It was initiated by the previous owners of Richfield Landfill after the Department denied an operating license for an additional sanitary landfill cell that Richfield constructed.

## Human Services

The Department of Human Services made payments in 12 cases totaling \$572,415. Payments ranged from \$410 for a case involving an emergency homeless relocation assistance issue to \$199,999 in Crow v Rhone, a case alleging improper removal of children from home. The next-highest payment (\$128,000) resulted from a case alleging employment discrimination.

## State Police

The Department of State Police made payments in 12 cases totaling \$710,232. Two cases with payments totaling \$494,000 accounted for 69.4% of payments made by the Department in FY 2011-12. Payments ranged from \$250 in a case involving a Freedom of Information Act lawsuit to \$299,000 in Rouse v MSP, a case alleging disability discrimination. The next-highest payment was \$195,000 in Trethewey v Stimac, et al., a case alleging excessive force.

## Transportation

Michigan Department of Transportation (MDOT) payments in seven cases totaled \$2,538,165. Payments ranged from \$15,001 for a case brought under the Michigan Persons with Disabilities Civil Rights Act to \$845,357 for a breach of contract case, J. Slagter & Son Construction Co. v MDOT. Three breach of contract cases totaled \$1.8 million accounting for 70.5% of FY 2011-12 payments by MDOT. There were two cases alleging injuries due to defective highways. Both claims were motorcycle accidents. They included a \$654,000 payment in Steven Krystoff v MDOT and a \$25,000 payment in Michael Shipman v MDOT.

From FY 1983-84 through FY 2011-12, the State paid \$236.6 million resulting from 1,170 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 29 years, \$225.4 million was paid prior to FY 2000-01. The reduced level of cases and 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 2011-12.

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
<b>TOTAL</b>	<b>1,170</b>	<b>\$99,056,169</b>	<b>\$137,564,634</b>	<b>\$236,620,803</b>
Source: Senate Fiscal Agency Lawsuit Reports				

Treasury

The Department of Treasury made payments in nine cases totaling \$55.4 million. Of that amount, \$44.8 million (80.8%) resulted from payments in two cases: Ford Motor Company which involved a \$28.8 million use tax refund, and HP Enterprises, LLC, a \$16.0 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. Of the \$1,840,225 reported in FY 2011-12, \$531,665 resulted from Hannay v MDOT, an auto accident case involving an MDOT snowplow.

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		

## 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 2011-12
Attorney General	\$322,623,074.00
Corrections	2,891,132.02
Environmental Quality	5,212,587.56
Natural Resources	637,716.06
Transportation	1,472,883.26
Treasury	61,769,916.91
Other Departments	34,880.35
<b>TOTAL</b>	<b>\$394,642,190.16</b>

### Attorney General

Of the amount reported by the Department of Attorney General, approximately \$194.4 million resulted from annual payments under the Master Tobacco Settlement Agreement. The total FY 2011-12 amount received by the State in the Master Tobacco Settlement Agreement case was \$256.2 million. The difference (\$61.8 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 \$97.2 million from the joint State-Federal foreclosure settlement affecting five national mortgage loan servicers in United States v Bank of America Corporation. Other case recoveries reported by the Department of Attorney General resulted from health care fraud and consumer protection cases.

### Corrections

All of the payments listed by the Department of Corrections resulted from cases filed under the Prisoner Reimbursement Act. The Department reported 253 cases with payments totaling \$2.9 million. Payments ranged from \$25 to \$190,000. There were 127 cases with payments of less than \$5,000, accounting for \$269,147. Thirty-seven cases with payments over \$20,000 accounted for \$1.7

million (59.3%) of the amount received by the Department of Corrections. The median payment was \$4,900. Pursuant to Section 309 of the FY 2011-12 General Government appropriation act (Article VIII of Public Act 63 of 2011), 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, if the Department 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 \$5.2 million received by the Department of Environmental Quality involved reimbursement for environmental contamination. Recoveries in those cases are deposited into the Environmental Response Fund. A substantial number of the Environmental Response Fund settlements are restricted by legal agreements/Court Orders for specific environmental cleanup activities at specific sites of environmental contamination. There were also numerous cases that involved discharges made without a permit; these recoveries are deposited in the State General Fund. Of the 186 cases reported by the DEQ, 26 were judgments and 160 were settlements. In 162 cases, the payments were less than \$50,000 each, accounting for \$1,273,458 (24.4%). Twenty-four cases with payments of \$50,000 and above accounted for \$3,939,129 (75.6%) of the payments received by the Department of Environmental Quality in FY 2011-12. The largest payment reported was \$1,258,125, related to the administrative consent order in Ford Motor Company, involving River Raisin cleanup costs.

### Natural Resources

The \$637,716.06 reported by the Department of Natural Resources resulted from one case involving a multiyear settlement with Consumers Energy for fisheries damages 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 \$11.9 million.

### Transportation

Payments to the Michigan Department of Transportation included 22 cases totaling \$1,472,883.26. Payments ranged from \$25 to \$750,000. Most of the cases involved claims alleging damage to bridge overpasses, guardrails, signs, and other State property. Two cases accounted for \$1,050,000 (71.3%) of the amount received by MDOT in FY 2011-12. In MDOT v State Farm & Zurich, the State received \$750,000 related to damage of the 9-Mile Road overpass on I-75. In MDOT v Northland Insurance Co, the State

received \$300,000 for damage to the overpass on I-275 southbound at Born Road. Recoveries received by the State in MDOT cases are deposited in the State Trunkline Fund.

#### Treasury

The Department of Treasury reported \$256.2 million related to the Master Tobacco Settlement Agreement. Due to the amount reported by the Department of Attorney General, the amount listed under Department of Treasury in Table 6 reflects only the \$61.8 million that is allocated for debt service on the securitized portion of the Master Tobacco Settlement Agreement.

**FISCAL YEAR 2011-12**

DEPARTMENT: ATTORNEY GENERAL

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Poe, et al. v Granholm, et al.	\$55,000.00	\$0	General Fund	Statewide	Public Employment, Education, and Tort Division - Attorney fees paid to Legal Aid of West Michigan and American Civil Liberties Union of Michigan.
<b>FY 2011-12 TOTAL:</b>	<b>\$55,000.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: CIVIL SERVICE COMMISSION

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Richard Harter	\$3,978.00	\$0	General Fund	Ingham	Resolution of dispute by dismissed employee.
<b>FY 2011-12 TOTAL:</b>	<b>\$3,978.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: COMMUNITY HEALTH

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
MP & AS v O'Dazzo	\$350.00	\$0	General Fund	Ingham	Freedom of Information Act (FOIA) violation. Failure to promptly provide records requested by MP & AS from Walter Reuther Hospital.
Bazian, Annette v MDCH	108,700.00	0	General Fund	Wayne	Plaintiff alleged DCH violated Persons with Disabilities Civil Rights Act when it placed her on medical layoff and denied her request for accommodation. Plaintiff also alleged retaliation in violation of workers' comp. law.
Coloma Emergency Medical Services v MDCH	20,000.00	0	General Fund	Ingham	Mandamus Action. Plaintiff claimed DCH failed to conduct the required denial justification review of plaintiff's application. Plaintiff claimed loss of profits while waiting denial justification review.
Crawley v Corrigan	209,245.50	0	50% Medicaid/ 50% General Fund	Statewide	Class Action lawsuit regarding Medicaid beneficiaries who were terminated for FIP benefits.
<b>FY 2011-12 TOTAL:</b>	<b>\$338,295.50</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

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, et al.	\$210.00	\$0	General Fund	Chippewa	Visits - alleged he had been placed on visitor restriction twice for the same major misconduct conviction of substance abuse.
Colvin, Kenneth v Patricia Caruso, et al.	881.85	0	General Fund	Alger	Religion - alleged he was not placed back on a kosher meal diet in a timely manner.
Heard, Lamont v Patricia Caruso, et al.	4,154.39	0	General Fund	Chippewa	Religion - denial of kosher meal diet.
Ortiz, Manuel v MDOC	150.00	0	General Fund	Lapeer	Costs - Petitions for Review - appeal of misconduct.
Selby, Charles v Patricia Caruso, et al.	462.50	0	General Fund	Marquette	Security Classification - plaintiff alleged he had been in administrative segregation for an inordinate amount of time.
Siggers, Darrell A. v Ellen Campbell, et al.	475.19	0	General Fund	Wayne	Costs - Access to Courts - plaintiff alleged legal documents were wrongfully rejected.
Shavers, Michael v MDOC	150.00	0	General Fund	Marquette	Costs - Petitions for Review - appeal of misconduct.
Tanner, Hattie Mae v Katrina Borthwell, et al.	28,172.53	0	General fund	Wayne	Access to Courts - alleged defendants caused a delay in her "Notice of Appeal" being forwarded to the court in an untimely manner (cost - \$1169.45).
<b>FY 2011-12 TOTAL:</b>	<b>\$34,656.46</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Alspaugh v Kirt Kangas, et al.	\$4,150.00	\$0	General Fund	Marquette	Medical - alleged deliberate indifference to medical needs.
Annabel, Robert v Patricia Caruso, et al.	350.00	0	General Fund	Ionia	Religion - alleged he was denied religious diet and literature.
Arrington, Stanley, et al. v MDOC	130,000.00	0	General Fund	Washtenaw	Discrimination - plaintiff alleged discrimination and retaliation due to race.
Bonnell, Jeremy v Dave Burnett, et al.	3,500.00	0	General Fund	Macomb	Religion - alleged wrongful denial of a kosher diet.
Cobbs, Dallas v George J Pramstaller, et al.	2,000.00	0	General Fund	Wayne	Medical - plaintiff claimed he was denied eye surgery.
Duch, Catherine v MDOC	75,000.00	0	General Fund	Oakland	Discrimination - allegations based on race, gender, and national origin.
Durr, Kamar v CMS, et al.	21,000.00	0	General Fund	Branch	Medical - plaintiff alleged delay in medical treatment.
Garvins, Anthony v Gerald Hofbauer, et al.	16,750.00	0	General Fund	Marquette	Conditions of Confinement - alleged he was denied tobacco-free housing.
Green, Virgil v Shirley Harry, Henry Bradley	1,500.00	0	General Fund	Muskegon Montcalm	Religion - alleged he was not being afforded religious opportunities because his religion is Sunni Muslim. Harassment - alleged he was retaliated against by staff. Harassment - alleged he was fired from his position in the kitchen because he would not handle pork as it is against his religion.
Hollis, Corneilius v Willie O. Smith, et al.	92,000.00	0	General Fund	Ionia	Harassment - alleged harassment by staff.
Kondyles, Alveno v MDOC	20,000.00	0	General Fund	Lapeer	Employee - Other - alleged termination due to lost time as a result of a work-related injury.

**FISCAL YEAR 2011-12**

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
McConnell, Kyle v Margaret Sharpe, et al.	20,000.00	0	General Fund	Wayne	Medical - claimed deliberate indifference to medical needs.
McNabb, Kerry v Timothy Kipp, et al.	1,500.00	0	General Fund	Montcalm	Property - alleged wrongful confiscation of a tape player and headphones.
Neal, et al. v MDOC/Anderson, et al. v MDOC, et al.	15,000,000.00	0	General Fund	Washtenaw	Failure to protect - Prisoners - third of 6 installment payments to be made 10/2009-10/2014.
Norris, Tonny v Daniel Eicher, et al.	500.00	0	General Fund	Chippewa	Discrimination - alleged a weapon was planted in his cell by staff because of his religion and race.
Ohman v MDOC	20,000.00	0	General Fund	Gogebic	Employee - Other - alleged wrongful termination.
Ostrovich, Steven v MDOC, et al.	52,500.00	0	General Fund	Washtenaw	Employee - Other - alleged wrongfully charged with use of excessive force.
Pasley, Lynn v Unknown Oliver, et al.	2,500.00	0	General Fund	Muskegon	Harassment - alleged harassment by staff.
Stewart, Henry v MDOC	282.46	0	General Fund	Gratiot	Petition for Judicial Review - appeal of misconduct.
Trethewey, Michael v Shawn Stimac, et al.	5,000.00	0	General Fund	Genesee	Use of Force - plaintiff alleged excessive force.
<b>FY 2011-12 TOTAL:</b>	<b>\$15,468,532.46</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

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	\$49,316.00	\$0	State School Aid Fund	Berrien	Pupil transportation desegregation.
<b>FY 2011-12 TOTAL:</b>	<b>\$49,316.00</b>	<b>\$0</b>			

FISCAL YEAR 2011-12

DEPARTMENT: ENVIRONMENTAL QUALITY

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Richfield Landfill, Inc., et al.	\$650,000.00	\$0	Scrap Tire Regulatory Fund	Genesee	Contract dispute.
Genmar Michigan, LLC	22,000.00	0	Air Quality, Environmental Pollution Prevention, and Stormwater Permit Funds	Cadillac	Bankruptcy - return of fees.
<b>FY 2011-12 TOTAL:</b>	<b>\$672,000.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: HUMAN SERVICES

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Anderson v DHS, et al.	\$128,000.00	\$0	General Fund	Genesee	Employment discrimination.
Mary Smith v DHS	410.00	0	N/A	Ingham	Emergency homeless relocation assistance issue.
Victoria Chapman v BCAL	1,500.00	0	Federal Title XX Block Grant	Ingham	Licensing dispute.
Crow v Rhone	199,999.00	0	General Fund	Wayne	Claimed improper removal of children from home.
Lethbridge v University Family Phys., et al.	50,000.00	0	General Fund	Wayne	Death of child while in foster care.
Schlaud v Snyder, et al.	25,000.00	0	Federal Funds	Statewide	Would-be class action - unionization of day care providers.
In re Brighter Beginnings	19,000.00	0	Federal Funds	Shiawassee	Bankruptcy - failure to submit payments to trustee.
Williams v Burton	30,000.00	0	General Fund	Genesee	Claimed improper removal of child from home.
Guidry v DHS	30,000.00	0	Federal Funds-68% General Fund-32%	Van Buren	Claim that DHS improperly removed child from home.
Mendenhall v DHS	1,295.00	0	Federal Funds	Ingham	Employment discrimination based on disability.
Kelly, et al. v Corrigan	30,211.27	0	General Fund	Statewide	Attorney fees; would-be class action seeking to block termination of FIP benefits based on the 60-month group composition policy.
Dewayne B. v Snyder, et al.	57,000.00	0	General Fund	Statewide	Attorney fees; class action lawsuit regarding the Michigan foster care system.
<b>FY 2011-12 TOTAL:</b>	<b>\$572,415.27</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

**DEPARTMENT: LICENSING AND REGULATORY AFFAIRS**

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Alia Bahooora v State of Michigan	\$70,000.00	\$0	Insurance Bureau Fund	Wayne	Settlement related to action the State took against Alia Bohoora's insurance license.
<b>FY 2011-12 TOTAL:</b>	<b>\$70,000.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: NATURAL RESOURCES

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Allegan Co. Drain Commissioner, et al. v DNR	\$25,714.64	\$0	General Fund	Allegan, Berrien, and other counties	Lake level assessments for State-owned property.
Platte Lake Improvement Assoc. v DNR	156,187.50	0	Game & Fish Protection Fund - General Purpose	Benzie	Support of court-appointed expert pursuant to consent judgment dated March 10, 2000 regarding effluent discharge from State hatchery.
<b>FY 2011-12 TOTAL:</b>	<b>\$181,902.14</b>	<b>\$0</b>			

FISCAL YEAR 2011-12

DEPARTMENT: NATURAL RESOURCES

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
NcNeely Law Office v DNR	\$5,300.00	\$0	Game & Fish Protection Fund - General Purpose	Kent	FOIA-related claim compelling release of certain public records; award of attorney fees.
<b>FY 2011-12 TOTAL:</b>	<b>\$5,300.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: STATE

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Township of Canton v Secretary of State	\$160.00	\$0	Michigan Transportation Fund	Wayne	False alarm of the Canton Branch's fire alarm.
<b>FY 2011-12 TOTAL:</b>	<b>\$160.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

**DEPARTMENT: STATE POLICE**

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Buhrie v MSP	\$250.00	\$0	General Fund	Macomb	Freedom of Information Act lawsuit.
Dupuis v Charlevoix County Concealed Weapons Licensing Board	1,000.00	0	General Fund	Charlevoix	Gun Board lawsuit.
<b>FY 2011-12 TOTAL:</b>	<b>\$1,250.00</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: STATE POLICE

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Fahl v MSP	\$4,500.00	\$0	General Fund	Kalkaska	Freedom of Information Act lawsuit.
Rouse v MSP	299,000.00	0	General Fund	Ingham	Disability discrimination lawsuit.
Trethewey v Stimac, et al.	195,000.00	0	General Fund	Genesee	Excessive force lawsuit.
Hart v MSP	716.75	0	General Fund	Isabella	Search warrant lawsuit.
Pershell v Martin, et al.	40,000.00	0	General Fund	Berrien	Assault and battery lawsuit.
Avery v Taylor, et al.	12,500.00	0	General Fund	Wayne	Excessive force lawsuit.
Kuslick v Roszczewski	62,500.00	0	General Fund	Iosco	Malicious prosecution lawsuit.
Constitutional Litigation Associates v MSP	1,014.93	0	General Fund	Jackson	Freedom of Information Act lawsuit.
Hammond v O'Connor	20,000.00	0	General Fund	Ingham	False arrest lawsuit.
Moore v Bannon, et al.	75,000.00	0	General Fund	Otsego	Deprivation of rights lawsuit.
<b>FY 2011-12 TOTAL:</b>	<b>\$710,231.68</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: TRANSPORTATION

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
J. Slagter & Son Construction Co. v MDOT	\$845,357.00	\$0	State Trunkline Fund	Ionia	Breach of contract; dispute over contractual payment method.
Walter Toebe Construction Co. v MDOT	700,000.00	0	State Trunkline Fund	Kent	Breach of contract; additional costs associated with the delayed structural steel delivery.
Bussard v MDOT and Armistead	15,001.00	0	State Trunkline Fund	Ingham	Plaintiff claimed disability under the Michigan Persons with Disabilities Civil Rights Act and alleged that MDOT did not reasonably accommodate her.
Steven Krystoff v MDOT	654,000.00	0	State Trunkline Fund	Macomb	Plaintiff claimed permanent injuries due to motorcycle accident caused by highway defect on Gratiot Avenue (M-19).
Michael Shipman v MDOT	25,000.00*	0	State Trunkline Fund	Macomb	Plaintiff claimed serious injuries due to motorcycle accident caused by highway defect on Groesbeck Road.
M & M Excavating v MDOT	243,806.80	0	State Trunkline Fund	Otsego	Breach of contract; disputed quantity and value of additional work.
Julie Townsend v MDOT	55,000.00	0	State Trunkline Fund	Ingham	Plaintiff sued MDOT for discrimination and retaliation under both the Michigan Persons with Disabilities Civil Rights Act and the Americans with Disabilities Act.
<b>FY 2011-12 TOTAL:</b>	<b>\$2,538,164.80</b>	<b>\$0</b>			

\*Paid in December, 2011 against a Payable set up in FY 2010-11.

**FISCAL YEAR 2011-12**

DEPARTMENT: TREASURY

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Ford Motor Company	6,756,618.67	0	General Fund	Ingham	Adjustment due to court order - Single Business Tax refund.
Ford Motor Company	3,845,928.15	0	General Fund/School Aid Fund	Ingham	Use tax refund based on Case #06-104-MT as amended Nov. 21, 2011.
Ford Motor Company (Ford Parts & Services Division)	28,776,594.44	0	General Fund/School Aid Fund	Ingham	Adjustment due to court order use tax.
Andrew Allan Paterson, Jr.	9,801.75	0	General Fund	Ingham	Open Meetings Act violations. Plaintiff's court cost and attorney fees.
Andrew Allan Paterson, Jr.	8,422.50	0	General Fund	Ingham	Open Meetings Act violations. Plaintiff's court cost and attorney fees.
<b>FY 2011-12 TOTAL:</b>	<b>\$39,397,365.51</b>	<b>\$0</b>			

**FISCAL YEAR 2011-12**

DEPARTMENT: TREASURY

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Blackstone Mineral Company	\$1,867.32	\$0	Land Reutilization Fund	Antrim	Severed oil and gas interests.
HP Enterprises Services, LLC	16,000,000.00	0	General Fund	Ingham	Single Business Tax refund.
Lokeshwari Naga	30,000.00	0	IDG-levy/Warrant Cost Assessment Fees	Ingham	Agreement to release funds levied from Charles Brokerage account.
Davis, Robert v Michigan Gaming Control Board	3,214.00	0	Michigan Gaming Control Board State Restricted	Ingham	Open Meetings Act violation.
<b>FY 2011-12 TOTAL:</b>	<b>\$16,035,081.32</b>	<b>\$0</b>			