

**STATUS OF LAWSUITS
INVOLVING THE STATE OF MICHIGAN
FY 2007-08 UPDATE**



**SENATE FISCAL AGENCY
LANSING, MICHIGAN
FEBRUARY 2009**

THE SENATE FISCAL AGENCY

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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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TABLE OF CONTENTS

OVERVIEW	1
TABLE 1 TOTAL PAYMENTS BY DEPARTMENT FY 1998-99 THROUGH FY 2007-08.....	2
TABLE 2 JUDGMENTS PAID BY DEPARTMENT FY 1998-99 THROUGH FY 2007-08	3
TABLE 3 SETTLEMENTS PAID BY DEPARTMENT FY 1998-99 THROUGH FY 2007-08.....	4
TABLE 4 FY 2007-08 NUMBER OF CASES AND PAYMENTS BY DEPARTMENT	5
FIGURE 1 HIGHWAY NEGLIGENCE PAYMENTS FY 1983-84 THROUGH FY 2007-08	8
FIGURE 2 HIGHWAY NEGLIGENCE CASES RESULTING IN PAYMENTS FY 1983-84 THROUGH FY 2007-08.....	9
TABLE 5 RISK MANAGEMENT FUND AUTOMOTIVE LIABILITY PAYMENTS	10
TABLE 6 PAYMENTS TO THE STATE OF MICHIGAN.....	11

LISTING OF CASES RESULTING IN PAYMENTS DURING FY 2007-08

ATTORNEY GENERAL	13
COMMUNITY HEALTH.....	14
CORRECTIONS	15
EDUCATION.....	19
ENVIRONMENTAL QUALITY	21
HUMAN SERVICES.....	22
INFORMATION TECHNOLOGY	23
JUDICIARY.....	24
LABOR AND ECONOMIC GROWTH.....	25
MANAGEMENT & BUDGET	26
NATURAL RESOURCES.....	27
STATE.....	29
STATE POLICE	30
TRANSPORTATION.....	32
TREASURY	33

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 \$15.8 million for judgments and settlements in fiscal year (FY) 2007-08. Of the 89 cases that resulted in payments, 14 were judgments totaling \$262,948, and 75 were settlements totaling \$15.5 million. Payments in FY 2007-08 were \$16.0 million lower than the \$31.8 million reported in FY 2006-07. (Fiscal year 2006-07 payments included \$15.1 million resulting from the refund of the Federal contribution to the Health Advance Financing Sub-Account.) The State General Fund was the funding source for \$13.3 million (84.3%) of the FY 2007-08 payments.

Tables on pages 2, 3, and 4 provide a 10-year history (FY 1998-99 through FY 2007-08) 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 2007-08 cases and payments by department. Table 5 on page 10 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 6 and information following on pages 11 and 12 provide an overview of amounts received by the State.

The FY 2007-08 reports submitted by State departments and agencies on payments made by the State follow beginning on page 13. 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	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
Agriculture	\$0	\$133,058	\$789	\$12,500	\$116,416	\$0	\$7,500	\$12,384	\$0	\$0
Attorney General	0	0	100,000	83,308	297,000	0	0	0	182,349	415,000
Civil Rights	0	0	0	0	0	0	0	0	0	0
Civil Service	0	0	0	0	0	0	0	0	0	0
Community Health	659,922	149,088	106,000	387,750	2,092,756	114,889	156,000	1,428,000	800,000	2,481,500
CIS	178,460	19,459	1,917,304	0	3,000					
Corrections	1,780,090	5,465,079	5,371,081	3,380,386	1,788,948	1,672,725	3,007,509	904,749	612,097	4,886,697
Education	1,705,551	1,628,259	1,368,306	2,123,500	3,046,081	2,299,211	1,717,015	1,163,905	309,441	573,965
Environmental Quality	10,998	1,516,756	0	0	276,893	738,250	3,541	1,180,073	2,504,987	4,046
Executive	0	0	0	0	0	0	0	0	0	0
History, Arts, & Libraries				1,000	0	0	0	0	0	0
Human Services	320,938	107,311	1,520,345	339,422	144,597	447,237	224,861	227,007	1,355,000	287,750
Information Technology				0	0	0	0	0	0	799,130
Judiciary	10,000	0	0	0	0	0	0	0	0	80,000
Labor & Econ. Growth						503,067	2,273,159	0	51,500	430,538
Lottery	17,565	1,500	0	0	0	0	0	0	0	0
Management & Budget	75,000	22,500	1,611,654	308,641	0	0	735,000	2,769,000	15,156,515	572,725
MI Strategic Fund	0	0	0	0	0	0	0	0	0	0
Military Affairs	90,000	0	8,793	0	0	0	0	0	0	0
Natural Resources	1,872,915	17,787,910	299,756	47,177	307,063	796,280	1,095,146	182,204	252,446	308,307
State	101,460	36,400	1,000	150	0	2,099	5,000	504,000	485,780	55,000
State Police	787,057	513,664	875,572	1,424,855	1,075,239	842,330	264,900	323,702	1,617,738	2,544,330
Transportation	5,074,922	13,046,755	1,396,360	1,897,922	1,085,324	10,774,291	3,045,406	743,500	8,466,876	316,000
Treasury	0	107,659	0	180,000	269,000	120,632	82,011	254	0	2,046,531
TOTAL:	\$12,684,878	\$40,535,398	\$14,576,960	\$10,186,611	\$10,502,317	\$18,311,011	\$12,617,048	\$9,438,778	\$31,794,729	\$15,801,519

Table 2

COURT JUDGMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
Agriculture	\$0	\$0	\$789	\$0	\$116,416	\$0	\$0	\$0	\$0	\$0
Attorney General	0	0	100,000	81,808	0	0	0	0	0	0
Civil Rights	0	0	0	0	0	0	0	0	0	0
Civil Service	0	0	0	0	0	0	0	0	0	0
Community Health	310,422	21,633	1,000	250	1,025,273	100,000	0	0	0	0
CIS	160,000	0	417,304	0	3,000					
Corrections	627,851	428,729	3,106,093	1,067,178	194,054	1,035,594	373,974	83,881	27,950	4,469
Education	1,684,540	1,628,259	1,368,306	2,123,500	3,046,081	2,287,211	1,717,015	1,159,905	309,441	210,965
Environmental Quality	10,998	1,516,756	0	0	114,893	750	3,541	64,073	2,105,395	0
Executive	0	0	0	0	0	0	0	0	0	0
History, Arts, & Libraries				0	0	0	0	0	0	0
Human Services	0	764	0	8,682	0	115,652	0	0	0	0
Information Technology				0	0	0	0	0	0	0
Judiciary	0	0	0	0	0					
Labor & Econ. Growth						68,567	2,273,159	0	30,000	0
Lottery	0	0	0	0	0	0	0	0	0	0
Management & Budget	0	22,500	1,611,654	78,641	0	0	0	0	0	0
MI Strategic Fund	0	0	0	0	0	0	0	0	0	0
Military Affairs	0	0	0	0	0	0	0	0	0	0
Natural Resources	409,888	1,537,910	152,162	0	307,063	5,788	0	77,404	0	600
State	0	0	0	150	0	2,099	5,000	0	780	0
State Police	0	0	0	0	975,615	41,328	0	0	1,881	383
Transportation	0	2,875,000	0	0	360,000	0	0	0	0	0
Treasury	0	0	0	0	0	120,632	34,511	254	0	46,531
TOTAL:	\$3,203,699	\$8,031,551	\$6,757,308	\$3,360,209	\$6,142,395	\$3,777,621	\$4,407,200	\$1,385,517	\$2,475,447	\$262,948

Table 3

SETTLEMENTS PAID BY THE STATE										
(Actual Dollars)										
DEPARTMENT	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
Agriculture	\$0	\$133,058	\$0	\$12,500	\$0	\$0	\$7,500	\$12,384	\$0	\$0
Attorney General	0	0	0	1,500	297,000	0	0	0	182,349	415,000
Civil Rights	0	0	0	0	0	0	0	0	0	0
Civil Service	0	0	0	0	0	0	0	0	0	0
Community Health	349,500	127,455	105,000	387,500	1,067,483	14,889	156,000	1,428,000	800,000	2,481,500
CIS	18,460	19,459	1,500,000	0	0	0	0	0	0	0
Corrections	1,152,239	5,036,350	2,264,988	2,313,208	1,594,894	637,131	2,633,535	820,868	584,147	4,882,228
Education	21,011	0	0	0	0	12,000	0	4,000	0	363,000
Environmental Quality	0	0	0	0	162,000	737,500	0	1,116,000	399,592	4,046
Executive	0	0	0	0	0	0	0	0	0	0
History, Arts, & Libraries				1,000	0	0	0	0	0	0
Human Services	320,938	106,547	1,520,345	330,740	144,597	331,585	224,861	227,007	1,355,000	287,750
Information Technology				0	0	0	0	0	0	799,130
Judiciary	10,000	0	0	0	0	0	0	0	0	80,000
Labor & Econ. Growth						434,500	0	0	21,500	430,538
Lottery	17,565	1,500	0	0	0	0	0	0	0	0
Management & Budget	75,000	0	0	230,000	0	0	735,000	2,769,000	15,156,515	572,725
MI Strategic Fund	0	0	0	0	0	0	0	0	0	0
Military Affairs	90,000	0	8,793	0	0	0	0	0	0	0
Natural Resources	1,463,027	16,250,000	147,594	47,177	0	790,492	1,095,146	104,800	252,446	307,707
State	101,460	36,400	1,000	0	0	0	0	504,000	485,000	55,000
State Police	787,057	513,664	875,572	1,424,855	99,624	801,002	264,900	323,702	1,615,857	2,543,947
Transportation	5,074,922	10,171,755	1,396,360	1,897,922	725,324	10,774,291	3,045,406	743,500	8,466,876	316,000
Treasury	0	107,659	0	180,000	269,000	0	47,500	0	0	2,000,000
TOTAL:	\$9,481,179	\$32,503,847	\$7,819,652	\$6,826,402	\$4,359,922	\$14,533,390	\$8,209,848	\$8,053,261	\$29,319,282	\$15,538,571

PAYMENTS BY DEPARTMENTS

Table 4 summarizes the number of cases and payments by department.

Table 4
FY 2007-08
NUMBER OF CASES AND PAYMENTS BY DEPARTMENT

DEPARTMENT	NUMBER OF CASES	PERCENT OF TOTAL	STATE PAYMENTS	PERCENT OF TOTAL
Attorney General	3	3.4	\$415,000	2.6
Community Health	6	6.7	2,481,500	15.7
Corrections	34	38.2	4,886,697	30.9
Education	3	3.4	573,965	3.6
Information Technology	2	2.2	799,130	5.1
Labor and Economic Growth	3	3.4	430,538	2.7
Management & Budget	1	1.1	572,725	3.6
Natural Resources	4	4.5	308,307	2.0
State Police	16	18.0	2,544,330	16.1
Transportation	5	5.6	316,000	2.0
Treasury	3	3.4	2,046,531	13.0
Other Departments	9	10.1	426,796	2.7
TOTAL:	89	100.0	\$15,801,519	100.0

Attorney General

Payments by the Department of Attorney General resulted from settlements for plaintiffs' attorney fees and costs. The largest payment was \$337,500 in Northland v Cox.

Community Health

The Department of Community Health made payments in six cases totaling \$2.5 million. Two cases accounted for approximately 86.9% of the amount paid by the Department. Its largest payment was \$1,432,500 in Souders v MDCH. The total amount paid by the State in Souders was just under \$2.9 million. The Department of Corrections paid the balance of the amount in the Souders case. In Ward v Kalamazoo Psychiatric Hospital, et al., a case alleging the wrongful death of a patient, the State paid \$725,000.

Corrections

The Department of Corrections made payments in 34 cases totaling \$4.9 million. Six cases with payments over \$100,000 each accounted for 93.8% of the total amount paid by the Department in FY 2007-08. Payments ranged from \$17.20 in Palmer v MDOC, a case involving costs related to a petition for review, to \$2,250,000 in Clark-Murphy v Foreback, et al., which involved the death of a prisoner. The Department also paid \$1.4 million in Souders (described under Department of Community Health).

Education

Payments by the Department of Education consisted mainly of \$210,964 related to the Berry v Benton Harbor school desegregation case and \$350,000 for a contract dispute involving the distribution of USDA food commodities in Northern Warehousing v State of Michigan.

Information Technology

The Department of Information Technology reported payments in two cases totaling \$799,130. The Department paid \$499,130 related to a determination concerning the Federal share of billings in excess of costs for computer services. The Department also paid \$300,000 resulting from a dispute concerning the license terms of software applications used by the Department of Information Technology and the Department of State.

Labor and Economic Growth

Most of the amount paid by the Department of Labor and Economic Growth resulted from two cases. In Petersen v DLEG, the Department paid \$140,000 in a settlement related to the abolishment of an employee's civil service position. The Department paid \$288,538 in Re: DeVos, which involved the mutual rescission of an employment contract.

Management and Budget

Payments by the Department of Management and Budget resulted from a settlement involving an audit determination for the Federal share of rebates received by the State in a contract revenue program.

Natural Resources

The Department of Natural Resources made payments in four cases totaling \$307,707. Of that amount, \$299,000 (97.2%) was from a case involving alleged employee discrimination, Copeland-Morgan v DNR.

State Police

Payments for 16 cases by the Department of State Police totaled \$2.5 million. Payments ranged from \$197 in an abandoned vehicle lawsuit to \$1,950,000 in a case involving a fatal vehicle accident, Estate of Wallace v MSP. The amount paid by the State in Wallace totaled nearly \$3.0 million. Along with the State Police payment, \$1.0 million was paid by the State's Risk Management Fund. Other large payments by the Department included \$150,000 in a racial discrimination suit and \$300,000 in a lawsuit involving the use of deadly force.

Transportation

Michigan Department of Transportation (MDOT) payments in five cases totaled \$316,000. Fiscal year 2007-08 payments ranged from \$3,500 to \$155,000. Four highway negligence cases accounted for \$246,000 of MDOT payments in FY 2007-08. This is the lowest amount paid for highway negligence over the last 25 years. From FY 1983-84 through FY 2007-08, the State paid \$232.4 million resulting from 1,164 highway negligence cases. Total payments and the number of cases resulting from highway negligence litigation have declined dramatically over recent years. 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. Figure 1 delineates highway negligence payments attributed to each fiscal year from FY 1983-84 through FY 2007-08. Figure 2 displays the declining number of cases resulting in payments.

Treasury

The Department of Treasury made payments in three cases totaling \$2,046,531. Of that amount, \$2.0 million resulted from the case of Black Stone Minerals Co., L.P. v Michigan Department of Treasury, which involved severed oil and gas interests.

Figure 1

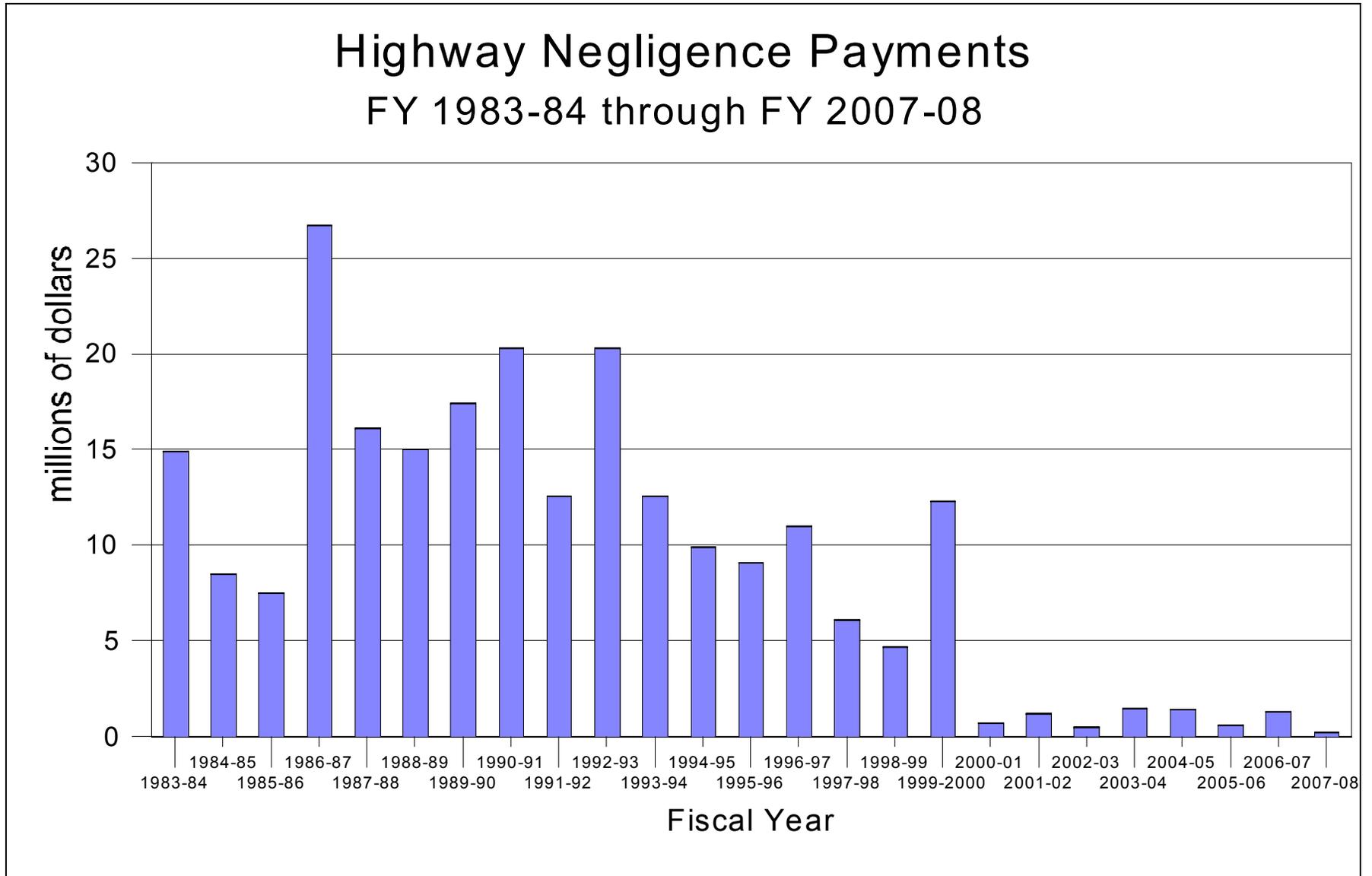
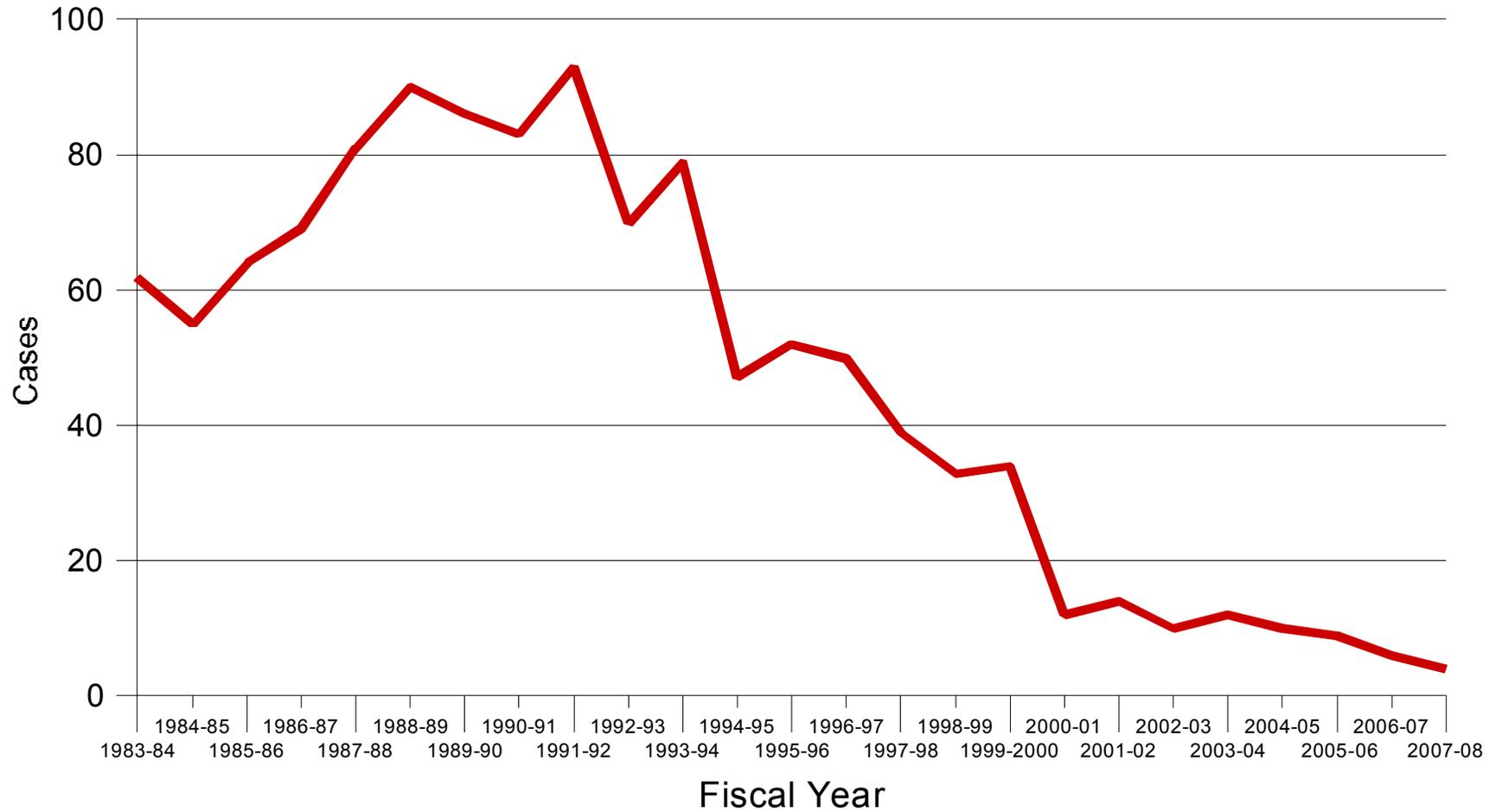


Figure 2

Highway Negligence Cases Resulting in Payments FY 1983-84 through FY 2007-08



RISK MANAGEMENT FUND

The Risk Management Fund was administratively established to account for specific centralized risk management functions performed by the Department of Management and Budget for all State agencies. 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 5](#) 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 5

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

PAYMENTS TO THE STATE OF MICHIGAN

The following table provides a summary of FY 2007-08 lawsuit payments to the State as reported by departments pursuant to Section 396(3) of The Management and Budget Act.

Table 6

TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID TO THE STATE (Actual Dollars)	
DEPARTMENT	FY 2007-08
Attorney General	\$269,091,508
Community Health	125,000
Corrections	3,005,640
Environmental Quality	14,139,808
Transportation	2,597,520
Treasury	66,778,285
TOTAL:	\$355,737,761

Attorney General

Of the amount reported by the Department of Attorney General, \$251.5 million resulted from annual payments under the Master Tobacco Settlement Agreement. The total FY 2007-08 amount received by the State in this case was \$290.2 million. The difference, \$38.7 million, was reported by the Department of Treasury. Most of the remaining payments to the Department of Attorney General resulted from consumer protection and health care fraud cases.

Community Health

The payment reported by the Department of Community Health involved the recovery of the cost of care in Keel v MDCH.

Corrections

All of the payments listed by the Department of Corrections resulted from cases filed under the Prisoner Reimbursement Act. The Department reported 307 cases with net payments totaling just over \$3.0 million. One hundred and sixty-two cases had payments of

less than \$5,000 each. Eighteen cases with payments over \$30,000 each accounted for \$1.2 million. The largest payment was \$230,182. Pursuant to Section 309 of the FY 2008-09 General Government appropriation bill, the Department of Attorney General receives an appropriation of \$463,000 from the prisoner reimbursement funds to support activities related to the State Correctional Facilities Reimbursement Act, Public Act 253 of 1935, MCL 800.401 to 800.406. In addition, if the Department collects 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, is appropriated to the Department of Attorney General and may 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 \$14.1 million received by the Department of Environmental Quality was related to cases involving reimbursement for environmental contamination. Recoveries in those cases are deposited into the Environmental Response Fund. Numerous cases involved discharges made without a permit; these recoveries are deposited in the State General Fund. Of the 386 cases with payments to the State, 321 involved payments of less than \$25,000 each. Nineteen cases with payments over \$100,000 each accounted for \$10.7 million (75.8%) of the payments received by the Department of Environmental Quality in FY 2007-08. The largest payment was \$4.1 million in Allied Paper/Portage Creek/Kalamazoo River, a case involving reimbursement for environmental contamination.

Transportation

Payments to the Michigan Department of Transportation involved 32 cases totaling \$2.6 million. Twenty-eight cases with payments totaling \$969,775 involved claims alleging damage to bridge overpasses, guardrails, signs, and other State property. A case involving breach of contract and defective highway design (MDOT v Teng) resulted in a \$1.6 payment to the Michigan Department of Transportation.

Treasury

The Department of Treasury received payments totaling \$66.8 million from two cases. Of the amounts reported, \$38.7 million was the amount paid from the portion of the Master Tobacco Settlement Agreement allocated for debt service on the securitized portion of the funds. The State received a total of \$290.2 million related to the Master Tobacco Settlement Agreement in FY 2007-08. The Department of Attorney General included \$251.5 in its report of lawsuit payments to the State. The other payment reported by the Department of Treasury was \$28.1 million in the State of Michigan v Little River Band of Ottawa Indians. The case involved the Tribe's payment to the Michigan Strategic Fund of 8% of net winnings from electronic games of chance.

FISCAL YEAR 2007-08

DEPARTMENT: ATTORNEY GENERAL

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
RE: Katie Anne Platte	\$75,000.00	\$0	General Fund	Wayne	Plaintiff's attorney fees and costs.
Northland v Cox	337,500.00	0	General Fund	Wayne	Plaintiff's attorney fees and costs.
Jerome D. Goldberg, PLLC	2,500.00	0	General Fund	Wayne	Plaintiff's attorney fees and costs.
FY 2007-08 TOTAL:	\$415,000.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: COMMUNITY HEALTH

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Ward, Corbin v Kalamazoo Psychiatric Hospital, et al.	\$725,000.00	\$0	General Fund	Kalamazoo	Wrongful death of patient.
Seagraves, Henry, et al. v Graman, et al.	35,000.00	0	General Fund	Isabella	Injury of patient.
Hoey, Corrie M., et al. v Cardasis, et al.	185,000.00	0	General Fund	Genesee	Wrongful death of patient.
Souders, Timothy, et al. v MDCH, et al.*	1,432,500.00	0	General Fund	Jackson	Settlement regarding death of prisoner.
Hume, Diane v Forensic Center	29,000.00	0	General Fund	Washtenaw	Complaint for injunctive relief (employment).
Westside Mothers, et al. v Haveman	75,000	0	General Fund	Statewide	Access to health care issues - attorney fees.

FY 2007-08 TOTAL: \$2,481,500.00 \$0

*Department of Community Health portion of settlement. The Department of Corrections also made a payment of \$1,432,599 in this case.

FISCAL YEAR 2007-08

DEPARTMENT: CORRECTIONS

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Alspaugh, Robert v MDOC	\$150.00	\$0	General Fund	Ingham	Costs - Major misconduct.
King, Kevin v St. Gowdy	2,927.01	0	General Fund	Lenawee	Costs - Prisoner alleged various incidents of retaliation.
Lavearn, Joseph v MDOC	170.00	0	General Fund	Ingham	Costs - Petition for review - Administrative Procedures Act.
Maddox, Darius v MDOC	150.00	0	General Fund	Ingham	Costs - Petition for review - Administrative Procedures Act.
Palmer, Michael v MDOC	17.20	0	General Fund	Ingham	Costs - Petition for judicial review.
Patton, Bill SaintClair v MDOC	241.72	0	General Fund	Chippewa	Costs - Plaintiff claimed his records should not reflect a CSC conviction.
Prater, Jeffrey B. v MDOC	150.00	0	General Fund	Chippewa	Costs - Petition for review - Appeal of misconduct ticket.
Shoucair, Najib v Douglas Snacker, et al.	492.95	0	General Fund	Gratiot	Use of Force - Plaintiff claimed he was assaulted by staff.
Symonds, Jason v MDOC	170.00	0	General Fund	Chippewa	Costs - Petition for review - major misconduct.
FY 2007-08 TOTAL:	\$4,468.88	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Clark-Murphy, Bonita v Brian Foreback, et al.	\$2,250,000.00	\$0	General Fund	Ionia	Prisoner death.
Copenhaver v Gelabert/Merlau	700.00	0	General Fund	Branch	Plaintiff alleged inadequate medical care.
Cowson-Marshall, Shireen v MDOC & Warden M. Warren	92,500.00	0	General Fund	Lapeer	Plaintiff claimed race discrimination/retaliation resulting in her discharge.
Duncan-Smith, Carol v MDOC	437,000.00	0	General Fund	Ingham	Settlement of employee grievance related to retirement benefits under prior grievance settlement agreement.
Figel, Gregory v Daniel Stasewich, et al.	250.00	0	General Fund	Alger	Plaintiff claimed harassment/retaliation by staff for grievances and litigation he had filed.
Figel, Gregory v William Overton, et al.	405.00	0	General Fund	Alger	MDOC refused to allow religious books into the prison by mail.
Francisco, Alfonso v SOM, et al.	2,075.00	0	General Fund	Jackson	Security gate accidentally closed on tractor-trailer causing property damage.
Granholm, Jennifer v Agrevo USA	16,355.00	0	General Fund	Allegan	Consent Decree entered by MDOC regarding cleanup costs of the Sunrise Landfill.
Haney, Curtis v MDOC	104,416.10	0	General Fund	Ionia	Employee claimed he was terminated for using the FMLA for absence from his employment, medical condition; claimed failure to accommodate.
Harper, Cheryl v MDOC	135,000.00	0	General Fund	Wayne	Employee alleged discrimination in violation of Persons with Disabilities Civil Rights Act; retaliation and emotional stress.
Howell, Jerry v MDOC	\$40,000.00	0	General Fund	Ingham	Deputy warden claimed reverse discrimination in promotional practices.
Iverson, Tywan v George Williams, et al.	5,000.00	0	General Fund	Ionia	Failure to protect prisoner on prisoner assault.

FISCAL YEAR 2007-08

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Jones, Lorenzo v Skip Barnett	1,500.00	0	General Fund	Jackson	Plaintiff claimed harassment, false misconduct and threats from staff in retaliation for filing grievance.
McFaul, Charlene v F. Randall-Owens	30,000.00	0	General Fund	Wayne	Plaintiff claimed an arrangement made to move prisoner was cancelled by her supervisor. Plaintiff was assaulted by prisoner.
Miller, Shane v MDOC, et al.	19,000.00	0	General Fund	Lenawee	Plaintiff alleged religious discrimination in that he was treated more harshly than other similarly situated nonpracticing Christians.
Mobley, Anthony v MDOC	32,750.00	0	General Fund	Macomb	Plaintiff claimed he was terminated because of his race and in retaliation for his complaint of race discrimination.
Randolph, Leo v Unknown Decker, et al.	4,500.00	0	General Fund	Chippewa	Failure to protect prisoner on prisoner assault; plaintiff claimed he informed staff of threats but was denied cell move.
Reeves, Fred v Greenfield, et al.	177.53	0	General Fund	Ionia	Prisoner claimed he was assaulted by staff in retaliation for grievances and lawsuits he filed.
Rock, Edward v David Karney, et al.	225,000.00	0	General Fund	Branch	Prisoner received severe burns while working on pipe.
Rumsey, Charles v Michael Damm, et al.	20,000.00	0	General Fund	Muskegon	Plaintiff claimed defendant was deliberately indifferent to his urgent need for medical assistance.
Sorrentino v MDOC	25,000.00	0	General Fund	Macomb	Plaintiff claimed retaliatory treatment based on gender discrimination under Elliott-Larsen Civil Rights Act.
Souders, Steven, et al. v Sherry Burt, et al.	1,432,599.00	0	General Fund	Jackson	Death of prisoner.

FISCAL YEAR 2007-08

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Tucker, L.T. v Sandra Monroe, et al.	6,000.00	0	General Fund	Ionia	Prisoner claimed harassment, was denied shower and medications due to his filing grievances.
Williams-El, Timothy v Barry McLemore, et al.	1,000.00	0	General Fund	Jackson	Plaintiff claimed SMI staff showed deliberate indifference to his protection needs and as a result he was assaulted by another prisoner.
Vartinelli, Carlo v Claire Hammer	1,000.00	0	General Fund	Branch	Prisoner claimed that food allergy was ignored.
FY 2007-08 TOTAL:	\$4,882,227.63	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: EDUCATION

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Barbara Jean Barry, et al. v City of Benton Harbor School District, et al.	\$210,964.54	\$0	School Aid Fund	Berrien	School desegregation.
FY 2007-08 TOTAL:	\$210,964.54	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: EDUCATION

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Northern Warehousing v State of Michigan, et al.	\$350,000.00	\$0	Commodity Dist. Fees	Ingham	Contract dispute.
Donald Haring v Michigan Department of Education	13,000.00	0	Federal Funds, Special Education	Ingham	Plaintiff claimed he was denied an interpreter.
FY 2007-08 TOTAL:	\$363,000.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: ENVIRONMENTAL QUALITY

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Holland Terminal, Inc.	\$4,046.11	\$0	General Fund	Ottawa	Statutory costs and attorney fees regarding FOIA request.
FY 2007-08 TOTAL:	\$4,046.11	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: HUMAN SERVICES

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Alicia Chapman v DHS	\$89,000.00	\$0	General Fund	Oakland	Employment discrimination.
Cleola Spates v DHS	40,000.00	0	General Fund	Oakland	Wrongful suspension.
Maranda Buck v DHS	3,600.00	0	General Fund	Livingston	Failure to protect State ward - sexual assault.
James Russell v DHS	150	0	General Fund	Ingham	Agreement to pay filing fee and case was dismissed.
Stephanie Rodriguez v DHS	75,000	0	General Fund	Lenawee	Assault by DHS employee, alleged pain, suffering, and psychological injury.
Lois Ann Baker and Charles James Baker v DHS	80,000	0	General Fund	Wayne	Persons With Disabilities Civil Rights Act, reasonable accommodations denied.
FY 2007-08 TOTAL:	\$287,750.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: INFORMATION TECHNOLOGY

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
U.S. Department of Health & Human Services	\$499,130.00	\$39,482.00	Information Technology Internal Service Fund	Ingham	Determination concerning the Federal share of billings in excess of cost for computer services provided by the Department of Information Technology during fiscal year 2005-06. Per Office of Management and Budget Circular A-87.
Group 1 License Concerns Demand for Arbitration	300,000.00	0.00	Information Technology Internal Service Fund	Ingham	Resulted from a dispute concerning the license terms of software applications used by the Department of State and Department of Information Technology. In 1992 and 1995, the State licensed two applications from Group 1. In 2004, Group 1 became a wholly owned subsidiary of Pitney Bowes. Since Pitney Bowes acquired Group 1, Pitney Bowes contended that the State was violating the terms of both the 1992 and 1995 license agreements.
FY 2007-08 TOTAL:	\$799,130.00	\$39,482.00			

FISCAL YEAR 2007-08

DEPARTMENT: JUDICIARY

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Elkins v State of Michigan Supreme Court	\$80,000.00	\$0	General Fund	Ingham	Employment discrimination.
FY 2007-08 TOTAL:	\$80,000.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: LABOR & ECONOMIC GROWTH

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Craig R. Petersen v DLEG	\$140,000.00	\$0	Restricted	Ingham	Settlement related to abolishment of employee's civil service position.
Gloria Poe	2,000.00	0	Federal Title I	Wayne	Michigan Rehabilitation Services client related to execution of State of Michigan employee's duties.
Michael DeVos	288,538.00	0	MSHDA Private Funds	Ingham	Employee claim.
FY 2007-08 TOTAL:	\$430,538.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: MANAGEMENT AND BUDGET

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
HHS Statewide Costs Allocation Plan Audit for Fiscal Year End 2006	\$572,725.00	\$45,303.00	General Fund	Ingham	Audit determination for Federal share of rebates received by State in contract revenue program.
FY 2007-08 TOTAL:	\$572,725.00	\$45,303.00			

FISCAL YEAR 2007-08

DEPARTMENT: NATURAL RESOURCES

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Vicki Lynn Wassmann v DNR	\$600.00	\$0	General Fund	losco	Damage to property.
FY 2007-08 TOTAL:	\$600.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: NATURAL RESOURCES

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Thomas Henry v DNR	\$7,706.79	\$2,236.79	General Fund	Kalamazoo	Refund for tax reverted property.
Browning v DNR	1,000.00	0.00	Game & Fish Protection Fund, Forest Development Fund	Ingham	False arrest and personal property damage.
Copeland-Morgan v DNR	\$299,000.00	0.00	General Fund - \$44,850 Game & Fish Protection Fund - \$209,300 Marine Safety Fund - \$44,850	Ingham	Employee settlement.
FY 2007-08 TOTAL:	\$307,706.79	\$2,236.79			

FISCAL YEAR 2007-08

DEPARTMENT: STATE

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Green Party of Michigan, et al. v Secretary of State Terri Lynn Land	\$55,000.00	\$0	General Fund - \$3,300 Restricted - \$51,700	Wayne	Dissemination of political party information.
FY 2007-08 TOTAL:	\$55,000.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: STATE POLICE

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Haney v Concealed Weapons Licensing Board of Hillsdale County	\$383.33	\$0	General Fund	Hillsdale	Concealed weapons permit case.
FY 2007-08 TOTAL:	\$383.33	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: STATE POLICE

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Hall v Whitfield, et al.	\$9,000.00	\$0	General Fund	Wayne	Excessive force lawsuit.
Elliot v Lator, et al.	45,000.00	0	General Fund	Wayne	Gross negligence lawsuit.
People v Macon	4,000.00	0	General Fund	Ingham	Contempt of court lawsuit.
Lazarski v Prause, et al.	7,500.00	0	General Fund	Wayne	Assault & battery lawsuit.
Bosch v Robinson, et al.	12,500.00	0	General Fund	Ingham	Unlawful arrest lawsuit.
Scott v MSP, et al.	150,000.00	0	General Fund	Wayne	Racial discrimination lawsuit.
Bishop v Bowerman, et al.	300,000.00	0	General Fund	Wayne	Deadly force lawsuit.
Bobbitt v MSP	197.00	0	General Fund	Washtenaw	Abandoned vehicle lawsuit.
Brassard v DeVowe	3,000.00	0	General Fund	Marquette	Excessive force lawsuit.
Hartford v Owen	2,500.00	0	General Fund	Hillsdale	Breach of duty lawsuit.
Kucharski, et al. v Leveille, et al.	50,000.00	0	General Fund	St. Clair	Unlawful arrest lawsuit.
PV Holding Corporation v MSP	1,000.00	0	General Fund	Branch	Abandoned vehicle lawsuit.
Maye v Henry	6,250.00	0	General Fund	Wayne	Seized vehicle lawsuit.
West v MSP, et al.	3,000.00	0	General Fund	Gladwin	Excessive force lawsuit.
Estate of Wallace v MSP	1,950,000.00	0	General Fund	Sanilac	Fatal vehicle accident lawsuit.
FY 2007-08 TOTAL:	\$2,543,947.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: TRANSPORTATION

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Timothy Arner v MDOT	\$60,000.00	\$0	State Trunkline Fund	Antrim	Roadbed defect - US 131.
Edwina Brown v MDOT	27,500.00	0	State Trunkline Fund	Wayne	Roadbed defect.
Buchanan v MDOT	155,000.00	0	State Trunkline Fund	Oakland	Roadbed defect - I 75.
John Carlo, Inc. v MDOT	70,000.00	0	State Trunkline Fund	Wayne	Breach of contract - unjust enrichment.
Olmstead v MDOT	3,500.00	0	State Trunkline Fund	Wayne	Damage to plaintiff's vehicle.
FY 2007-08 TOTAL:	\$316,000.00	\$0			

FISCAL YEAR 2007-08

DEPARTMENT: TREASURY

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Midwest Bus Corporation v Michigan Department of Treasury	\$520.00	\$0.00	Delinquent Tax Collection Revenue	Ingham	Payment of \$500 for attorney's fee regarding the Motion to Compel and \$20 for Motion costs.
Baumgart v Michigan Department of Treasury	46,011.50	9,777.76	Land Reutilization Fund	Oakland	Lack of notice in regard to foreclosure.
FY 2007-08 TOTAL:	\$46,531.50	\$9,777.76			

FISCAL YEAR 2007-08

DEPARTMENT: TREASURY

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Black Stone Minerals Co., L.P. v Michigan Department of Treasury	\$2,000,000.00	\$0	General Fund	Antrim	Severed oil and gas interests.
FY 2007-08 TOTAL:	\$2,000,000.00	\$0			



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Appropriations Report – Part II – Initial Appropriations
Appropriations Report – Part III – Year-End Appropriations
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Status of Lawsuits Against the State
Higher Education Appropriations Report
Michigan Economic Outlook and Budget Review
Monthly Revenue Report
Monthly Michigan Economic Indicators
State Notes: Topics of Legislative Interest