

**FY 2018-19  
STATUS OF LAWSUITS  
INVOLVING THE STATE OF MICHIGAN**



**SENATE FISCAL AGENCY  
LANSING, MICHIGAN  
JULY 2020**

# 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), which is included in [Appendix A](#). Based on the amounts reported, the State of Michigan paid \$82.3 million for judgments and settlements in fiscal year (FY) 2018-19. Of the 104 cases that resulted in payments, 26 were judgments totaling \$6.0 million, and 78 were settlements totaling \$76.3 million.<sup>1</sup>

Payments in FY 2018-19 were \$26.2 million (46.8%) higher than the \$56.0 million reported in FY 2017-18. The department with the largest variation in payments from FY 2017-18 to FY 2018-19 was the Department of Treasury, in which payments were made for various tax settlements and wrongful imprisonment claims.

Tables on pages 2, 3, and 4 provide a 10-year history (FY 2009-10 through FY 2018-19) 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](#) and the following narrative provide a summary of departments with payments totaling over \$1.0 million. [Table 5](#) on page 7 provides a history of highway negligence payments from FY 1983-84 through FY 2018-19. [Table 6](#) on page 8 includes a history of payments from the State's Risk Management Fund for automotive liability. Payments from the Fund historically have not been included in amounts reported by departments. Also, small claims approved by the State Administrative Board are not included in this report. [Table 7](#) and the information on pages 9 and 10 provide an overview of cases that resulted in payments to the State.

The FY 2018-19 reports submitted by State departments and agencies on payments made by the State follow in [Appendix B](#), 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 or unemployment claims.

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<sup>1</sup> The number of cases does not reflect the actual total number of cases. The Department of Treasury did not provide detail on various tax-related cases because of confidentiality requirements under Michigan Compiled Laws (MCL) 205.28(1)(f).

**Table 1**

**TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID BY THE STATE  
(Actual Dollars)**

<b>Fiscal Year</b>										
<b>DEPARTMENT</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Corrections	\$14,676,073	\$10,571,572	\$15,503,188	\$20,647,428	\$22,478,131	\$26,684,297	\$2,438,094	\$4,045,701	\$3,693,143	\$4,825,617
Education	76,458	46,561	49,316	175,000	1,403,678	0	0	0	4,139,572	0
Health & Human Services	1,433,783	1,608,489	910,711	1,307,498	2,292,681	652,000	1,376,000	53,533,019	683,244	950,409
State Police	89,529	263,296	711,482	276,900	206,952	7,941,500	6,096,839	1,972,500	2,458,217	414,673
Transportation	2,716,961	230,662	2,538,165	322,900	4,352,879	5,514	73,000	279,500	1,325,000	4,178,000
Treasury	111,752	939,330	55,432,447	62,199,908	34,995,645	1,555,312	65,841,278	29,166,805	43,285,536	71,438,401
Other Departments	899,865	2,264,453	988,340	709,892	4,866,730	4,922,430	1,139,751	2,206,137	1,787,492	488,537
<b>TOTAL</b>	<b>\$20,004,421</b>	<b>\$15,924,363</b>	<b>\$76,133,649</b>	<b>\$85,639,526</b>	<b>\$70,596,696</b>	<b>\$41,761,052</b>	<b>\$76,964,963</b>	<b>\$91,203,661</b>	<b>\$57,372,204</b>	<b>\$82,295,637</b>



**Table 2**

**COURT JUDGMENTS PAID BY THE STATE  
(Actual Dollars)**

**Fiscal Year**

<b>DEPARTMENT</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Corrections	\$4,006	\$41,551	\$34,656	\$458,248	\$3,369	\$6,082	\$1,300	\$379,886	\$33,933	\$89,715
Education	76,458	46,561	49,316	0	1,348,678	0	0	0	0	0
Health & Human Services	9,582	0	0	0	0	0	0	166,396	0	0
State Police	15,000	0	1,250	33,000	0	0	6,021,839	0	556,717	0
Transportation	0	0	0	0	0	14	0	0	0	0
Treasury	51,752	550,000	39,397,366	0	2,776,677	408,033	27,532,436	16,573,281	2,307,400	5,872,102
Other Departments	207,739	159,824	182,062	196,952	2,189,420	1,888,914	6,000	0	150,000	25,000
<b>TOTAL</b>	<b>\$364,537</b>	<b>\$797,936</b>	<b>\$39,664,650</b>	<b>\$688,200</b>	<b>\$6,318,144</b>	<b>\$2,303,042</b>	<b>\$33,561,575</b>	<b>\$17,119,563</b>	<b>\$3,048,050</b>	<b>\$5,986,817</b>

**Table 3**

**SETTLEMENTS PAID BY THE STATE  
(Actual Dollars)**

**Fiscal Year**

<b>DEPARTMENT</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Corrections	\$14,672,067	\$10,530,021	\$15,468,532	\$20,189,180	\$22,474,762	\$26,678,215	\$2,436,794	\$3,665,814	\$3,659,210	\$4,735,902
Education	0	0	0	175,000	55,000	0	0	0	4,139,572	0
Health & Human Services	1,424,201	1,608,489	910,711	1,307,498	2,292,681	652,000	1,376,000	53,366,623	683,244	950,409
State Police	74,529	263,296	710,232	243,900	206,952	7,941,500	75,000	1,972,500	1,901,500	414,673
Transportation	2,716,961	230,662	2,538,165	322,900	4,352,879	5,500	73,000	279,500	1,325,000	4,178,673
Treasury	60,000	389,330	16,035,081	62,199,908	32,218,968	1,147,279	38,308,842	12,593,524	40,978,137	65,566,299
Other Departments	692,126	2,104,629	806,278	512,940	2,677,310	3,033,516	1,133,751	2,206,137	312,492	463,537
<b>TOTAL</b>	<b>\$19,639,884</b>	<b>\$15,126,427</b>	<b>\$36,468,999</b>	<b>\$84,951,326</b>	<b>\$64,278,552</b>	<b>\$39,458,009</b>	<b>\$43,403,388</b>	<b>\$74,084,098</b>	<b>\$52,999,155</b>	<b>\$76,308,820</b>

**PAYMENTS BY DEPARTMENTS**

In FY 2018-19, three State departments made payments totaling more than \$1.0 million. Table 4 and the following narrative summarize these payments.

**Table 4**  
**FY 2018-19**  
**PAYMENTS BY DEPARTMENT**

<b>DEPARTMENT</b>	<b>STATE PAYMENTS</b>	<b>PERCENT OF TOTAL</b>
Corrections	\$4,825,617.42	5.9%
Transportation	4,178,000.00	5.1
Treasury	71,438,400.99	86.8
Other Departments	1,853,618.90	2.2
<b>TOTAL</b>	<b>\$82,295,637.31</b>	<b>100.0%</b>

Corrections

The Department of Corrections made payments in 65 cases totaling \$4.8 million in FY 2018-19, an increase of 32 cases and \$1.1 million in total payments from the previous fiscal year. Payments ranged from a \$25 mediation award paid to an inmate for staff retaliation to a \$1.3 million settlement that included remedial actions to be taken by the Department to cure alleged violations of the Americans with Disabilities Act and the Federal Rehabilitation Act due to a lack of accommodations for hard-of-hearing prisoners in custody. Five cases with settlement payments over \$250,000 each accounted for roughly \$4.0 million (82.0%) of the payments made by the Department of Corrections in FY 2018-19.

Transportation

The Department of Transportation (MDOT) made three settlement payments for nearly \$4.2 million. Two settlements for claims filed under the Elliott-Larsen Civil Rights Act totaled \$2.8 million, and a third claim from a construction company settled for \$1.4 million of additional compensation for extra work performed under contract.

## Treasury

The Department of Treasury made payments totaling \$71.4 million in FY 2018-19, up from \$43.3 million from the previous fiscal year. Settlements designated as "Various for Tax Related Cases" accounted for \$65.5 million (91.7%) of FY 2018-19 payments made by the Department. Details on these cases are not provided because of MCL 205.28(1)(f). That section of the law provides, in part:

Except as otherwise provided in this subdivision, in subsection (6) or (7), or in section 23a, an employee, authorized representative, or former employee or authorized representative of the department or anyone connected with the department shall not divulge any facts or information obtained in connection with the administration of a tax or information or parameters that would enable a person to ascertain the audit selection or processing criteria of the department for a tax administered by the department.

Nine judgments under the Wrongful Imprisonment Compensation Act totaled \$5.9 million in FY 2018-19, a substantial increase from the previous fiscal year, which had three judgments for a total of \$2.3 million in payments.

## Highway Negligence Cases

From FY 1983-84 through FY 2018-19, the State paid \$237.2 million resulting from 1,178 highway negligence cases. Since FY 1999-2000, total payments and the number of cases resulting from highway negligence litigation have declined dramatically. In FY 2013-14, no payments resulted from defective highway claims. There was one payment of \$5,500 in FY 2014-15 and two cases with payments totaling \$73,000 in FY 2015-16. In FY 2016-17, there was a payment of \$4,500 for one case involving an alleged defect (pothole) in a crosswalk on M-37 resulting in an injury to plaintiff's ankle. In FY 2017-18, there was one settlement of \$325,000 for injuries sustained by a motorcyclist when he hit a sinkhole in Highland Park. There were no judgments or settlements paid by MDOT for highway negligence in FY 2018-19.

Of the total amount paid for highway negligence cases since FY 1983-84, \$225.4 million (95.2%) was paid before FY 2000-01. The reduction in payments is attributed to statutory changes 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 2018-19.

Table 5

HIGHWAY NEGLIGENCE STATISTICS				
FISCAL YEAR	NUMBER OF CASES	JUDGMENTS	SETTLEMENTS	TOTAL PAYMENTS
1983-84	62	\$12,541,651	\$2,444,976	\$14,986,627
1984-85	55	4,399,001	4,128,751	8,527,752
1985-86	64	3,242,143	4,347,140	7,589,283
1986-87	69	22,699,603	4,151,959	26,851,562
1987-88	81	5,195,041	10,897,265	16,092,306
1988-89	90	2,869,944	12,151,689	15,021,633
1989-90	86	8,908,886	8,460,458	17,369,344
1990-91	83	10,043,560	10,353,328	20,396,888
1991-92	93	6,018,686	6,606,453	12,625,139
1992-93	70	11,290,468	8,968,167	20,258,635
1993-94	79	5,107,256	7,472,542	12,579,798
1994-95	47	1,871,956	8,010,456	9,882,412
1995-96	52	661,000	8,413,595	9,074,595
1996-97	50	1,331,974	9,679,852	11,011,826
1997-98	39	0	6,084,715	6,084,715
1998-99	33	0	4,721,422	4,721,422
1999-2000	34	2,875,000	9,461,500	12,336,500
2000-01	12	0	668,400	668,400
2001-02	14	0	1,222,240	1,222,240
2002-03	10	0	458,500	458,500
2003-04	12	0	1,521,200	1,521,200
2004-05	10	0	1,443,250	1,443,250
2005-06	9	0	614,000	614,000
2006-07	6	0	1,327,776	1,327,776
2007-08	4	0	246,000	246,000
2008-09	2	0	520,000	520,000
2009-10	1	0	2,500,000	2,500,000
2010-11	1	0	10,000	10,000
2011-12	2	0	679,000	679,000
2012-13	3	0	122,900	122,900
2013-14	0	0	0	0
2014-15	1	0	5,500	5,500
2015-16	2	0	73,000	73,000
2016-17	1	0	4,500	4,500
2017-18	1	0	325,000	325,000
2018-19	0	0	0	0
<b>TOTAL</b>	<b>1,177</b>	<b>\$99,056,169</b>	<b>\$138,095,534</b>	<b>\$237,151,703</b>

Source: Michigan Department of Transportation

**RISK MANAGEMENT FUND**

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

**Table 6**

<b>RISK MANAGEMENT FUND AUTOMOTIVE LIABILITY PAYMENTS</b>			
<b>Fiscal Year</b>		<b>Fiscal Year</b>	
1991-92	\$28,318	2005-06	\$1,457,041
1992-93	138,194	2006-07	2,506,962
1993-94	435,862	2007-08	1,316,613
1994-95	1,135,659	2008-09	1,432,166
1995-96	1,977,178	2009-10	863,269
1996-97	1,743,580	2010-11	798,449
1997-98	1,223,622	2011-12	1,840,225
1998-99	3,985,189	2012-13	188,624
1999-2000	775,972	2013-14	464,963
2000-01	2,590,458	2014-15	1,903,191
2001-02	1,780,009	2015-16	1,307,957
2002-03	2,487,429	2016-17	654,843
2003-04	2,718,182	2017-18	2,303,638
2004-05	\$2,941,684	2018-19	\$806,382

**PAYMENTS TO THE STATE OF MICHIGAN**

Table 7 and the following information provide a summary of FY 2018-19 lawsuit payments to the State as reported by departments pursuant to Section 396(3) of the Management and Budget Act.

**Table 7**

<b>FY 2018-19 JUDGMENTS AND SETTLEMENTS PAID TO THE STATE (Actual Dollars)</b>	
<b>DEPARTMENT</b>	<b>Amount</b>
Attorney General	\$290,721,480.67
Corrections	3,289,205.64
Environment, Great Lakes, & Energy	5,149,283.70
Natural Resources	348,194.76
Transportation	2,610,564.15
Treasury	15,450,921.52
<b>TOTAL</b>	<b>\$317,569,650.44</b>

Attorney General

The amount reported by the Department of Attorney General, \$290.7 million, resulted from an annual payment from a single case, the Master Tobacco Settlement Agreement. The 1998 settlement resolved public health-related claims filed by Michigan and other states against the nation's major tobacco companies.

Corrections

All of the payments listed by the Department of Corrections resulted from cases filed under the State Correctional Facility Reimbursement Act. The Department reported 276 cases with net payments to the State totaling \$3.3 million. Payments to the State ranged from \$15 to \$181,300. All but three cases resulted in a payment to the State of less than \$100,000, with an average payment of \$11,916.88.

Environment, Great Lakes, & Energy

The \$5.1 million recovered by the Department of Environmental Quality (DEQ) in FY 2018-19 mainly involved reimbursement for environmental contamination and other violations of the Natural Resources and Environmental Protection Act. Recoveries in those cases were deposited into various funds (e.g., Environmental Response Fund, Environmental Pollution Protection Fund, and General Settlement Fund). Settlement revenue is restricted by legal agreements or court orders for specific environmental cleanup activities at specific sites of environmental contamination or restricted to other environmental programs as appropriated. Of the 217 cases reported by the DEQ, 42 were judgments totaling \$1.0 million, and 175 were settlements or the result of other agreements totaling \$4.1 million.

The largest payment reported was \$886,814.73, a settlement with Enbridge, Inc., for an oil spill into the Kalamazoo River in 2010. The fine reported by EGLE is unrelated to a \$62.0 million civil penalty Enbridge agreed to with the Federal government in 2016.

### Natural Resources

The Department of Natural Resources (DNR) reported three cases with payments to the State totaling nearly \$350,000. Payments to the DNR ranged from a \$50 judgment for a case involving restitution for damage to the Oden State Fish Hatchery viewing chamber, to \$248,144.76 in *MDNR v. Consumers Energy*. The *Consumers* case is a multiyear settlement that began in 1995 and will continue through 2035. The FY 2017-18 payment was \$477,208. The Fisheries Settlement Fund was established to receive payments by Consumers. Settlement funds are earmarked and used for habitat mitigation work in the area or watershed where the violation occurred. Since 1995, payments by Consumers have totaled \$14.5 million.

### Transportation

Payments to MDOT totaled \$2.6 million from 38 settlements and 6 judgments. One of the judgments was for \$7,200 in nonpayment of permits dating back to 2010. All but two payments totaling less than \$8,000 were the result of damage to MDOT's trunkline system and were paid into the MDOT's State Trunkline Fund. The three largest settlements all involved damage to MDOT bridges, including \$593,708.60 for damage to the Pleasant Valley Road Bridge on eastbound I-96 near Brighton, \$396,497.07 for damage to the South Street Bridge on southbound US-127 near Mason, and \$346,852.01 for damage to the overpass on 6 Mile Road in Kent County.

### Treasury

The Department of Treasury reported payments of \$290.7 million related to the Master Tobacco Settlement Agreement with the tobacco companies; however, that amount is listed in this report under the State's Attorney General's Office. The remaining \$15,450,921.52 reported by Treasury come from various tax-related judgments and settlements, the details of which are not disclosed pursuant to MCL 205.28(1)(f).

## **CONCLUSION**

This report provides a summary and analysis of information supplied by State departments pursuant to Section 396 of the Management and Budget Act (Public Act 431 of 1984), which is included as Appendix A. Reports submitted by State departments and agencies on payments made by the State are included in Appendix B. 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). Further information on specific cases is the province of the defendant department and the Department of Attorney General.



## APPENDIX A

### Section 396 of the Management and Budget Act (1984 PA 431)

#### **18.1396 Paying or recording certain expenditures from appropriations; notice of certain settlements or consent judgments; report.**

Sec. 396. (1) From the appropriations contained in a budget act, a state agency shall pay or record expenditures for the following:

- (a) Court judgments, including court approved consent judgments; all settlements, awards, and claims.
- (b) Writeoffs of accounts receivable recorded in a prior year.

(2) The attorney general shall notify the senate and house appropriations committees, the speaker of the house, the senate majority leader, and the fiscal agencies within 14 days after entering into a settlement or consent judgment which would result in a state obligation that exceeds \$200,000.00. The notice shall include a summary of the facts of the case and the reason or reasons that the settlement or consent judgment would be in the best interests of the state.

(3) Before December 1 of each year, each principal department shall transmit to the appropriations committees and fiscal agencies a written report which includes all of the following:

- (a) The total dollar amount of final judgments and settlements against the principal department for the most recent completed fiscal year.
- (b) Each source of funding and item appropriating money in a budget act, which source and item is used to pay the judgments and settlements pursuant to subdivision (a).
- (c) The total dollar amount of final judgments and settlements received in the most recent completed fiscal year pursuant to legal actions by the principal department.
- (d) Each revenue account in which money was credited pursuant to subdivision (c).
- (e) An estimate of the total dollar amount and a description of the facts involved in each court action currently pending against the department for the most recently completed fiscal year.

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Alexander, D'Andre v. Penny Fillion, et al.	\$9,477.60	\$0	General Fund	Ingham	Medical - Plaintiff alleges inadequate medical treatment.
Bostrom, John v. Donald Wise, et al.	607.50	0	General Fund	Ionia	Harassment/Retaliation - Plaintiff alleges that his visits were restricted because of retaliation.
Campbell, Arthur v. Cynthia Gause, et al.	30,079.28	254.00	General Fund	Wayne	Retaliation/Harassment - Plaintiff alleges retaliation for filing grievances plus costs awarded.
Does, John 11-18 & Jane Doe 1, et al. v. MDOC, et al.	\$270.00	0	General Fund	Ingham	Failure to Protect - Plaintiffs allege Defendants failed to protect them from adult prisoners.
Dykes, Robert v. Nancy Marshall, et al.	5,500.00	0	General Fund	Ionia	Harassment/Retaliation - Plaintiff alleges harassment.
Fleming, Steven v. MDOC	190.90	0	General Fund	Marquette	Petition for Judicial Review - Taxation of costs.
Griffin, Randall v. Mary Berghuis, et al.	32,278.68	0	General Fund	Lenawee	Harassment/Retaliation - Plaintiff alleges was retaliated against.
Heard, Lamont, et al. v. Thomas Finco, et al.	10,122.40	0	General Fund	Branch	Religion - Plaintiffs allege they were not being provided adequate meals during Ramadan.
Jackson, Gary v. MDOC	33.10	0	General Fund	Gogebic	Petition for Judicial Review - Taxation of Costs.
Loyd, Jamarr v. Paul Klee, et al.	260.90	0	General Fund	Chippewa	Costs - Plaintiff prevailed on misconduct appeal.

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Moore, Anthony v. Thomas Fegan, et al.	333.12	0	General Fund	Chippewa	Harassment - Costs awarded.
Northington, Gary v. Badawi Abdellatif, et al.	76.19	0	General Fund	Ingham	Medical - Costs awarded.
Pattison, William v MDOC	204.03	0	General Fund	Manistee	Costs - Plaintiff prevailed on misconduct appeal.
Rose, Willie v. Joseph Damron, et al.	25.00	0	General Fund	Chippewa	Harassment - Costs assessed for prevailing on appeal.
Taylor, Terrence v. Scott Smith, et al.	256.42	0	General Fund	Chippewa	Harassment - Costs assessed for prevailing on appeal.
<b>FY 2018-19 TOTAL:</b>	<b>\$89,715.12</b>	<b>\$250.00</b>			

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Annabel, Robert v. Jorg Erichsen, et al.	\$150.00	\$0	General Fund	Macomb	Harassment/Retaliation - Plaintiff alleges he was retaliated against for cooperating in an investigation regarding an employee.
August, Tracy, et al v. MDOC, et al.	44,687.00	0	General Fund	Washtenaw	Conditions of Confinement - Plaintiffs alleges overcrowding.
Bell, Brandon v. MDOC, et al.	10,000.00	0	General Fund	Lenawee	Employee - Plaintiff alleges discrimination.
Benedict, Ashley v. MDOC, et al.	136,500.00	0	General Fund	Lapeer	Employee - Plaintiff alleges sexual harassment.
Boone, Richard v. Melissa Johnson, et al.	250.00	0	General Fund	Lenawee	Medical - Plaintiff alleges inadequate medical treatment.
Byrd, Gerald v. Scott Yokom, et al.	756.00	0	General Fund	Ionia	Mediation - Harassment/Retaliation - Plaintiff alleges he was transferred in retaliation.
Byrnes, Eric v. Ojibway Correctional Fac, et al.	150.00	0	General Fund	Gogebic	Mediation - Mail - Plaintiff alleges that OCF staff denied him his legal mail.
Campbell, Greta v. MDOC, et al.	15,000.00	0	General Fund	Washtenaw	Employee - Plaintiff alleges racial discrimination.
Cary, Bryan v. Heidi Washington, et al.	200.00	0	General Fund	Ingham	Medical - Plaintiff alleges defendants denied him dental services.
Cavin, Mario v. Patricia Belfry, et al.	2,000.00	0	General Fund	Marquette	Conditions of Confinement - Plaintiff alleges he was subject to a strip search in front of other prisoners and female staff.
Dyer, Felicia v. Karri Osterhout, et al.	120,000.00	0	General Fund	Washtenaw	Religion - Plaintiff alleges defendants are not allowing Jewish services.

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Edmond, Janika, deceased (Sheila Clarke, PR) v. MDOC, et al.	860,000.00	0	General Fund	Washtenaw	Failure to Protect - Plaintiff alleges that decedent's mental health was not properly monitored.
Evans, Alrelío v. Thomas Prisk, et al.	500.00	0	General Fund	Marquette	Religion - Plaintiff alleges defendants wrongly denied him religious group services.
Gordon, Deontae v. Mathew Rondeau	700.00	0	General Fund	Alger	Retaliation/Harassment - Plaintiff alleges retaliation.
Hardy, Jermaine v. Ernst Gauderer, et al.	1,000.00	0	General Fund	Ingham	Medical - Plaintiff alleges he was denied medication.
Henry, Xavier v. Dennis Bergeron, et al.	2,500.00	0	General Fund	Chippewa	Religion - Plaintiff alleges defendants interfered with his firmly held religious beliefs.
Henry, Xavier v. Heidi Washington, et al.	600.00	0	General Fund	Alger	Mediation - Religion - Plaintiff alleges he was prevented from participating in Ramadan.
Hinds, Robert v. Unknown Lewis, et al.	1,000.00	0	General Fund	Lenawee	Mediation - Harassment/Retaliation - Plaintiff alleges he was retaliated against after making complaints to the Ombudsman's Office.
Ismail, Ali v. David Leach, et al.	32.00	0	General Fund	Alger	Mediation - Religion - Plaintiff alleges he was improperly denied halal meals.
Johnson, Calvin v. Heidi Washington, et al	100.00	0	General Fund	Chippewa	Mediation - Religion - Plaintiff alleges his rights were violated by Defendant's decision to place various religious books on the restricted publication list.

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Johnson, Jerry v U. Griener	1,400.00	0	General Fund	Muskegon	Mediation - Harassment/Retaliation - Plaintiff alleges he was retaliated against for attempting to file a lawsuit.
Jones, Curtis v. Heidi Washington, et al.	490.82	0	General Fund	Chippewa	Medication/Property - Plaintiff alleges that he was denied religious books.
Juco, Romeo v. MDOC	890,000.00	0	General Fund	Washtenaw	Employee - Plaintiff alleges discrimination.
Kirschke, Moses v. Edson Forrester, et al.	50.00	0	General Fund	Chippewa	Mediation/Mail - Plaintiff alleges that defendants opened his legal mail outside of his presence.
LaDouceur, Donald v. D. First, et al.	7,500.00	0	General Fund	Ionia	Use of Force - Plaintiff alleges excessive force was used during a search.
Lewis, Tony v. Robert Axley, et al.	1,500.00	0	General Fund	Ojibway	Retaliation/Harassment - Plaintiff alleges retaliation.
McBride, Mary Ann, et al. v. MDOC, et al.	1,300,000.00	0	General Fund	Ingham	Discrimination - Plaintiffs claim they are being discriminated against because they are hard of hearing.
Martin, Darlene Estate of, Deceased v. MDOC, et al.	550,000.00	0	General Fund	Ingham	Medical - Plaintiff alleges inadequate medical care.
Mathews, Vandiebilt v. State of Michigan, et al.	355,000.00	0	General Fund	Muskegon	Employee - Plaintiff alleges discrimination.
Maye, Derrick v. P. Klee, et al.	75,000.00	0	General Fund	Lenawee	Religion - Plaintiff alleges that defendants refused to allow him to partake in religious services.
Mead, Isiah v. Heidi Washington, et al.	6,000.00	0	General Fund	Montcalm	Mail - Plaintiff alleges all of his mail is being wrongfully sent out to be translated due to being in braille, as he is legally blind.

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FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Menchaca, Ashley v MDOC	130,000.00	0	General Fund	Livingston	Employee - Plaintiff alleges discrimination and hostile work environment.
Miller, Sharee v. Anthony Stewart, et al.	66,000.00	0	General Fund	Washtenaw	Programming - Plaintiff alleges she was wrongfully terminated from her Prisoner Observation Assistant (POA) assignment.
Mitchell, Delmarey v. Christopher Golladay, et al.	1,000.00	0	General Fund	Chippewa	Retaliation/Harassment - Plaintiff alleges retaliation for filing grievances.
Murdock, Anthony v. Christina Billings, et al	250.00	0	General Fund	Gratiot	Failure to Protect - Plaintiff alleges that defendants failed to protect him from sexual assault.
Nelson, Patricia v. Jong Choi	50,000.00	0	General Fund	Ingham	Medical - Plaintiff alleges inadequate treatment.
Nicholson, Christopher v. Richard Vandershaegen, et al	100.00	0	General Fund	Alger	Conditions of Confinement - Plaintiff alleges defendants did not fix a plumbing issue in a timely manner.
Nunnally, John v. Richard Benson, et al.	25.00	0	General Fund	Chippewa	Mediation - Harassment/Retaliation - Plaintiff alleges he was retaliated against for filing complaints on staff.
Orum, Johnny v. David Rink, et al.	111.48	0	General Fund	Chippewa	Mediation/Religion - Plaintiff alleges he was denied a religious meal bag.
Parker, Bruce v. Nelson Duncan, et al.	500.00	0	General Fund	Ingham	Medical - Plaintiff alleges in adequate medical treatment.
Price, William v. Donald Drum	4,100.00	0	General Fund	Jackson	Medication/Failure to Protect - Plaintiff alleges that defendant improperly loaded him onto the wheelchair lift, resulting in injuries.

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FISCAL YEAR 2018-19

DEPARTMENT: CORRECTIONS

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Redmond, Robert v. Paul Klee, et al.	2,000.00	0	General Fund	Lenawee	Retaliation/Harassment - Plaintiff alleges retaliation.
Rickman, Milton v. Michael Martin, et al.	1,500.00	0	General Fund	Chippewa	Religion - Plaintiff alleges he was denied access to religious meals.
Salami, Michael v. Chippewa Corr. Facility, et al.	150.00	0	General Fund	Chippewa	Mediation - Failure to Protect - Plaintiff alleges he was the victim of sexual assault, due to inadequate protection.
Staley Jr, Kenneth v. RN Beecher, et al.	100.00	0	General Fund	Ingham	Mediation - Medical - Plaintiff alleges he was denied medical treatment and medication.
Sutton, JT v. Geraldine Wilson	500.00	0	General Fund	Lapeer	Discrimination - Plaintiff alleges racial discrimination.
Wirick, Jason v. Heather Huber, et al.	500.00	0	General Fund	Montcalm	Harassment/Retaliation - Plaintiff alleges defendant made threats of misconduct.
Witzke, Scott v. Ebony M. Pullins-Govantes	40,000.00	0	General Fund	Wayne	Parole Revocation Process - Plaintiff alleges he was improperly incarcerated.
Wood, Rebecca v. MDOC	45,000.00	0	General Fund	Ionia	Employee - Plaintiff alleges discrimination and harassment.
Yeomans, Brendan v. Daryl Hoffman, et al.	11,000.00	0	General Fund	Montcalm	Conditions of Confinement - Plaintiff alleges that defendants were deliberately indifferent to his serious medical condition.
<b>FY 2018-19 TOTAL:</b>	<b>\$4,735,902.30</b>	<b>\$0</b>			



APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: HEALTH AND HUMAN SERVICES

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Pamela Assemany v. William Weston	\$15,000.00	\$0	General Fund	St. Clair	Alleged employment discrimination and retaliation by supervisor.
Godfrey Aguwa v. MDHHS	25,500.00	0	General Fund	Washtenaw	Alleged employment discrimination.
Dwayne B. v. DHHS	117,806.00	0	General Fund	Statewide	Attorney fees, class action lawsuit re MI foster care system.
Christopher Robert Jackson v. State of Michigan, MDHHS	136,880.02	0	General Fund	Wayne	Alleged employment discrimination.
Dillard v. Wayne County MDHHS	4,900.00	0	Federal	Wayne	Appeal of denial of Young Adult Voluntary Foster Care payments.
Barry v. Lyon	25,914.00	0	General Fund	Statewide	Attorney fees and costs re denial of food assistance because of criminal justice disqualification.
Barry v. Lyon	627,409.00	0	Federal	Statewide	Reimbursement for underpayments in the Federal Food Assistance Program.
<b>FY 2018-19 TOTAL:</b>	<b>\$950,409.02</b>	<b>\$0</b>			

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FISCAL YEAR 2018-19

DEPARTMENT: JUDICIARY

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Oakland County v. State of Michigan	\$120,000.00	\$0	Judicial Electronic Filing Fund	Oakland	E-filing integration issue.
Judge Sylvia James v. JTC, State of Michigan, et al.	22,500.00	0	General Fund	Wayne	Plaintiff James was the subject of a JTC investigation. She was seeking declaratory and injunctive relief, damages, and attorney fees, and requesting certain paragraphs be stricken from the JTC complaint filed against her.
<b>FY 2018-19 TOTAL:</b>	<b>\$142,500.000</b>	<b>\$0</b>			

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: NATURAL RESOURCES

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Pratt et al. v. State of Michigan	\$33,801.77	\$0	General Fund	Gladwin, Houghton, Livingston, Oakland, and Washtenaw	Lake level assessments.
Calvin Ackley, Oceana County Drain Commissioner v. DNR	51,511.13	0	General Fund	Oceana	Lake level assessments.
Matthew Carl Vogel v. DNR	15,000.00	0	Park Improvement Fund	Cheboygan	False imprisonment and constitutional violation related to an arrest for open carry of a firearm.
Boyce Michigan, LLC v. MDNR	30,000.00	0	Waterways Fund	Gladwin	Property ownership dispute; under the settlement, Boyce Michigan, LLC agreed to sell the DNR property utilized as a public boating access site to clarify property ownership, consistent with DNR plans to purchase the property.
<b>FY 2018-19 TOTAL:</b>	<b>\$130,312.90</b>	<b>\$0</b>			

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FISCAL YEAR 2018-19

DEPARTMENT: STATE

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Joel Crookston v. MI Secretary of State	\$90,000.000	\$0	General Fund	US District Court - Western Dist.	Banning photography in the polling place.
<b>FY 2018-19 TOTAL:</b>	<b>\$90,000.00</b>	<b>\$0</b>			

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: STATE POLICE

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Billy and Robin Rowe v. Tpr. Dennis Milburn	\$155,000.00	\$0	General Fund	Calhoun	Lawsuit based on the Michigan Constitution of 1963.
Kiel Howland v. Nicholas Darlington a/k/a Jackson Nichols, Heather Lass, a/k/a Heather Johnston, a/k/a Andrea Comlin and David Gilbert	6,000.00	0	General Fund	Calhoun	Lawsuit based on the Fourth and Fourteenth Amendment, 42 USC § 1993; 42 USC § 1988.
Erik Collins v. State of Michigan and Michigan State Police/ Erik Collins v. John Ferguson and Jeffrey Rucinski	17,500.00	0	General Fund	Wayne	Lawsuits based on the Fourth Amendment, 42 USC § 1983.
Kimberly Lust v. Tpr. James Plummer and Tpr. Gideon Paetz	5,500.00	0	General Fund	Oakland	Lawsuits based on the First and Fourth Amendment, 42 USC § 1983.
Tpr. Craig Tuer v. Michigan State Police	174,172.98	0	General Fund	Wayne	Employer/Employee lawsuit.
Michigan State Police Troopers Association v. Michigan State Police	11,000.00	0	General Fund	Ingham	Lawsuit for attorney fees and confirmation of an arbitration award.
Malcom D. Roach and Velma T. Roach	35,000.00	0	General Fund	Saginaw	Search warrant damages.
Michael Mayfield v. Sgt. Terry Berdan	500.00	0	General Fund	Genesee	Lawsuits based on the Fourth Amendment, 42 USC § 1983.
Aaron Reynolds v. Tpr. Mike O'Donnell, Tpr. William Huey, Mike Nemecheck, Douglas McLeod, Charles Iddins, D/Sgt. Patrick Moore and Tony Brooks	10,000.00	0	General Fund	Genesee	Lawsuits based on the Fourth Amendment, 42 USC § 1983.
<b>FY 2018-19 TOTAL:</b>	<b>\$414,672.98</b>	<b>\$0</b>			

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: TECHNOLOGY, MANAGEMENT, AND BUDGET

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Ship to Shore Computing v. State of Michigan	\$100,000.00	\$0	General Fund	Ingham	Untimely cancellation of software renewal by State of Michigan and lack of payment.
<b>FY 2018-19 TOTAL:</b>	<b>\$100,000.00</b>	<b>\$0</b>			

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: TRANSPORTATION

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Jane Doe v. MDOT	\$2,750,000.00	\$0	State Trunkline Fund	Ingham	Plaintiff alleged violation of the Elliott-Larsen Civil Rights Act.
Timothy Schutt v. MDOT	78,000.00	0	State Trunkline Fund	Wayne	Plaintiff alleged violation of the Elliott-Larsen Civil Rights Act.
Toebe Construction v. MDOT	1,350,000.00	0	State Trunkline Fund	Wayne	Plaintiff claimed extra compensation for earth work due to alleged design errors and omissions in contract.
<b>FY 2018-19 TOTAL:</b>	<b>\$4,178,000.00</b>	<b>\$0</b>			

APPENDIX B

FISCAL YEAR 2018-19

DEPARTMENT: TREASURY

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Mark Cleary v. State of Michigan	\$600,000.00	\$0	Wrongful Imprisonment - Compensation Fund	Macomb	Wrongful Imprisonment.
Jamie Peterson v. State of Michigan	25,251.86	0	Wrongful Imprisonment - Compensation Fund	Washtenaw	Wrongful Imprisonment.
Nathaniel Hatchett v. State of Michigan	523,312.15	0	Wrongful Imprisonment - Compensation Fund	Wayne	Wrongful Imprisonment.
Aaron Salter v. State of Michigan	773,539.49	0	Wrongful Imprisonment - Compensation Fund	Wayne	Wrongful Imprisonment.
Neal Redick v. State of Michigan	784,432.55	0	Wrongful Imprisonment - Compensation Fund	Wayne	Wrongful Imprisonment.
Richard Phillips v. State of Michigan	1,610,747.20	0	Wrongful Imprisonment - Compensation Fund	Wayne	Wrongful Imprisonment.
David Gavitt v. State of Michigan	1,359,208.24	0	Wrongful Imprisonment - Compensation Fund	Oakland	Wrongful Imprisonment.
Raymond McCann v. State of Michigan	97,393.94	0	Wrongful Imprisonment - Compensation Fund	St. Joseph	Wrongful Imprisonment.
Gary Montgomery v. State of Michigan	98,216.84	0	Wrongful Imprisonment - Compensation Fund	Oakland	Wrongful Imprisonment.
<b>FY 2018-19 TOTAL:</b>	<b>\$5,872,102.27</b>	<b>\$0</b>			



**FISCAL YEAR 2018-19**

DEPARTMENT: TREASURY

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

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Home Protection Unit Victim Reimbursement	\$51, 580.00	\$0	Restricted General Fund	Various	Various cases detail cannot be provided as it will violate MCL 205.28(1)(f).
Various for Tax Related Cases	65,514,718.72	0	Various	Various	Various cases detail cannot be provided as it will violate MCL 205.28(1)(f).
<b>FY 2018-19 TOTAL:</b>	<b>\$65,566,298.72</b>	<b>\$0</b>			

