

STATE OF MICHIGAN
COURT OF APPEALS

Affecting Call Motion Docket For District: Central

8/6/2012

Panel : Judges Jane M Beckering, E Thomas Fitzgerald, Cynthia Diane Stephens

Type: Regular Cases

* - priority case # - consolidated case @ - high profile case

1. 303463-C PRD DEVELOPMENT LP V TOWNSHIP OF BYRON

LC#:00-372425 Submitter: LSMITH2

LC#:00-374082

LC#:00-374083

LC#:00-374084

SUBMITTALS

_____ **Motion:Remand P- 1 PT AT**

joint motion to remand for entry of consent judgment

Answer Due: 08/06/2012

Evt 38: Joint Motion (PDF eF le)

Call Date: June/2012 Item#:26

JMB : _____

ETF : _____

CDS : _____

Comments :

***** List Complete *****

STATE OF MICHIGAN

COURT OF APPEALS

PRD DEVELOPMENT, LP, et al,

Appellant,

v

BYRON TOWNSHIP,

Appellee.

Michigan Tax Tribunal
Consolidated Docket No. 0372425

Michigan Court of Appeals
Docket No. 303463

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**JOINT MOTION TO SET ASIDE JUDGMENT AND REMAND
MATTER FOR ENTRY OF CONSENT JUDGMENT**

Appellate and Appellee, through their respective attorneys, hereby move this Court to set aside the Judgment of the Tax Tribunal in this matter and remand this matter to the Tax Tribunal pursuant to MCR 7.211, for the following reasons:

1. After oral argument in this matter, the Michigan Supreme Court issued its decision in

Michigan Properties, LLC v Meridian Township, 491 Mich. 518 (2012).

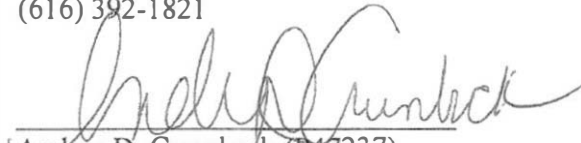
2. In light of the Supreme Court decision, the parties have reached an agreement regarding the Taxable Values for the parcels on appeal.
3. The parties' agree that the Tax Tribunal judgment shall be set aside so that the parties can submit a consent judgment in the Tax Tribunal setting the taxable values.
4. The parties to this Motion represent all of the parties to this appeal and thus, they waive the 21 day notice period under MCL 7.211.

Dated: August 2, 2012



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Dated: August 2, 2012



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MICHIGAN COURT OF APPEALS

No. 303463-C

PRD DEVELOPMENT LP V TOWNSHIP OF BYRON

1	PRD DEVELOPMENT LP Oral Argument: Y Timely: Y	PT-AT	RET	(33067) VANDERVEEN RONALD J 321 SETTLERS ROAD PO BOX 1767 HOLLAND MI 49422-1767 616/ 392-1821
2	SHROCK & LAND BUILDERS LLC	PT-AT	SAM	
3	BYRON TOWNSHIP OF Oral Argument: Y Timely: Y	RS-AE	RET	(47237) CRUMBACK ANDREA D 900 MONROE AVENUE NW GRAND RAPIDS MI 49503 616/ 632-8000

Case Age	6	9	12	15	18	24	30	36
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Status: Case Call Motion Docket**Track:** Regular**List:** EF 72**Location:** FILED

04/11/2011	1	Claim of Appeal – Civil Electronic copy available: Claim of Appeal Electronic copy available: Jurisdictional Checklist Electronic copy available: order being appealed Electronic copy available: register of actions Electronic copy available: Cover Sheet, POS Proof Of Service: 04/11/2011 Receipt Mailed: 04/14/2011 Jurisdictional Checklist: Y Register of Actions: Y Clerk: GLC Fee Code: EPAY Attorney: 33067 – VANDERVEEN RONALD J	SDABAKEY	04/22/2011
03/21/2011	2	Order Appealed From From: TAX TRIBUNAL Case Number: 00-372425 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	MWOLCOTT	04/11/2011
03/21/2011	5	Order Appealed From From: TAX TRIBUNAL Case Number: 00-374082 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	SDABAKEY	04/27/2011
03/21/2011	6	Order Appealed From From: TAX TRIBUNAL Case Number: 00-374083 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	SDABAKEY	04/27/2011
03/21/2011	7	Order Appealed From From: TAX TRIBUNAL	SDABAKEY	04/27/2011

Case Number: **00-374084**
 Trial Court Judge: (48096) HALM PATRICIA L
 Nature Of Case:
 – Tax Tribunal

03/21/2011	8	Order Appealed From From: TAX TRIBUNAL Case Number: 00-374085 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	SDABAKEY	04/27/2011
03/21/2011	9	Order Appealed From From: TAX TRIBUNAL Case Number: 00-374086 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	SDABAKEY	04/27/2011
03/21/2011	10	Order Appealed From From: TAX TRIBUNAL Case Number: 00-374087 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	SDABAKEY	04/27/2011
03/21/2011	11	Order Appealed From From: TAX TRIBUNAL Case Number: 00-374088 Trial Court Judge: (48096) HALM PATRICIA L Nature Of Case: – Tax Tribunal	SDABAKEY	04/27/2011
04/12/2011	3	File Sent to GR File Location: E	GCHAMBON	04/12/2011
04/14/2011	4	File Received by GR File Location: G	BDIETRICH	04/14/2011
04/20/2011	12	Appearance – Appellee P/S Date: 04/19/2011 For Party: 3 BYRON TOWNSHIP OF RS-AE Attorney: 47237 – CRUMBACK ANDREA D	SDABAKEY	04/27/2011
05/09/2011	13	Docketing Statement MCR 7.204H Electronic copy available: docketing stmt Electronic copy available: pos Electronic copy available: Cover Sheet, POS Filed by Attorney: 33067-VANDERVEEN RONALD J For Party: 1 PRD DEVELOPMENT LP PT-AT Proof Of Service Date: 05/09/2011	SDABAKEY	05/17/2011
06/06/2011	14	Brief: Appellant Electronic copy available: Brief on Appeal-Appellants-SNT110606 Electronic copy available: Cover Sheet, POS Proof Of Service: 06/06/2011 Pages: 12 OA: Y Timely Filed: Y Filed by Attorney: 33067 – VANDERVEEN RONALD J For Party: 1 PRD DEVELOPMENT LP PT-AT	LBARKER	06/07/2011

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07/08/2011	15	Brief: Appellee Proof Of Service: 07/08/2011 Pages: 28 OA: Y Timely Filed: Y Filed by Attorney: 47237 – CRUMBACK ANDREA D For Party: 3 BYRON TOWNSHIP OF RS–AE	SDABAKEY	07/12/2011
07/12/2011	16	Noticed Record: REQST Mail Date: 07/13/2011	AutoNotic	07/12/2011
08/04/2011	17	Record Request Mail Date: 08/04/2011 Agency: TAX TRIBUNAL	POSTCARD	08/04/2011
08/05/2011	18	Pleadings Returned P/S Date: 08/01/2011 For Party: 1 PRD DEVELOPMENT LP PT–AT Attorney: 33067 – VANDERVEEN RONALD J Comments: returning Appellant's Reply Brief–untimely	LBARKER	08/05/2011
08/15/2011	19	Motion: Extend Time – Reply Brief Proof Of Service: 08/15/2011 Notice Date: 08/23/2011 Filed by Attorney: 33067 – VANDERVEEN RONALD J For Party: 1 PRD DEVELOPMENT LP PT–AT Fee Code: EPAY Answer Due: 08/22/2011	LBARKER	08/16/2011
08/15/2011	23	Brief: Reply Electronic copy available: Attachment Proof Of Service: 08/15/2011 Pages: 3 Timely Filed: Y Filed by Attorney: 33067 – VANDERVEEN RONALD J For Party: 1 PRD DEVELOPMENT LP PT–AT	SDABAKEY	08/24/2011
08/19/2011	20	Record Filed Record Location: G Comments: 8 FILES; COA PLDG	BDIETRICH	08/19/2011
08/19/2011	21	Ready For Research	SetManagementList	08/19/2011
08/23/2011	22	Submitted On Administrative Motion Docket Event: 19 Motion:Extend Time – Reply Brief District: G Panel: JPH,,	LZARZECKI	08/23/2011
08/24/2011	24	Order: Extend Time – Reply Brief – Grant Electronic copy available Event: 19 Motion:Extend Time – Reply Brief Panel: JPH,, Extension Date: 08/15/2011 Attorney: 33067 VANDERVEEN RONALD J Comments: Reply/b received on 8/15/11 accepted for filing	SDABAKEY	08/24/2011
01/05/2012	25	Research Eval: Civil – No Report Recommendation: Research Eval: Civil – No Report	RBROWNE	01/05/2012
04/03/2012	28	Record Received by Judge Comments: 8 LCF, COA PLDG, AE BRIEF MISC, Rec'd by ETF ---	BGAUTHIER	04/03/2012

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06/13/2012	29	Submitted on Case Call District: L Panel: JMB,ETF,CDS Item Number: 26 Panel#: 7	MHICKNER	05/11/2012
06/13/2012	31	Oral Argument Audio	BatchUpdate	06/13/2012
06/19/2012	32	Pleadings Returned Electronic copy available For Party: 1 PRD DEVELOPMENT LP PT-AT Attorney: 33067 – VANDERVEEN RONALD J Comments: 3 page suppl authority	SDABAKEY	06/19/2012
06/29/2012	33	Brief: Supplemental Auth`y Electronic copy available: Supplemental Authority Electronic copy available: Proof of Service Electronic copy available: Cover Sheet, POS Proof Of Service: 06/29/2012 Filed by Attorney: 33067 – VANDERVEEN RONALD J For Party: 1 PRD DEVELOPMENT LP PT-AT Sent To: Pleading Sent to Panel	LZARZECKI	06/29/2012
08/06/2012	38	Motion: Remand Electronic copy available: Joint Motion Electronic copy available: Cover Sheet, POS Proof Of Service: 08/06/2012 Notice Date: 08/06/2012 Filed by Attorney: 33067 – VANDERVEEN RONALD J For Party: 1 PRD DEVELOPMENT LP PT-AT Answer Due: 08/06/2012 Pending On List: JMB as of: 08/06/2012 Comments: Joint motion to remand for entry of consent judgment	LSMITH2	08/06/2012
08/06/2012	39	Submitted On Motion Docket Affecting Call Event: 38 Motion:Remand District: C Panel: JMB,ETF,CDS Item Number: 1	LSMITH2	08/06/2012

Inquiry Printed On: 08/06/2012 2:18:33 PM
Confidential Listing Complete Thank You, LSMITH2
