

Court of Appeals, State of Michigan

ORDER

Stand Up for Democracy v Secretary of State

Docket No. 310047

Kurtis T. Wilder
Presiding Judge

Kirsten Frank Kelly

Michael J. Riordan
Judges

The Court orders that the motions for immediate consideration are GRANTED.

The motions to quash the subpoena and for protective order relating to the deposition of Chris Corneal and the motion to strike the affidavit of Michael Migrin are GRANTED. Plaintiff has not shown the relevancy of adding evidence to these proceedings otherwise not presented to the Board of State Canvassers. This Court's review of whether the Board had a clear legal duty is restricted to the evidence that the parties presented to the Board and plaintiff may not expand the record with evidence not before the Board. See generally *Sherman v Sea Ray Boats, Inc*, 251 Mich App 41, 56; 649 NW2d 783, 791 (2002).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAY 14 2012

Date


Chief Clerk