

Court of Appeals, State of Michigan

ORDER

Legacy Five LLC v City of Jackson

Docket No. 318137

Peter D. O'Connell
Presiding Judge

Kathleen Jansen

E. Thomas Fitzgerald
Judges

The Court orders that this original action is REFERRED to Judge Thomas D. Wilson, Chief Judge of the Jackson Circuit Court, pursuant to MCR 7.206(E)(3)(d); MCL 600.308a(5), for the purpose of selecting a judge of the circuit court who will serve in the capacity of special master in these proceedings. The special master shall direct the parties' discovery, resolve all issues concerning discovery, receive proofs and arguments of law, report factual findings for review by this Court, and make such other determinations as are necessary to facilitate this Court's resolution of the factual and legal matters raised by the parties. This order is not intended to limit the parties' or the special master's options regarding the manner in which they or the special master may proceed. The proceedings before the special master shall proceed as expeditiously as due consideration of the circuit court's dockets, facts, and issues of law requires. MCR 7.206(E)(3)(d). The parties shall file with this Court copies of all pleadings and documents filed with the special master. Any costs associated with the transcription of proofs, oral argument, or the rulings of the special master shall be initially paid by plaintiff.

The special master's findings of fact and other determinations shall be made in a written report to be filed with this Court. Transcripts of the proceedings before the special master, as well as the documentary record of the proceedings, shall be transmitted to this Court within 28 days after the filing of the special master's report. The parties shall have 21 days from the filing of the special master's report in which to file their respective objections to the report of the special master. The objections shall be accompanied by a supporting brief that complies with MCR 7.212 and exhibits. Answers to the objections made by opposing parties shall be filed within 21 days of the filing of the objections.

Remanded for proceedings consistent with this order. We retain jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

JUN 16 2014

Date


Chief Clerk