

Court of Appeals, State of Michigan

ORDER

Michigan Quality Community Care Council v Patricia Haynes

Docket No. 318557

LC No. 12-000183

William C. Whitbeck
Presiding Judge

Donald S. Owens

Michael J. Kelly
Judges

The Court orders that the motion to dismiss this appeal as moot under MCR 7.211(C)(2)(c) is GRANTED. In light of the refunds provided to appellants by appellee SEIU Healthcare Michigan (SEIU) that undisputedly provided them larger amounts than they sought in this litigation, this appeal has become moot because it now presents only “abstract questions of law, which do not rest upon existing facts or rights.” *Anglers of the AuSable, Inc v Dep’t of Environmental Quality*, 489 Mich 884, 884; 796 NW2d 240 (2011) (citation omitted). In this regard, to allow appellants to proceed with this appeal to vindicate the possible interests of third parties would improperly allow them to litigate abstract questions of law in which they are no longer interested parties. See also *Dep’t of Ed v Grosse Pointe Pub Schools*, 474 Mich 1117; 712 NW2d 445 (2006) (case became moot when school district paid for individual educational evaluation at issue). Further, it is apparent that this matter does not involve circumstances that are likely to recur yet evade judicial review. *Id.* Moreover, whether Michigan Employment Relations Commission (MERC) Rule 423.157 might have allowed MERC to make other individuals parties to this case or whether there was any error by MERC related to that matter is immaterial to the mootness of this appeal where appellants cannot obtain any further practical relief for themselves from this appeal. We also note that nothing in the applicable case law regarding mootness makes relevant SEIU’s motives for providing the refunds to appellants that have rendered this appeal moot.



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

SEP 18 2014

Date


Chief Clerk