Court of Appeals, State of Michigan

ORDER

Huhtamaki Plastics Inc v Township of Warren

Docket No. 338904

LC No. 16-000926-TT

Amy Ronayne Krause
Presiding Judge

Patrick M. Meter

Stephen L. Borrello
Judges

The Court ORDERS that the motion to dismiss this appeal, or in the alternative for an order making clear that the consent judgment is not stayed pending this appeal, is DENIED. We note that, contrary to the indication of appellee Huhtamaki Plastics, Inc. (Huhtamaki), this appeal has not been docketed as taken by it as the appellant. Rather, the Clerk's Office has properly docketed this appeal as taken by appellant Honigman, Miller, Schwartz, and Cohn, LLP (Honigman), consistent with the body of the claim of appeal stating that Honigman is the appellant and it being evident that Honigman has brought this appeal to challenge the aspect of the June 1, 2017 Tax Tribunal order and judgment that is adverse to Honigman. In this regard, that the caption of the claim of appeal inaccurately designates Huhtamaki as an appellant is an obvious clerical error that should simply be disregarded. Huhtamaki has also presented no reasonable basis for entitlement to the alternative requested relief where there is no indication that it has first sought such relief from the Tax Tribunal or any sound reason for concern as to whether respondent township will effectively make a refund of the proper amount of money to Huhtamaki after it is finally resolved whether Hongiman is entitled to directly obtain any share of that refund.

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

OCT 11 2017
Date

Chief Clerk