

# Court of Appeals, State of Michigan

## ORDER

Nicola Binns v City of Detroit

Docket No. 337609

Michael J. Riordan  
Presiding Judge

William B. Murphy

Mark T. Boonstra  
Judges

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Pursuant to the opinion issued concurrently with this order, the Court DENIES the complaint for declaratory judgment, injunction and monetary relief brought pursuant to MCR 2.112(M) and Const 1963, art 9, § 32 because plaintiffs lack a cause of action for the reasons stated in the Court's opinion. MCR 7.206(E)(3)(b).

The Court further DENIES the motion to certify class pursuant to MCR 3.501. See *Zine v Chrysler Corp*, 236 Mich App 261, 287; 600 NW2d 384 (1999). Detroit defendants' motion seeking an extension of time to respond to plaintiffs' motion for class certification is DENIED as moot. See generally, *B P 7 v Bureau of State Lottery*, 231 Mich App 356, 359; 586 NW2d 117 (1998). Plaintiffs' request for entry of default against defendant Great Lakes Water Authority is DENIED because the request is not properly supported by an affidavit or otherwise. See MCR 2.603(A)(1); *Sherry v East Suburban Football League*, 292 Mich App 23, 31; 807 NW2d 859 (2011). The Court DENIES as moot defendant GLWA's motion to strike or set aside the request for default and for leave to answer or otherwise respond.



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

NOV 06 2018

Date

Chief Clerk