

Court of Appeals, State of Michigan

ORDER

In re Clark Estate

Docket No. 320720

LC No. 2013-000599-CZ

Mark T. Boonstra
Presiding Judge

Henry William Saad

Christopher M. Murray
Judges

The defendant-appellee's motion for reconsideration is DENIED. The Court again observes that defendant-appellee's counsel stated on the record at oral argument that his client did not apply for a hardship waiver from estate recovery.

The Court further observes that it would deny defendant-appellee's motion for reconsideration if the Court were to accept the validity of the document, submitted as an exhibit to the motion for reconsideration, that defendant-appellee claims to be an application for receipt of a hardship waiver from estate recovery. According to the document (which defendant-appellee has failed to authenticate per Michigan Rule of Evidence 901), defendant-appellee signed and certified the hardship waiver application on June 3, 2013, and mailed it to plaintiff-appellant on June 4, 2013. Defendant-appellee therefore failed to file this purported application within the requisite 60 days of December 28, 2012, the date when defendant-appellee received notice of plaintiff-appellant's intent to recover Medicaid expenses.



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

AUG 05 2015

Date

Chief Clerk