

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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MICHAEL BARNETT, JOHN BURTWELL,  
DANNY TARROW, and CLARENCE WALDEN,

UNPUBLISHED  
October 1, 1996

Plaintiffs,

v

No. 179840  
On Remand

GOVERNOR OF MICHIGAN, DIRECTOR OF  
THE MICHIGAN DEPARTMENT OF LABOR, and  
DIRECTOR OF THE MICHIGAN BUREAU OF  
WORKERS' DISABILITY COMPENSATION,

Defendants.

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Before: Holbrook, Jr., P.J., and Sawyer and Neff, JJ.

MEMORANDUM.

Plaintiffs filed a complaint for a writ of mandamus with this Court which was summarily denied by this Court in Docket No. 165810 on October 25, 1993. In lieu of granting plaintiffs leave to appeal, the Supreme Court remanded the case to this Court for plenary consideration on October 25, 1994. After full consideration of the issues, we again conclude that plaintiffs' request for a writ of mandamus must be denied.

Plaintiffs' complaint specifically requests that this Court issue a writ of mandamus directing defendants to implement the provisions of 1990 PA 157. Pursuant to 1993 PA 198, the Legislature repealed the very statutory provisions plaintiffs seek to enforce, MCL 418.722 and 418.723; MSA 17.237(722) and 17.237(723). These provisions now being repealed, implementation of them has been rendered impossible. Therefore, plaintiffs' claim is moot. *Plumbers Local 190 v Wolff*, 141 Mich App 815, 818; 369 NW2d 237 (1985).

Denied.

/s/ Donald E. Holbrook, Jr.

/s/ David H. Sawyer

/s/ Janet T. Neff