

# Order

Michigan Supreme Court  
Lansing, Michigan

June 9, 2017

Stephen J. Markman,  
Chief Justice

154745

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen  
Kurtis T. Wilder,  
Justices

BOARD OF TRUSTEES OF THE CITY OF  
PONTIAC POLICE AND FIRE RETIREE  
PREFUNDED GROUP HEALTH AND  
INSURANCE TRUST,  
Plaintiff-Appellee,

v

SC: 154745  
COA: 316418  
Oakland CC: 2012-128625-CZ

CITY OF PONTIAC,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the October 25, 2016 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether the Court of Appeals correctly concluded that the principles from *LaFontaine Saline, Inc v Chrysler Group, LLC*, 496 Mich 26 (2014), apply to the analysis of the Emergency Manager's Executive Order 225; and that (2) the retroactive application of EO 225 to extinguish the defendant city's accrued but unpaid contribution to the trust for the 2011-2012 fiscal year was impermissible under *LaFontaine*; and (3) if not, whether EO 225 constitutes an impermissible retroactive modification of the 2011-2012 fiscal year contribution under Const 1963, art 9, § 24. The parties should not submit mere restatements of their application papers.



s0606

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 9, 2017

  
Clerk