

Order

Michigan Supreme Court
Lansing, Michigan

April 3, 2009

Marilyn Kelly,
Chief Justice

137424

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

DANIEL ADAIR, *et al.*,
Plaintiffs-Appellants,

v

SC: 137424
COA: 230858

STATE OF MICHIGAN,
Defendant-Appellee.

137453

DANIEL ADAIR, *et al.*,
Plaintiffs-Appellees,

v

SC: 137453
COA: 230858

STATE OF MICHIGAN,
Defendant-Appellant.

On order of the Court, the applications for leave to appeal the July 3, 2008 judgment of the Court of Appeals are considered, and they are GRANTED, limited to the issues: (1) whether the prohibition of unfunded mandates in Const 1963, art 9, § 29 requires the plaintiffs to prove specific costs, either through the reallocation of funds or out of pocket expenses, in order to establish their entitlement to a declaratory judgment; and (2) whether plaintiffs are entitled to recover the “costs incurred in maintaining” this suit pursuant to Const 1963, art 9, § 32.



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I, Corbin R. Davis, 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.

April 3, 2009

Corbin R. Davis

Clerk