

STATE OF MICHIGAN
COURT OF APPEALS

GREAT LAKES MEDIA, INC., d/b/a THE
OAKLAND PRESS,

UNPUBLISHED
February 7, 1997

Plaintiff-Appellee,

v

No. 185433
Oakland Circuit Court
LC No. 95-495537-AZ

OAKLAND UNIVERSITY BOARD OF
TRUSTEES, PRESIDENTIAL SEARCH
ADVISORY COMMITTEE, and PSAC
CHAIRPERSON REX SCHLAYBAUGH,

Defendants-Appellants.

Before: White, P.J., and Griffin, and D. C. Kolenda*, JJ.

MEMORANDUM.

Defendants appeal as of right a permanent injunction issued by the circuit court. The order declares that defendant Oakland University Board of Trustees improperly delegated its authority to select the president of Oakland University to defendant Presidential Search Advisory Committee. The order further enjoins defendants from holding any meetings relating to the search except in compliance with the Open Meetings Act. We vacate the injunction and dismiss the appeal as moot.

At oral argument, counsel for defendants advised this Court that, while this appeal was pending, Oakland University hired a new president. Further, that the hiring was done in conformity with the terms of the injunction. Nevertheless, defense counsel argued that the case was not moot because the issues pertaining to the injunction were of significant public importance and likely to arise again. See *Detroit City Council v Mayor of Detroit*, 449 Mich 670, 677, n 9; 537 NW2d 177 (1995), and *Doe v Dep't of Social Services*, 439 Mich 650, 660, n 15; 487 NW2d 166 (1992). However, the Legislature has now passed, and the Governor has signed, an amendment to the Open Meetings Act regarding the selection of university presidents. See 1996 PA 464. Accordingly, the issues raised

* Circuit judge, sitting on the Court of Appeals by assignment.

below¹ are not likely to arise again and are therefore declared moot. *People v Mansour*, 206 Mich App 81; 520 NW2d 646 (1994).

The permanent injunction issued by the lower court is hereby vacated. The appeal is dismissed as moot. No costs to either party.

/s/ Helene N. White
/s/ Richard Allen Griffin
/s/ Dennis C. Kolenda

¹ We acknowledge that our Court recently decided the merits of similar issues in *Federated Publications, Inc v Bd of Trustees of Michigan State Univ*, ___ Mich App ___; ___ NW2d ___ (Docket No. 177264, issued 1/14/97). In view of our disposition, we express no opinion as to the correctness of *Federated Publications*.