

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

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Filed: March 23, 2026

Mr. Robert Joseph Muise
American Freedom Law Center
P.O. Box 131098
Ann Arbor, MI 48113

Re: Case No. 26-1282
In re: Catholic Healthcare International, Inc., et al
Originating Case No. 4:21-cv-11303

Dear Sir,

The petition for writ of mandamus has been docketed as case number **26-1282** with the caption listed above. If you have not already done so, you must mail a copy of the petition to the lower court judge and counsel for all the other parties.

The filing fee for the petition is \$600, which is payable to the Clerk, Sixth Circuit Court of Appeals. If you wish to seek a waiver of the filing fee, a motion for pauper status with a completed financial affidavit is due by **April 6, 2026**. The financial affidavit is available at www.ca6.uscourts.gov.

Counsel for petitioner must file an Appearance of Counsel form and, if not admitted, apply for admission to the 6th Circuit Bar by **April 6, 2026**. The forms are available on the court's website.

The district court judge to whom this petition refers has been served with this letter.

Sincerely yours,

s/Kelly Stephens

Appeal Case Manager: James
Direct Dial No. 5135647019

cc: Ms. Kinikia D. Essix

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No.

**United States Court of Appeals
for the
Sixth Circuit**

**IN RE CATHOLIC HEALTHCARE INTERNATIONAL,
INC.; JERE PALAZZOLO,**

PLAINTIFFS-PETITIONERS,

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
HONORABLE SHALINA D. KUMAR

Civil Case No. 5:21-cv-11303

PETITION FOR WRIT OF MANDAMUS

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**DISCLOSURE OF CORPORATE AFFILIATIONS
AND FINANCIAL INTERESTS**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and 6th Cir. R. 26.1, Plaintiffs-Petitioners state the following:

Plaintiff-Petitioner Catholic Healthcare International, Inc. is a nonprofit corporation. It does not have a parent corporation and no publicly held company owns 10% of its stock. Additionally, there are no publicly owned corporations, not a party to the petition, that have a financial interest in the outcome.

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RELIEF SOUGHT

Pursuant to Rule 21 of the Federal Rules of Appellate Procedure and for the reasons detailed below, Petitioners Catholic Healthcare International, Inc. (“CHI”) and Jere Palazzolo (collectively referred to as “Petitioners” or “Plaintiffs”) hereby request an order from this Court directing the District Court to revoke its order appointing a special master. The Defendants in this case concur in the relief sought by this petition.¹

While mandamus is a drastic remedy, it nonetheless is necessary when an inferior court attempts to shirk its duty. Here, relying on an incorrect view of Rule 53 of the Federal Rules of Civil Procedure—a rule which allows courts to appoint special masters only when the need is clear—the district court is imposing on Petitioners (and Defendants) extraordinary, unnecessary, and unreasonable fees (\$925.00 per hour) for the special master to handle matters routinely handled by a district court judge or the assigned magistrate judge.² This appointment, at great

¹ (See 3/17/26 Email from Defendants’ Counsel at APX-44). In addition to the designation of relevant district court documents cited in this petition and included in the addendum, relevant documents are included in the Appendix (“APX”), which is attached.

² The district court judge, Shalina Kumar, appointed Victoria Roberts as the special master in this case. Victoria Roberts is a former district court judge in the U.S. District Court for the Eastern District of Michigan. In fact, President Biden nominated Judge Kumar to the very seat that was vacated by Judge Roberts.

expense to the parties, allows the district court to avoid its duty to hear and decide cases.

The right of access to the courts is a right so fundamental it is enshrined in the petition clause of the First Amendment. *Borough of Duryea v. Guarnieri*, 564 U.S. 379, 387 (2011) (“The right of access to courts for redress of wrongs is an aspect of the First Amendment right to petition the government.”) (internal alterations omitted) (quoting *Sure-Tan, Inc. v. NLRB*, 467 U.S. 883, 896-97 (1984)) (citing cases). Yet, the district court’s special master appointment makes access to the courts impossible for Petitioners, a non-profit organization and its employee, who have thus far only been able to engage in this litigation to protect their constitutional and statutory rights because of *pro bono* counsel.

ISSUES PRESENTED

Whether mandamus is an appropriate remedy where the district court needlessly issued an order appointing a special master over the objection of all parties in a straightforward case and where Petitioners are unable to afford the exorbitant fees.

FACTS NECESSARY TO UNDERSTAND THE ISSUE PRESENTED

Petitioners are CHI, a non-profit, religious organization, and the president of CHI. Petitioners seek to build a small chapel on 40 acres of land owned by CHI in Defendant Genoa Charter Township (“Township”) where churches are an allowed

use. The Township denied this request, resulting in this litigation that primarily asserts straightforward Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc *et seq.* (“RLUIPA”) and free exercise claims. (R-55: Supp. First Amend. Compl., Pg. ID.2234-98). Neither Petitioner would be able to afford the cost of legal counsel in this case to protect their rights. They are only able to engage in this litigation because they have retained the *pro bono* legal services of American Freedom Law Center, a non-profit legal organization. (R-144-1: Declaration of Jere Palazzolo at ¶¶ 5-6, Pg.ID.5573).

This case was filed in June 2021—nearly five years ago. (R-1: Compl., Pg.ID.1-36). Yet, district court delays and district court errors have dragged it out so the case is just now in the midst of discovery. Prior to this petition, Petitioners have twice had to bring appeals to this Court, and twice this Court ruled in Petitioners’ favor. First, this Court overruled the district court’s application of the *Younger* abstention doctrine in this case. *Catholic Healthcare Int’l, Inc. v. Genoa Charter Twp.*, No. 21-2987, 2021 U.S. App. LEXIS 33937 (6th Cir. Nov. 12, 2021). And second, in a comprehensive opinion setting forth the law applicable to the merits of the case, this Court reversed the district court’s order denying Petitioners’ motion for a preliminary injunction. *Catholic Healthcare Int’l, Inc. v. Genoa Charter Twp.*, 82 F.4th 442, 445 (6th Cir. 2023) (“*CHI II*”) (“The district court has twice denied that request [for a preliminary injunction], most recently holding that—

notwithstanding all the events described above—Catholic Healthcare’s free-exercise and statutory claims are unripe. We reverse that holding and grant Catholic Healthcare’s request for an injunction. We also reject the Township’s cross-appeal.”); *id.* at 450 (“The plaintiffs are therefore likely to succeed on the merits of their RLUIPA claim as to the specific injunction they seek here.”).

After this Court’s unanimous decision on the preliminary injunction—a decision which laid out the legal and factual framework demonstrating that Petitioners were likely to succeed on the merits, *see generally CHI II*, 82 F.4th 442—Petitioners filed a Motion for Partial Summary Judgment (“MSJ”) on the issue of liability on November 30, 2023. (R-97: Pls.’ Mot. for Partial Summ. J., Pg.ID.4110-60). This motion remained pending until September 24, 2025, when the district court denied the motion with less than four pages of legal analysis. (*See* R-133: Order Denying Pls.’ Mot. for Partial Summ. J. at 6-10, Pg.ID.5391-95). As the MSJ was pending for nearly two years, both parties filed numerous motions aimed, not at frivolous party disputes, but rather at seeking a proper ruling on the MSJ. For instance, Petitioners filed motions to expedite the ruling as they remain irreparably harmed by Defendants’ violation of their rights protected by RLUIPA and the First Amendment. *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (“The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.”); (*see generally* Doc. Rep. at APX-8-22). And Defendants filed

multiple motions seeking to supplement the record with new facts they deemed relevant and a motion seeking discovery. *Id.*

After the order denying the MSJ, the district court ignored requests from the parties to define the scope of discovery (R-134: Pls.’ Mot. for Recons. or, in the Alternative, for Certification, Pg.ID.5397-5419); ignored the parties’ joint proposed discovery schedule, which was filed per her order (R-139: Rule 26(f) Joint Discovery Plan, Pg.ID.5515-5539; R-136: Notice of Rule 16 Scheduling Conference, Pg.ID.5482-83); cancelled the scheduling conference the day before it was to occur (Doc. Rep. – Text Only Notice at APX-22); and issued a boilerplate discovery order (R-140: Rule 16 Scheduling Order (Phase I), Pg.ID.5540-44).³ The same day, without notice to the parties or the opportunity to be heard, *see* Fed. R. Civ. P. 53(b)(1), the district court judge issued an order directing all discovery matters to her retired predecessor and requiring the parties to pay her “usual rates.” (R-141: Order Appointing Discovery Master, Pg.ID.5545-48). Shortly thereafter, the district court amended its order to require the parties to pay not only the “usual rates” of the special master, but also the “usual rates” of the special master’s research

³ Still pending with the district court is Petitioners’ motion for a protective order (*see* R.135, Pls.’ Mot. for Protective Order, Pg.ID.5444-57), which was filed in the main because the district court granted Defendants’ motion for discovery prior to the court issuing a scheduling order. *See* Fed. R. Civ. P. 16(b)(1). The motion for a protective order also sought guidance from the court on the proper scope of discovery. As noted, this motion, which was filed on September 30, 2025, is still pending.

attorney. (R-142: Amended Order Appointing Discovery Master at 3, Pg.ID.5551). The special master's fees are \$925.00 per hour. (See JAMS Fee Agreement and Cancellation Policy at APX-23).⁴ The special master (*via* JAMS serving as her services platform) is further demanding that the parties pay \$1,000.00 each up front, and she is requiring a scheduling conference even though there are no discovery disputes pending before the special master. (JAMS Notice to All Parties at APX-25).

Of note, there is an experienced magistrate judge assigned to this case; yet, the district court has not referred anything to him. (*See generally* Doc. Rep. at APX-8). No party wants a special master. Petitioners filed a motion in the district court to revoke the order appointing a special master, and Defendants concurred in the relief sought (as they are concurring in the relief sought by this petition). The district court denied the motion in a scant order that misrepresented the history of the case and ignored the requirements of Rule 53. This petition follows.

⁴ This is an increase in her "General Fee Schedule," in which she charges \$850.00 per hour. (*See* Gen. Fee Schedule at APX-30). For some unknown reason, the special master is charging the parties an additional \$75.00 per hour for her services in this matter.

REASONS THE WRIT SHOULD ISSUE

I. Introduction.

“The traditional use of the writ in aid of appellate jurisdiction both at common law and in the federal courts has been to confine an inferior court to a lawful exercise of its prescribed jurisdiction or *to compel it to exercise its authority when it is its duty to do so.*” *Roche v. Evaporated Milk Ass’n*, 319 U.S. 21, 26 (1943) (emphasis added).

As recently stated by this Court:

“Mandamus is a drastic remedy that should be invoked only in extraordinary cases where there is a clear and indisputable right to the relief sought.” *United States v. Young*, 424 F.3d 499, 504 (6th Cir. 2005). “Although a writ of mandamus should not generally be used to review the discretionary decisions of trial courts, the writ may be issued where the trial court’s actions amount to a clear abuse of discretion.” *United States v. Ford*, 987 F.2d 334, 341 (6th Cir. 1992) (internal citation omitted). To warrant relief in mandamus, [petitioner] must show his right to the writ is “clear and indisputable.” *Cheney v. United States Dist. Court*, 542 U.S. 367, 381 (2004) (quoting *Kerr v. United States Dist. Court for N. Dist. of Cal.*, 426 U.S. 394, 403 (1976)).

In re Dixon, No. 18-3550, 2018 U.S. App. LEXIS 22507, at *1 (6th Cir. Aug. 13, 2018); *see also Kerr*, 426 U.S. at 402 (observing that while the Court has “not limited the use of mandamus by an unduly narrow and technical understanding of what constitutes a matter of ‘jurisdiction,’ . . . the fact still remains that only exceptional circumstances amounting to a judicial ‘usurpation of power’ will justify the invocation of this extraordinary remedy”) (internal quotations and citation omitted).

Here, Petitioners are seeking an order compelling the district court to revoke its appointment of a special master. In essence, to compel the district court to rule, if necessary, on discovery disputes, instead of foisting an impossible financial burden on Petitioners to pay a special master and her research attorney exorbitant fees⁵ to perform the district court's duty (who also has the assistance of an experienced magistrate judge). The district court's order will make it nearly impossible for Petitioners to continue this lawsuit—a lawsuit in which this Court

⁵ The special master is charging \$925.00 per hour. (JAMS Fee Agreement and Cancellation Policy at APX-23). “The Supreme Court has stated that in awarding fees, courts should look to the hourly rates prevailing in the community for similar services by lawyers of reasonably comparable skill, experience, and reputation.” *Fuhr v. Sch. Dist. of Hazel Park*, 364 F.3d 753, 762 (6th Cir. 2004). “District courts have relied on the State Bar of Michigan . . . Economics of Law Practice Survey to determine average billing rates in Michigan, and the Sixth Circuit has approved this practice.” *Gonzalez v. Taqueria El Texano, LLC*, No. 1:24-cv-0967, 2026 U.S. Dist. LEXIS 32916, at *5 (W.D. Mich. Jan. 27, 2026) (citing cases). The State Bar of Michigan Economics of Law Survey demonstrates that the median hourly fee for attorneys with over 35 years of practice is \$300.00 and the rate at the 95th percentile is \$650.00; the median hourly fee for attorneys in Civil Rights practice is \$350.00 and the rate at the 95th percentile is \$710.00; the median hourly fee for attorneys in in Genesee County where the courthouse is located is \$275.00 and the rate at the 95th percentile is \$530.00; the median hourly fee for attorneys in in Livingston County where the parties are located is \$295.00 and the rate at the 95th percentile is \$425.00 (State Bar of Mich. Economics of Law Survey at 6, 8, 10 at APX-36, 38, 40). Here, the special master's fee of \$925.00 per hour is entirely unreasonable. *See, e.g., Bledsoe v. FCA US LLC*, No. 4:16-CV-14024-TGB-RSW, 2022 U.S. Dist. LEXIS 137107, at *13 (E.D. Mich. Aug. 2, 2022) (setting the special master's fee at \$425.00 per hour); *Roberts v. Cty. of Mahoning*, 495 F. Supp. 2d 693, 694 (N.D. Ohio 2005) (setting the special master's fee at \$125.00 per hour); *Liberty Ford Lincoln Mercury, Inc. v. Ford Motor Co.*, No. 1:21-cv-02085, 2023 U.S. Dist. LEXIS 101300, at *12 (N.D. Ohio May 3, 2023) (setting the special master's fee at \$650.00 per hour).

previously ruled that Petitioners are likely to succeed on their RLUIPA claim, *see CHI II*, 82 F.4th 442—because they cannot afford a special master. (R-144-1: Palazzolo Decl. at ¶¶ 5-6, Pg.ID.5573). Exceptional and extraordinary circumstances to grant the writ of mandamus exist in this case.

II. Standard of Review.

The All Writs Act provides that “[t]he Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.” 28 U.S.C. § 1651(a). For a writ of mandamus to issue, three conditions must be satisfied: (1) “the party seeking issuance of the writ must have no other adequate means to attain the relief he desires”; (2) the petitioner must demonstrate that the “right to issuance of the writ is clear and indisputable”; and (3) “the issuing court, in the exercise of its discretion, must be satisfied that the writ is appropriate under the circumstances.” *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380-81 (2004) (brackets, citations, and internal quotation marks omitted); *In re City of N.Y.*, 607 F.3d 923, 932-33 (same).

III. Petitioners Satisfy the Conditions for a Writ of Mandamus to Issue.

A. Petitioners Have No Other Adequate Remedy.

Petitioners have no other means of obtaining the relief they seek. The district court denied their motion to revoke the appointment, effectively refused to provide

the parties an opportunity to be heard, and cancelled their status conference. The order appointing the special master provides no grounds for an interlocutory appeal. *See* 28 U.S.C. § 1292(a). Indeed, without this relief, Petitioners likely will be forced to spend tens of thousands of dollars, compromising their ability to pursue this case to final judgment. Mandamus is appropriate. *In re United States*, 816 F.2d 1083, 1086 (6th Cir. 1987) (“At the outset, we note that mandamus is an accepted means to challenge a district court’s order referring matters to a special master under Rule 53.”).

B. The Right to Issuance of the Writ Is Clear and Indisputable.

This is not a novel circumstance. Courts, including the Supreme Court, have issued Writs of Mandamus to overturn a district court’s appointment of a special master. *La BUY v. HOWES*, 352 U.S. 249, 251 (1957) (concluding, on petition from a district court judge, that the court of appeals properly issued two writs of mandamus vacating the district court’s appointments of special masters under Fed. R. Civ. P. 53(b)); *Prudential Ins. Co. v. United States Gypsum Co.*, 991 F.2d 1080, 1088 (3d Cir. 1993) (“We will therefore issue a writ of mandamus directing the district court to withdraw and vacate its reference to the special master.”); *In re Bituminous Coal Operators’ Ass’n*, 292 U.S. App. D.C. 309, 949 F.2d 1165 (1991). Without question, “mandamus is an accepted means to challenge a district court’s

order referring matters to a special master under Rule 53.” *In re United States*, 816 F.2d at 1086.

C. The Writ Is Appropriate under the Circumstances.

The district court’s ability to appoint a special master is exceedingly limited. While a 2003 amendment slightly expanded Rule 53 by adding subsection (a)(1)(C) below, “[a] pretrial master should be appointed *only when the need is clear*.” Fed. R. Civ. P. 53 Advisory Committee Notes (2003) (emphasis added). Under Rule 53 of the Federal Rules of Civil Procedure:

(a) Appointment.

(1) Scope. Unless a statute provides otherwise, a court may appoint a master *only* to:

(A) perform duties consented to by the parties;

(B) hold trial proceedings and make or recommend findings of fact on issues to be decided without a jury if appointment is warranted by:

(i) some exceptional condition; or

(ii) the need to perform an accounting or resolve a difficult computation of damages; or

(C) address pretrial and posttrial matters that *cannot be effectively and timely* addressed by an available district judge or *magistrate judge* of the district.

Fed. R. Civ. P. 53 (emphasis added). Even with the amendment, “[t]he core of the original Rule 53 remain[ed], including its prescription that appointment of a master must be the exception and not the rule.” Fed. R. Civ. P. 53 Advisory Committee Notes (2003). “District judges bear primary responsibility for the work of their courts. A master should be appointed only in limited circumstances.” *Id.*

Calendar congestion is not a reason to appoint a special master:

The [Supreme] Court [in *La Buy*] stated that “congestion in itself is not such an exceptional circumstance as to warrant reference to a master. If such were the test, present congestion would make references the rule rather than the exception.” 352 U.S. at 259. *See also Ingram*, 471 F.2d at 1271 (“Reference of cases . . . is not the proper solution of the problem [of crowded court calendars]. The proper solution of a crowded docket rests with the Congress. . . . The problem of a crowded docket must not be allowed to close the door to a litigant who has a statutory right of review by a court.”).

In re United States, 816 F.2d at 1088; *see also, Hudson-Rpm Distrib., LLC v. Bowditch*, No. 19-40095-TSH, 2020 U.S. Dist. LEXIS 267597, at *6 (D. Mass. Nov. 10, 2020) (“Routine considerations, such as ‘general complexity of the litigation’ or ‘congestion of the court’s calendar’ do not qualify as exceptional circumstances” to warrant appointing a master under Fed. R. Civ. P. 53(a)(1)(C)); *A.R. v. Wyndham Hotels & Resorts, Inc.*, No. 2:21-cv-4935, 2022 U.S. Dist. LEXIS 162672, at *8-9 (S.D. Ohio Sep. 8, 2022) (“And although the Undersigned agrees with Plaintiffs that the Court ‘has a heavy lift on the horizon to manage discovery’ in these related cases, Plaintiffs have failed to demonstrate how appointment of a special master is warranted under Federal Rule of Civil 53.”); *Hartford Fire Ins. Co. v. Progressive Corp.*, No. 1:12 CV 2444, 2013 U.S. Dist. LEXIS 202330, at *7 (N.D. Ohio Oct. 9, 2013) (“The Sixth Circuit in *In re U.S.* expressly stated that the *La Buy* Court rejected reasons such as calendar congestion, complexity of the issues, and the possibility of

a lengthy trial as exceptional circumstances warranting the appointment of a special master.”).

This case is void of exceptional circumstances (and even unexceptional circumstances) that would warrant appointment of a special master. First, *all* parties objected to the appointment of a discovery master. *Hartford Fire Ins. Co. v. Progressive Corp.*, No. 1:12 CV 2444, 2013 U.S. Dist. LEXIS 202330, at *6 (N.D. Ohio Oct. 9, 2013) (“[T]he expansion of Rule 53 in the 2003 amendments does not contemplate a deferential approach to appointment special masters, especially where one of the parties opposes such an appointment.”). Second, this is a straightforward case. The parties are only an organization and an officer of the organization on each side. Petitioners are represented by a single law firm, as are Defendants. The substance of the case involves straightforward constitutional and statutory law for which this Court has already provided the blueprint to resolve in its order on the preliminary injunction. *See generally CHI II*, 82 F.4th 442. Even complex cases do not, by themselves, warrant the appointment of a special master. *La BUY*, 352 U.S. at 259 (rejecting judge’s assertion that his appointment of a special master was appropriate because of complex issues); *Hartford Fire Ins. Co.*, No. 1:12 CV 2444, 2013 U.S. Dist. LEXIS 202330, at *6 (rejecting defendant’s assertion that “courts have appointed special masters to address complex issues,” particularly where one party objects); *In re United States*, 816 F.2d at 1089 (“In any event, the complexity

of the case is not a factor that justifies appointing a special master.”). Indeed, Petitioners cannot find a case where a special master was appointed over the objection of a single party (let alone all parties) without some extreme complexity such as an extraordinary number of parties or highly technical issues.

Third, despite the district court’s claim in its order that the “parties’ propensity for filing numerous motions” warrants the appointment of a discovery master (the district court’s only reason for the appointment), (R-150: Order Denying Mot. to Vacate the Order Appointing Discovery Master at 2, Pg.ID.5654), a review of the motions actually filed demonstrate that the majority were filed, not because of disagreements between the parties, but because of the district court’s failure to rule on standard pending motions or its failure to properly resolve motions. The parties did file standard practice motions, such as a motion to dismiss, a motion for a preliminary injunction, and a motion for summary judgment. These can hardly be considered “a propensity for filing numerous motions.” The other motions filed by the parties were necessitated by either the district court’s failure to properly rule (*i.e.* motions for reconsideration of orders *that were then overturned on appeal*) or failure to rule at all (*i.e.* motions to expedite, motions to supplement the record as the court was not ruling, or motions to begin discovery, as well as motions requesting the court to define the scope of discovery). *See generally* (Doc. Rep. at APX-8-22).

Fourth, the district court issued its order appointing a discovery master the very same day the district court issued its scheduling order commencing discovery. (R-140: Rule 16 Scheduling Order (Phase I), Pg.ID.5540-44; R-141: Order Appointing Discovery Master, Pg.ID.5545-48); *Gagne v. Clark*, No. 08-12011-MLW, 2010 U.S. Dist. LEXIS 166751, at *6 (D. Mass. Feb. 15, 2010) (“Finally, no significant pre-trial matters have arisen and furthermore, there is no indication that such matters could not be resolved the court.”). And even if some discovery matters do arise, a normal occurrence in litigation, “district courts are well equipped to effectively and timely address[]’ discovery abuses.” *Thomas v. United States Postal Serv.*, No. 2:22-cv-11506, 2024 U.S. Dist. LEXIS 174722, at *7 (E.D. Mich. Sep. 26, 2024) (citing cases).

Fifth, there is an experienced and very capable magistrate judge assigned to the case. Yet, the district court has not referred a single matter to the magistrate judge. If the district court wanted to unload any potential disputes that might arise between the parties, the court should have referred the matter to the magistrate judge and not to a special master.

Particular attention should be paid to the prospect that a magistrate judge may be available for special assignments. United States magistrate judges are authorized by statute to perform many pretrial functions in civil actions. 28 U.S.C. § 636(b)(1). *Ordinarily a district judge who delegates these functions should refer them to a magistrate judge acting as magistrate judge.*

Fed. R. Civ. P. 53 Advisory Committee Notes (2003) (emphasis added).

Perhaps most important is the imposition of exorbitant special master fees of \$925 per hour,⁶ which can effectively deny parties, including Petitioners, access to the courts. The power to appoint a special master is further limited by Rule 53 as “the court must consider the fairness of imposing the likely expenses on the parties and must protect against *unreasonable expense* or delay.” Fed. R. Civ. P. 53(A)(3) (emphasis added). The district court gave two reasons for rejecting Petitioners’ arguments regarding the financial harm that will be caused by these exorbitant special master’s fees. First, the district court stated, “financial constraint has not prevented Plaintiffs from engaging in extensive practice and appellate work⁷ thus far.” (R-150: Order Denying Motion to Vacate the Order Appointing Discovery Master at 3, Pg.ID.5655). This belies logic. Every party before the court engages in litigation. This would render the mandate to consider the fairness of imposing needless expenses meaningless if a court could simply dismiss it by saying the expenses are fair because the parties are already covering litigation expenses. It is further inappropriate here because Petitioners are represented by *pro bono* counsel and submitted evidence to the court stating that, absent the free legal representation,

⁶ The special master provided her general fee schedule, which was \$850 per hour. However, in the document sent for the parties’ signatures, her fee was listed as \$925 per hour. The special master did not give any reason as to why she is charging the parties \$75.00 more per hour than her general fees.

⁷ As stated above, both appeals by Petitioners were successful as the district court’s orders were reversed.

they would not be able to afford this litigation. (R-144-1: Palazzolo Decl. at ¶¶ 5-6, Pg.ID.5573). Unlike Petitioners' counsel, the special master is not volunteering her services free of charge. She is charging \$925.00 per hour, which is vastly different from the *nothing* per hour that counsel is charging Petitioners. Further, the district court's claim that appellate work is costly is misplaced. As noted, Petitioners' legal fees are covered by their *pro bono* counsel, and the docketing fee for filing an appeal in this Court is \$600.00. (<https://www.uscourts.gov/court-programs/fees/court-appeals-miscellaneous-fee-schedule>). The cost of an appeal would cover *less than forty minutes* of the special master's time. Consequently, the ability to "engag[e] in . . . appellate work" is hardly comparable to the unreasonable expense of a special master.

The second point made by the district court is that "the appointment of a discovery master does not confer an obligation on the parties to use her services. The parties may avoid a potential financial burden from the appointment of a discovery master by embracing and actively engaging in cooperative efforts to resolve discovery disputes on their own as they arise." (R-150: Order Denying Motion to Vacate the Order Appointing Discovery Master at 3, Pg.ID.5655). As an initial note, this is factually incorrect, and the district court seems unaware of how the appointed special master operates. The special master already requested that the parties pay a \$1,000.00 fee each to JAMS and to then schedule a status conference

even though no disputes have been filed or are pending with the special master. (*See* JAMS Notice to All Parties at APX-25). As a result, the parties are in fact obligated to use the special master's services (and potentially pay for her research attorney, travel, and other costs). *Id.*

Further, Petitioners cannot “avoid a potential financial burden.” That is, only *Petitioners* are substantially burdened by the expense of the special master. Defendants are a government entity and employee with nearly unlimited resources at their disposal. Should Defendants choose to bring discovery disputes to the special master, Petitioners will be forced by the court to pay for half of the expense. Not only does this create a financial impossibility that *Petitioners* cannot avoid, but it also creates substantial unfairness as Petitioners will be coerced financially into waiving valid discovery objections to appease Defendants in the hopes of being able to continue this litigation and not be driven out by the costs of the special master.

Finally, Petitioners are a non-profit organization and its employee who are pursuing a RLUIPA claim (which protects Petitioners' right to religious exercise) and constitutional claims. In determining apportionment of special master fees, “[t]he nature of the dispute also may be important — parties pursuing matters of public interest, for example, may deserve special protection.” Fed. R. Civ. P. 53 Advisory Committee Notes (2003). Petitioners are pursuing matters of public interest; yet, rather than provide special protection, the district court has put

Petitioners at an extreme disadvantage. *G & V Lounge, Inc. v. Mich. Liquor Control Comm'n*, 23 F.3d 1071, 1079 (6th Cir. 1994) (“[I]t is always in the public interest to prevent the violation of a party’s constitutional rights.”); *see also Dayton Area Visually Impaired Persons, Inc. v. Fisher*, 70 F.3d 1474, 1490 (6th Cir. 1995) (stating that “the public as a whole has a significant interest in ensuring equal protection of the laws and protection of First Amendment liberties”).

In sum, the district court’s order clearly violates the limitations of Rule 53 of the Federal Rules of Civil Procedure, and it effectively operates as a financial barrier to protecting constitutional and statutory rights. The order tips the scales of justice in favor of litigants with limitless resources. In other words, it improperly benefits a governmental entity (Defendants) over a non-profit, civil rights plaintiff (Petitioners). The writ should issue.

CONCLUSION

Petitioners hereby request that this Court grant this petition and issue a writ of mandamus directing the district court to revoke its order appointing a special master.

AMERICAN FREEDOM LAW CENTER

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/s/ David Yerushalmi

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Attorneys for Plaintiffs-Petitioners

CERTIFICATE OF COMPLIANCE

I certify that pursuant to Rules 21(d) and 32(c)(2) of the Federal Rules of Appellate Procedure, the foregoing Petition is proportionally spaced, has a typeface of 14 points Times New Roman, and contains 4860 words.

AMERICAN FREEDOM LAW CENTER

/s/ Kate Oliveri
Kate Oliveri, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2026, I sent a copy of this petition via email to the Clerk of the United States Court of Appeals for the Sixth Circuit at CA06-ECF-PetitionsForFiling@ca6.uscourts.gov. I further certify that I served a copy by email to the district court and counsel for Defendants. I further certify that I caused to be served a copy of this petition via Federal Express upon the following:

Office of the Clerk
United States Court of Appeals for the Sixth Circuit
540 Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202-3988

Honorable Shalina D. Kumar
U.S. District Court for the E.D. of Michigan
Federal Building and U.S. Courthouse
600 Church Street, Room 125
Flint, MI 48502
(810) 341-9760
Respondent

T. Joseph Seward
David D. Burress
Seward Henderson, PLLC
210 East 3rd Street
Suite 212
Royal Oak, MI 48067
248-733-3580
Attorneys for Defendants

AMERICAN FREEDOM LAW CENTER

/s/ Kate Oliveri
Kate Oliveri, Esq.

**ADDENDUM: DESIGNATION OF RELEVANT
DISTRICT COURT DOCUMENTS**

Record No.	PageID #	DESCRIPTION
R.1	1-36	Complaint
R.55	2234-98	Supplemented First Amended Complaint
R.97	4110-60	Pls.' Mot. for Partial Summary Judgment
R.133	5386-96	Order Denying Plaintiffs' Motion for Partial Summary Judgment
R.134	5397-5419	Pls.' Mot. for Reconsideration or, in the Alternative, for Certification
R.136	5482-83	Notice of Rule 16 Scheduling Conference
R.139	5515-39	Rule 26(f) Joint Discovery Plan
R.140	5540-44	Rule 16 Scheduling Order (Phase I)
R.141	5545-48	Order Appointing Discovery Master
R.142	5549-52	Amended Order Appointing Discovery Master
R.143	5553-67	Pls.' Motion to Vacate Order Appointing Discovery Master
R.144-1	5571-74	Declaration of Jere Palazzolo
R.150	5653-55	Order Denying Motion to Vacate the Order Appointing Discovery Master

APPENDIX

<u>Page No.</u>	<u>Description</u>
APX-1	Order Denying Motion to Vacate the Order Appointing Discovery Master
APX-4	Amended Order Appointing Discovery Master
APX-8	Docket Report
APX-23	JAMS Fee Agreement and Cancellation Policy
APX-25	JAMS Notice to All Parties
APX-30	General Fee Schedule
APX-31	State Bar of Michigan Economics of Law Survey
APX-44	3/17/26 Email from Defendants' Counsel

APPENDIX

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CATHOLIC HEALTHCARE
INCORPORATED, INC., et al.,
Plaintiffs,

v.

CHARTER TOWNSHIP OF
GENOA, et al.,
Defendants.

Case No. 21-11303
Honorable Shalina D. Kumar
Magistrate Judge David R. Grand

**ORDER DENYING MOTION TO VACATE THE ORDER APPOINTING
DISCOVERY MASTER (ECF NO. 143)**

Before the Court is plaintiffs Catholic Healthcare Inc.’s (“CHI”) and Jere Palazzo’s (together “Plaintiffs”) motion to vacate this Court’s order appointing a discovery master or, in the alternative, objections to said order. ECF No. 143. Defendants concur in the relief sought. For the reasons stated below, the Court overrules Plaintiffs’ objections and denies the motion.

Plaintiffs first object to the Court’s order not providing the parties notice and an opportunity to be heard, which is a requirement of Federal Rule of Civil Procedure 53. The Court’s order appointing the discovery

master stated that the referral would not go in effect until the Master filed an affidavit confirming that there are no grounds for disqualification under 28 U.S.C. § 455 that would prevent her from serving as discovery master. See ECF No. 142. Although the order did not provide a date by which the parties must file their objections, that obviously did not prevent the parties from doing so. Furthermore, under the language of Rule 53, the Court may appoint a special master to “address pretrial and posttrial matters that cannot be effectively and timely addressed by an available district judge or magistrate judge of the district.” Fed. R. Civ. P. 53(a)(1)(C). The Court is not required to seek the parties' consent in this situation. *Compare id. with* Fed. R. Civ. P. 53(a)(1)(A) (“[A] court may appoint a master only to perform duties consented by the parties[.]”). Given the history of this case, and the parties' propensity for filing numerous motions, the Court finds that its appointment of a discovery master is necessary for the timely and effective completion of discovery in this case. Accordingly, this objection is overruled.

Plaintiffs next assert that appointment of a discovery master would cause an “undue financial burden on the parties, especially Plaintiffs, who are, respectively, a non-profit religious corporation relying on donations

from the public...” and its individual president and director. ECF No. 143, PageID.5559. First, as referenced above, financial constraint has not prevented Plaintiffs from engaging in extensive practice and appellate work thus far. Moreover, the appointment of a discovery master does not confer an obligation on the parties to use her services. The parties may avoid a potential financial burden from the appointment of a discovery master by embracing and actively engaging in cooperative efforts to resolve discovery disputes on their own as they arise.

Accordingly, the Court **DENIES** Plaintiffs’ motion to vacate the amended order appointing discovery master (ECF No. 143).

IT IS SO ORDERED.

Dated: February 11, 2026

s/ Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CATHOLIC HEALTHCARE
INTERNATIONAL, INC. et al.,
Plaintiffs,

v.

CHARTER TOWNSHIP OF
GENOA et al.,
Defendants.

Case No. 21-11303
Honorable Shalina D. Kumar
Magistrate Judge David R. Grand

AMENDED ORDER APPOINTING DISCOVERY MASTER

Plaintiffs Catholic Healthcare Inc. (CHI), a non-profit corporation recognized as a private association of the faithful by the Catholic Diocese of Lansing, Michigan, and Jere Palazzolo, CHI’s president and director, sue Genoa Township and its ordinance officer, Sharon Stone, alleging that the Township’s denial of CHI’s special land use application and its mandated removal of religious symbols from and prohibition of religious assemblies on CHI’s property within the Township violated the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §2000cc *et seq.* (RLUIPA), their First Amendment rights to religious exercise, religious expression, and expressive association, as well as their Fourteenth Amendment right to

equal protection. ECF No. 55. The parties engaged in extensive pre-discovery motion practice, and the Court has issued a scheduling order (ECF No. 140). Based on the Court's experience with similar cases, appointing a discovery master will promote efficiency, conserve judicial resources, reduce the parties' overall expenses, and expedite resolution of the case. See Fed. R. Civ. P. 53.

WHEREFORE, it is hereby **ORDERED** that the Honorable Victoria A. Roberts¹ is **APPOINTED** discovery master (the "Master"). The Master must **FILE** an affidavit within two weeks of this order, affirming that she knows of no non-disclosed grounds for disqualification under 28 U.S.C. § 455 that would prevent her from serving as discovery master. The Master's appointment takes effect on filing of the affidavit.

IT IS FURTHER ORDERED that the Master is **AUTHORIZED** and **EMPOWERED** to supervise, manage, and make recommendations to the Court regarding disposition of all discovery disputes and other discovery-related issues. Additionally, the Master is **AUTHORIZED** to employ the services of her Research Attorney, Dale Willett.

¹ Judge Roberts may be contacted through her Case Manager, Catrina Barnes, by phone at (212)-607-2785 or via email, CBarnes@jamsadr.com.

IT IS FURTHER ORDERED that the Master may **CONDUCT** hearings and conferences with the parties in the manner and at the times and locations she deems appropriate. The Master may also **COMMUNICATE** ex parte with the Court or a party as she deems appropriate.

IT IS FURTHER ORDERED that the Master must **PROCEED** with all reasonable diligence and must **MAKE** a complete record of the evidence considered in making or recommending findings of fact. The Master need only **FILE** evidence as an attachment to a recommendation and report if the evidence has not been attached to a party's briefing. The Master must **MAINTAIN** standard billing records of time spent on the matter, with reasonably detailed descriptions of activities and matters worked on.

IT IS FURTHER ORDERED that the Master, and her Research Attorney, must be **COMPENSATED** by the parties at their usual rates and reimbursed for reasonable travel expenses. Both parties must split the costs and fees evenly, subject to redistribution by the Court.

IT IS FURTHER ORDERED that any objection to a report and recommendation filed by the Master must be **FILED** no later than twenty-one (21) days after a copy is filed on the docket. Responses to any

objections must be **FILED** no later than twenty-one (21) days after objections are filed on the docket. Failure to timely object to the Master's ruling is a permanent waiver of any objection to the Master's report and recommendation such that they are **DEEMED** approved, accepted, and ordered by the Court.

IT IS FURTHER ORDERED that the Master may **IMPOSE** any non-contempt sanction provided by Rule 37 or 45 on a party, and the Master may **RECOMMEND** a contempt sanction against a party and sanctions against a nonparty.

IT IS SO ORDERED.

Dated: November 13, 2025

s/ Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge

**U.S. District Court
Eastern District of Michigan (Flint)
CIVIL DOCKET FOR CASE #: 4:21-cv-11303-SDK-DRG**

Catholic Healthcare International, Incorporated et al v. Genoa,
Charter Township of et al

Assigned to: District Judge Shalina D. Kumar

Referred to: Magistrate Judge David R. Grand

Case in other court: U.S. Court of Appeals - Sixth Circuit, 21-
02987

U.S. Court of Appeals - Sixth Circuit, 21-02987

U.S. Court of Appeals - Sixth Circuit, 22-02139

Cause: 42:1983 Civil Rights Act

Date Filed: 06/02/2021

Jury Demand: Both

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: Federal Question

Plaintiff

**Catholic Healthcare International,
Incorporated**

represented by **David Yerushalmi**

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ATTORNEY TO BE NOTICED

Plaintiff

Jere Palazzolo

represented by **David Yerushalmi**

(See above for address)

ATTORNEY TO BE NOTICED

Kate M. Oliveri

(See above for address)

ATTORNEY TO BE NOTICED

Robert Joseph Muise
 (See above for address)
 ATTORNEY TO BE NOTICED

V.

Defendant

Genoa, Charter Township of

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 248-733-3580
 Email: jseward@sewardhenderson.com
 ATTORNEY TO BE NOTICED

Defendant

Sharon Stone
*individually and in her official capacity as
 Ordinance Officer, Genoa Charter Township*

represented by **David D. Burress**
 (See above for address)
 ATTORNEY TO BE NOTICED

T. Joseph Seward
 (See above for address)
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/02/2021	1	COMPLAINT filed by All Plaintiffs against All Defendants with Jury Demand. Plaintiff requests summons issued. Receipt No: AMIEDC-8484864 - Fee: \$ 402. County of 1st Plaintiff: Out of State - County Where Action Arose: Livingston - County of 1st Defendant: Livingston. [Previously dismissed case: No] [Possible companion case(s): None] (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Original Submission for Special Land Use Approval, # 3 Exhibit 2 - Resubmittal for Special Land Use Approval, # 4 Exhibit 3 - Approved Minutes of March 8, 2021 Township Planning Commission Meeting, # 5 Exhibit 4 - Final Submission for Special Land Use Approval, # 6 Exhibit 5 - Draft Minutes of the Genoa Charter Township Board Meeting of May 3, 2021, # 7 Exhibit 6 - Genoa Township Sign Ordinance) (Muise, Robert) (Entered: 06/02/2021)
06/02/2021	2	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Catholic Healthcare International, Incorporated (Muise, Robert) (Entered: 06/02/2021)
06/03/2021		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, APX-9

		and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (LGra) (Entered: 06/03/2021)
06/03/2021	3	SUMMONS Issued for *Genoa, Charter Township of* (LGra) (Entered: 06/03/2021)
06/03/2021	4	SUMMONS Issued for *Sharon Stone* (LGra) (Entered: 06/03/2021)
06/07/2021	5	ORDER OF RECUSAL AND REASSIGNING CASE from Magistrate Judge Anthony P. Patti to Magistrate Judge David R. Grand. (NAhm) (Entered: 06/07/2021)
06/08/2021	6	NOTICE of Appearance by Kate M. Oliveri on behalf of All Plaintiffs. (Oliveri, Kate) (Entered: 06/08/2021)
06/10/2021	7	NOTICE of Appearance by David Yerushalmi on behalf of All Plaintiffs. (Yerushalmi, David) (Entered: 06/10/2021)
06/14/2021	8	NOTICE of Appearance by T. Joseph Seward on behalf of All Defendants. (Seward, T.) (Entered: 06/14/2021)
06/14/2021	9	NOTICE of Appearance by David D. Burress on behalf of All Defendants. (Burress, David) (Entered: 06/14/2021)
06/16/2021	10	CERTIFICATE of Service/Summons Returned Executed. Genoa, Charter Township of served on 6/8/2021, answer due 6/29/2021. (Muise, Robert) (Entered: 06/16/2021)
06/16/2021	11	CERTIFICATE of Service/Summons Returned Executed. Sharon Stone served on 6/8/2021, answer due 6/29/2021. (Muise, Robert) (Entered: 06/16/2021)
06/29/2021	12	ANSWER to Complaint with Affirmative Defenses with Jury Demand by All Defendants. (Seward, T.) (Entered: 06/29/2021)
06/30/2021	13	NOTICE TO APPEAR BY VIDEO CONFERENCE: Scheduling Conference set for 7/28/2021 11:30 AM before District Judge Judith E. Levy *Counsel shall review Fed. R. Civ. Proc. Rule 26(f) and file a joint discovery plan with the Court no later than 3 business days before the conference* (WBar) (Entered: 06/30/2021)
07/14/2021	14	AMENDED COMPLAINT with Jury Demand filed by All Plaintiffs against All Defendants. NO NEW PARTIES ADDED. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Original Submission for Special Land Use Approval, # 3 Exhibit 2 - Resubmittal for Special Land Use Approval, # 4 Exhibit 3 - Approved Minutes of March 8, 2021 Township Planning Commission Meeting, # 5 Exhibit 4 - Final Submission for Special Land Use Approval, # 6 Exhibit 5 - Minutes of the Genoa Charter Township Board Meeting of May 3, 2021, # 7 Exhibit 6 - Genoa Township Sign Ordinance) (Muise, Robert) (Entered: 07/14/2021)
07/21/2021	15	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Muise, Robert) (Entered: 07/21/2021)
07/26/2021	16	Ex Parte MOTION for Leave to File Excess Pages by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Proposed Motion) (Burress, David) (Entered: 07/26/2021)
07/26/2021	17	MOTION for Judgment <i>on the Pleadings</i> by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 2021-05-03 Board Packet, # 3 Exhibit 2 - 2021-02-08 Planning Commission Packet, # 4 Exhibit 3 - 2021-03-08 Planning Commission Packet, # 5 Exhibit 4 - Genoa Ordinance Section 3.03, # 6 Exhibit 5 - Genoa Ordinance Section 11.02, # 7 Exhibit 6 - Genoa Ordinance Article 18, # 8 Exhibit 7 - Genoa Ordinance Section 25.02, # 9 Exhibit 8 - Pentecostal Church of God v. Douglas Cty, # 10 Exhibit 9 - Alger Bible Baptist Church v. Twp. of Moffatt, # 11 Exhibit 10 - Baldwin Park Free Speech Coal. v.

		City of Baldwin Park, # 12 Exhibit 11 - Henry v City of Somerton) (Burress, David) (Entered: 07/26/2021)
07/27/2021		TEXT-ONLY ORDER Granting 16 Ex Parte MOTION for Leave to File Excess Pages; Defendants are reminded that they may not file motions with excess pages until the Court grants them permission to do so, and that future such filings will be stricken. Signed by District Judge Judith E. Levy. (WBar) (Entered: 07/27/2021)
07/27/2021		TEXT-ONLY NOTICE: Scheduling Conference on 7/28/2021 is Cancelled re 13 Notice to Appear, (WBar) (Entered: 07/27/2021)
07/27/2021	18	NOTICE OF HEARING on 17 MOTION for Judgment <i>on the Pleadings</i> . Motion Hearing set for 11/4/2021 02:00 PM before District Judge Judith E. Levy (WBar) (Entered: 07/27/2021)
08/04/2021	19	MOTION for Leave to File Excess Pages by All Plaintiffs. (Muise, Robert) (Entered: 08/04/2021)
08/04/2021		TEXT-ONLY ORDER Granting 19 MOTION for Leave to File Excess Pages. Signed by District Judge Judith E. Levy. (WBar) (Entered: 08/04/2021)
08/16/2021	20	RESPONSE to 17 MOTION for Judgment <i>on the Pleadings</i> filed by All Plaintiffs. (Muise, Robert) (Entered: 08/16/2021)
08/30/2021	21	Ex Parte MOTION for Leave to File Excess Pages by Genoa, Charter Township of, Sharon Stone. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Draft Proposed Reply) (Burress, David) (Entered: 08/30/2021)
08/30/2021		TEXT-ONLY ORDER Granting 21 Ex Parte MOTION for Leave to File Excess Pages. Signed by District Judge Judith E. Levy. (WBar) (Entered: 08/30/2021)
08/30/2021	22	REPLY to Response re 17 MOTION for Judgment <i>on the Pleadings</i> filed by All Defendants. (Burress, David) (Entered: 08/30/2021)
09/19/2021	23	Emergency MOTION for Temporary Restraining Order / <i>Preliminary Injunction</i> by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Robert J. Muise with Exhibits A-E, # 3 Exhibit 2 - Declaration of Jere Palazzolo, # 4 Exhibit 3 - Declaration of Ann O'Reilly) (Muise, Robert) (Entered: 09/19/2021)
09/20/2021	24	NOTICE TO APPEAR BY VIDEO CONFERENCE: Status Conference set for 9/20/2021 11:00 AM before District Judge Judith E. Levy (WBar) (Entered: 09/20/2021)
09/20/2021		Minute Entry for virtual proceedings before District Judge Judith E. Levy: Status Conference held on 9/20/2021 (Court Reporter: None Present, Not on the Record) (WBar) (Entered: 09/20/2021)
09/20/2021	25	NOTICE OF VIDEO CONFERENCE HEARING on 23 Emergency MOTION for Temporary Restraining Order. Motion Hearing set for 9/21/2021 12:00 PM before District Judge Judith E. Levy Zoom Webinar Information: https://www.zoomgov.com/j/1600618618? pwd=NTJVaWNubmczenpITERBS1ZkTU1sZz09 Passcode: 724982 Or One tap mobile : US: +16692545252,,1600618618# or +16468287666,,1600618618# (WBar) (Entered: 09/20/2021)
09/20/2021	26	RESPONSE to 23 Emergency MOTION for Temporary Restraining Order / <i>Preliminary Injunction</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - 2021-09-17 - Ex-Parte Motion, # 3 Exhibit 2 - 2021-09-20 - TRO, # 4 Exhibit 3 - 2021-09-02 - Email, # 5 Exhibit 4 - Appearance) (Burress, David) (Entered: 09/20/2021)

09/21/2021	27	REPLY to Response re 23 Emergency MOTION for Temporary Restraining Order / <i>Preliminary Injunction</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 4 - May 7, 2021, Ltr from Stone to CHI, # 3 Exhibit 5 - Emergency Motion to Dissolve Ex Parte TRO) (Muise, Robert) (Entered: 09/21/2021)
09/21/2021		Minute Entry for virtual proceedings before District Judge Judith E. Levy: Motion Hearing held on 9/21/2021 re 23 Emergency MOTION for Temporary Restraining Order; Disposition: Motion denied (Court Reporter: Andrea Wabeke) (WBar) (Entered: 09/21/2021)
09/21/2021	28	ORDER denying in part 23 Motion for TRO and Preliminary Injunction. Signed by District Judge Judith E. Levy. (WBar) (Entered: 09/21/2021)
09/28/2021	29	TRANSCRIPT of Motion for TRO/Preliminary Injunction held on 9/21/2021. (Court Reporter/Transcriber: Andrea Wabeke) (Number of Pages: 44) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 10/19/2021. Redacted Transcript Deadline set for 10/29/2021. Release of Transcript Restriction set for 12/27/2021. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Wabeke, A) (Entered: 09/28/2021)
09/29/2021	30	ORDER Denying the Remainder of 23 Emergency MOTION for Temporary Restraining Order and Preliminary Injunction. Signed by District Judge Judith E. Levy. (WBar) (Entered: 09/29/2021)
09/30/2021	31	NOTICE OF INTERLOCUTORY APPEAL by All Plaintiffs re 30 Order. Receipt No: AMIEDC-8635284 - Fee: \$ 505 - Fee Status: Fee Paid. (Muise, Robert) (Entered: 09/30/2021)
09/30/2021	32	Certificate of Service re 31 Notice of Interlocutory Appeal. (KBro) (Entered: 09/30/2021)
10/18/2021	33	AMENDED NOTICE OF IN PERSON HEARING on 17 MOTION for Judgment <i>on the Pleadings</i> . Motion Hearing reset for 1/13/2022 03:00 PM before District Judge Judith E. Levy (WBar) (Entered: 10/18/2021)
10/18/2021	34	AMENDED NOTICE OF IN PERSON HEARING on 17 MOTION for Judgment <i>on the Pleadings</i> . Motion Hearing RESET for 2/24/2022 02:30 PM before District Judge Judith E. Levy (WBar) (Entered: 10/18/2021)
11/12/2021	35	OPINION from U.S. Court of Appeals - Sixth Circuit re 31 Notice of Interlocutory Appeal filed by Catholic Healthcare International, Incorporated, Jere Palazzolo [Appeal Case Number 21-2987] (TTho) (Entered: 11/16/2021)
12/10/2021	36	ORDER from U.S. Court of Appeals - Sixth Circuit re 31 Notice of Interlocutory Appeal filed by Catholic Healthcare International, Incorporated, Jere Palazzolo [Appeal Case Number 21-2987] (SKra) (Entered: 12/13/2021)
12/20/2021	37	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 36 Appeal Order/Opinion/Judgment, 31 Notice of Interlocutory Appeal filed by Catholic Healthcare International, Incorporated, Jere Palazzolo [Appeal Case Number 21-2987] (TTho) (Entered: 12/20/2021)
01/06/2022	38	ORDER Setting Briefing Schedule re 35 Appeal Order, 36 Appeal Order; Plaintiffs Brief due 1/14/2022; Defendants Response due by 1/28/2022, Signed by District Judge Judith E. Levy. (WBar) (Entered: 01/06/2022)

01/14/2022	39	SUPPLEMENTAL BRIEF re 38 Order, Set Deadlines/Hearings <i>Plaintiffs' Brief on Issues Following Remand</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Robert J. Muise with Exhibits A-G, # 3 Exhibit 2 - Declaration of Jere Palazzolo with Exhibits A-D, # 4 Exhibit 3 - Declaration of Ann O'Reilly with Exhibit A) (Muise, Robert) (Entered: 01/14/2022)
01/28/2022	40	SUPPLEMENTAL BRIEF re 39 Supplemental Brief, <i>on Remand</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Index of Exhibits Exhibit 1 - Zoning Ordinance excerpt, # 3 Exhibit Exhibit 2 - 2021-09-28 Show Cause Hrg Tr, # 4 Exhibit Exhibit 3 - 2021-12-13 - Draft Minutes of Planning Commission, # 5 Exhibit Exhibit 4 - 2022-01-18 Notice of Appeal) (Burruss, David) (Entered: 01/28/2022)
02/03/2022	41	MOTION for Leave to File <i>Brief in Reply to Defendants' Supplemental Brief</i> by All Plaintiffs. (Muise, Robert) (Entered: 02/03/2022)
02/03/2022		TEXT-ONLY NOTICE: Hearing on 2/24/2022 is Cancelled re 34 Notice of Hearing on Motion (WBar) (Entered: 02/03/2022)
02/15/2022		Text-Only Order of reassignment from District Judge Judith E. Levy to District Judge Shalina D. Kumar pursuant to Administrative Order 22-AO-004. (SSch) (Entered: 02/15/2022)
02/17/2022	42	RESPONSE to 41 MOTION for Leave to File <i>Brief in Reply to Defendants' Supplemental Brief</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - 2022-01-04 - Muise to Barkholz) (Burruss, David) (Entered: 02/17/2022)
02/17/2022	43	MOTION for Leave to File <i>to File and Serve Supplemental Pleading</i> by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1- Supplemental Pleading) (Muise, Robert) (Entered: 02/17/2022)
02/22/2022	44	REPLY to Response re 41 MOTION for Leave to File <i>Brief in Reply to Defendants' Supplemental Brief</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Robert J. Muise with Exhibit A, # 3 Exhibit 2 - Declaration of Jere Palazzolo) (Muise, Robert) (Entered: 02/22/2022)
03/03/2022	45	RESPONSE to 43 MOTION for Leave to File <i>to File and Serve Supplemental Pleading</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Exhibit 1 - Honolulu Ordinance Excerpt, # 3 Exhibit Exhibit 2 - City of Eastpointe Ordinance Excerpt, # 4 Exhibit Exhibit 3 - 2021-09-20 - Muise to Judge Geddis, # 5 Exhibit Exhibit 4 - 9-21-21 Hearing Tr, # 6 Exhibit Exhibit 5 - 9-24-21 Consent Order, # 7 Exhibit Exhibit 6 - 6th Circuit Emergency Motion, # 8 Exhibit Exhibit 7 - Plaintiffs Appeal Brief Excerpt) (Burruss, David) (Entered: 03/03/2022)
03/08/2022	46	REPLY to Response re 43 MOTION for Leave to File <i>to File and Serve Supplemental Pleading</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Response in Opposition to Request for Preliminary Injunction filed in state court, # 3 Exhibit 2 - Motion for Summary Disposition filed in state court, # 4 Exhibit 3 - Docket Sheet for Weisbord v. Michigan State University) (Muise, Robert) (Entered: 03/08/2022)
03/15/2022	47	EXHIBIT [<i>CORRECTED</i>] re 44 Reply to Response to Motion, by All Plaintiffs (Muise, Robert) (Entered: 03/15/2022)
04/07/2022	48	Emergency MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Preliminary Injunction</i> by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Robert J. Muise with Exhibits A & B) (Muise, Robert) (Entered: 04/07/2022)
04/21/2022	49	ORDER denying 41 Motion for Leave to File an Additional Brief in Reply. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 04/21/2022)

04/21/2022	50	NOTICE OF IN PERSON HEARING on 17 MOTION for Judgment on the Pleadings, 43 MOTION for Leave to File and Serve Supplemental Pleading, 23 Emergency MOTION for Temporary Restraining Order / Preliminary Injunction. Motion Hearing set for 5/5/2022 10:30 AM before District Judge Shalina D. Kumar. (THal) (Entered: 04/21/2022)
04/27/2022	51	REQUEST for Judicial Notice by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - ZBA Minutes of Feb 15, 2022, # 3 Exhibit 2 - State Court Stay Order) (Muise, Robert) (Entered: 04/27/2022)
05/03/2022	52	DECLARATION by Ann O'Reilly re 23 Emergency MOTION for Temporary Restraining Order / Preliminary Injunction filed by All Plaintiffs (Muise, Robert) (Entered: 05/03/2022)
05/04/2022	53	MOTION to Strike 51 Request for Judicial Notice by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 05/04/2022)
05/04/2022	54	RESPONSE to 53 MOTION to Strike 51 Request for Judicial Notice filed by All Plaintiffs. (Muise, Robert) (Entered: 05/04/2022)
05/05/2022		Minute Entry for in-person proceedings before District Judge Shalina D. Kumar: Hearing on Motions 17 , 23 and 43 Cancelled. Text-Only Order to be issued. (THal) (Entered: 05/05/2022)
05/05/2022		TEXT-ONLY ORDER: 43 Plaintiffs' MOTION for Leave to File and Serve Supplemental Pleading is GRANTED. Plaintiffs will file supplemented first amended complaint by May 9, 2022. 17 Defendants' MOTION for Judgment on the Pleadings is DENIED without prejudice. The Court ORDERS the parties to submit supplemental briefs by May 26, 2022 on the applicability of <i>Rooker-Feldman</i> to 23 Plaintiffs' Emergency MOTION for Temporary Restraining Order/Preliminary Injunction. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 05/05/2022)
05/09/2022	55	AMENDED COMPLAINT with Jury Demand <i>Supplemented First Amended Complaint</i> filed by All Plaintiffs against All Defendants. NO NEW PARTIES ADDED. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Original Submission for Special Land Use Approval, # 3 Exhibit 2 - Resubmittal for Special Land Use Approval, # 4 Exhibit 3 - Approved Minutes of March 8, 2021 Township Planning Commission Meeting, # 5 Exhibit 4 - Final Submission for Special Land Use Approval, # 6 Exhibit 5 - Minutes of the Genoa Charter Township Board Meeting of May 3, 2021, # 7 Exhibit 6 - Genoa Township Sign Ordinance, # 8 Exhibit 7 - LCRC Driveway Permit, # 9 Exhibit 8 - LCRC Application for Driveway Permit, # 10 Exhibit 9 - Prayer Campus Submission, # 11 Exhibit 10 - Township's Application for Site Plan Review, # 12 Exhibit 11 - CHI Letter, # 13 Exhibit 12 - Township's Response to CHI Letter, # 14 Exhibit 13 - Article 11 of the Township's Zoning Ordinance (excerpts)) (Muise, Robert) (Entered: 05/09/2022)
05/20/2022	56	STIPULATED ORDER to Extend Time for Motion to Dismiss and Briefs Regarding Applicability of Rooker-Feldman. Defendants' Motion to dismiss is due by 6/13/2022 and briefing regarding the applicability of Rooker-Feldman is due by 6/16/2022. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 05/20/2022)
05/25/2022	57	SUPPLEMENTAL BRIEF re Text-Only Order,, <i>on the Rooker-Feldman Doctrine</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - State Court Order on Preliminary Injunction) (Muise, Robert) (Entered: 05/25/2022)
06/10/2022	58	Ex Parte MOTION for Leave to File Excess Pages by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Proposed Renewed Motion to Dismiss Pursuant to 12(b)(6)) (Burress, David) (Entered: 06/10/2022)

06/13/2022		TEXT-ONLY ORDER Granting 58 Ex Parte MOTION for Leave to File Excess Pages filed by Genoa, Charter Township of, Sharon Stone. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 06/13/2022)
06/13/2022	59	Renewed MOTION to Dismiss by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - 2021-05-03 - Board Packet_Optimized, # 3 Exhibit 2 - 2021-02-08 - Approved PC Minutes, # 4 Exhibit 3 - 2021-07-12 - Field Driveway Permit App FT-21-11, # 5 Exhibit 4 - 2021-12-13 - Planning Commission Packet (excerpt)_Optimized, # 6 Exhibit 5 - 2021-12-13 - Approved PC Minutes, # 7 Exhibit 6 - 2022-02-15 - ZBA Packet (excerpt), # 8 Exhibit 7 - 2022-02-15 - Approved ZBA Minutes, # 9 Exhibit 8 - Genoa Ordinance (excerpts)) (Burress, David) (Entered: 06/13/2022)
06/14/2022	60	Ex Parte MOTION for Leave to File Excess Pages by All Plaintiffs. (Muise, Robert) (Entered: 06/14/2022)
06/14/2022		TEXT-ONLY ORDER Granting 60 Ex Parte MOTION for Leave to File Excess Pages filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 06/14/2022)
06/14/2022	61	SUPPLEMENTAL BRIEF re 23 Emergency MOTION for Temporary Restraining Order / <i>Preliminary Injunction</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit 1 - Plaintiffs Appeal Brief Excerpt, # 3 Exhibit 2 - 2021-09-20 - TRO and Order to Show Cause) (Burress, David) (Entered: 06/14/2022)
07/01/2022	62	RESPONSE to 59 Renewed MOTION to Dismiss filed by All Plaintiffs. (Muise, Robert) (Entered: 07/01/2022)
07/15/2022	63	Ex Parte MOTION for Leave to File Excess Pages <i>in Support of Reply</i> by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Proposed Reply) (Burress, David) (Entered: 07/15/2022)
07/15/2022	64	REPLY to Response re 59 Renewed MOTION to Dismiss filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 9 - 2019 Form 990-EZ, # 3 Exhibit 10 - Additional Genoa Ordinance Excerpts) (Burress, David) (Entered: 07/15/2022)
07/21/2022		TEXT-ONLY ORDER Granting 63 Ex Parte MOTION for Leave to File Excess Pages <i>in Support of Reply</i> filed by Genoa, Charter Township of, Sharon Stone. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 07/21/2022)
10/31/2022	65	NOTICE OF VIDEO CONFERENCE HEARING on 59 Renewed MOTION to Dismiss . Motion Hearing set for 11/30/2022 01:00 PM before District Judge Shalina D. Kumar Zoom Webinar Information: https://www.zoomgov.com/j/1612749826?pwd=aWFYcGpkYVBuMDFOTFhLSGdVeFITUT09 Passcode: 278630 Or One tap mobile : US: +16692545252,,1612749826# or +16468287666,,1612749826# (THal) (Entered: 10/31/2022)
11/01/2022	66	Renewed MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Preliminary Injunction</i> by All Plaintiffs. (Muise, Robert) (Entered: 11/01/2022)
11/15/2022	67	RESPONSE to 66 Renewed MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Preliminary Injunction</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit 1 - 2022-04-06 - Order, # 3 Exhibit 2 - 2022-05-15 - Holy Spirit Church Bulletin, # 4 Exhibit 3 - 2022-09-18 - Holy Spirit Church Bulletin, # 5 Exhibit 4 - 2022-09-26 - St Pio Feast Day Announcement, # 6 Exhibit 5 - Genoa Township Ord (excerpt), # 7 Exhibit 6 - 2021-12-13 - Approved PC Minutes (excerpt), # 8 Exhibit 7 - 2022-02-15 - Approved ZBA Minutes (excerpt)) (Burress, David) (Entered: 11/15/2022)
11/22/2022	68	REPLY to Response re 66 Renewed MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Preliminary Injunction</i> filed by All Plaintiffs. (Muise, Robert) (Entered: 11/22/2022)

11/30/2022		Minute Entry for virtual proceedings before District Judge Shalina D. Kumar: Motion Hearing held on 11/30/2022 re 59 Renewed MOTION to Dismiss filed by Genoa, Charter Township of, Sharon Stone. Disposition: Motion taken under advisement (Court Reporter: Andrea Wabeke) (THal) (Entered: 12/01/2022)
12/20/2022	69	ORDER granting in part and denying in part 59 Motion to Dismiss. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 12/20/2022)
12/20/2022	70	ORDER granting in part and denying in part 23 Motion for preliminary injunction. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 12/20/2022)
12/21/2022	71	NOTICE OF INTERLOCUTORY APPEAL by All Plaintiffs re 70 Order on Motion to Expedite,, Order on Motion for TRO. Receipt No: AMIEDC-9172179 - Fee: \$ 505 - Fee Status: Fee Paid. (Muise, Robert) (Entered: 12/21/2022)
12/21/2022	72	Certificate of Service re 71 Notice of Interlocutory Appeal. (SSch) (Entered: 12/21/2022)
12/23/2022	73	MOTION for Injunction Pending Appeal by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Robert J. Muise with Exhibits A & B) (Muise, Robert) (Entered: 12/23/2022)
12/30/2022	74	RESPONSE to 73 MOTION for Injunction Pending Appeal filed by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit 1, Genoa Ord 11.04.01, # 3 Exhibit 2, Genoa Ord Table 3.03, # 4 Exhibit 3, Genoa Ord 3.05.02(e), # 5 Exhibit 4, Genoa Ord 15.06.04(a), # 6 Exhibit 5, Genoa Article 15) (Burress, David) (Entered: 12/30/2022)
12/30/2022	75	MOTION for Reconsideration re 70 Order on Motion to Expedite,, Order on Motion for TRO by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit 1, 2022-03-02 Muise Email, # 3 Exhibit 2, Hrg Transcript 9-28-21, # 4 Exhibit 3, Hrg Transcript 4-5-22, # 5 Exhibit 4, Genoa Exhibit 21, # 6 Exhibit 5, Genoa Ord. 3.05.02(e), # 7 Exhibit 6, Genoa Ord. 15.06.04(a), # 8 Exhibit 7, Genoa Ord. Article 15) (Burress, David) (Entered: 12/30/2022)
01/03/2023	76	REPLY to Response re 73 MOTION for Injunction Pending Appeal filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Ann O'Reilly) (Muise, Robert) (Entered: 01/03/2023)
01/03/2023	77	MOTION for Leave to File <i>a Response to Defendants' Motion for Reconsideration (ECF No. 75)</i> by All Plaintiffs. (Muise, Robert) (Entered: 01/03/2023)
01/03/2023	78	ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 01/03/2023)
01/05/2023	79	ERRATA Sheet re: 75 MOTION for Reconsideration re 70 Order on Motion to Expedite,, Order on Motion for TRO filed by Genoa, Charter Township of, Sharon Stone. by All Defendants (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit 1, Corrected Pages) (Burress, David) (Entered: 01/05/2023)
01/14/2023	80	MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Injunction Pending Appeal (this motion to expedite is unopposed)</i> by All Plaintiffs. (Muise, Robert) (Entered: 01/14/2023)
01/19/2023	81	NOTICE OF APPEAL by All Defendants re 70 Order on Motion to Expedite,, Order on Motion for TRO. Receipt No: AMIEDC-9202374 - Fee: \$ 505 - Fee Status: Fee Paid. (Burress, David) (Entered: 01/19/2023)
01/19/2023	82	Certificate of Service re 81 Notice of Appeal. (LGra) (Entered: 01/19/2023)
03/31/2023		TEXT-ONLY ORDER DENYING 53 MOTION to Strike 51 Request for Judicial Notice filed by Genoa, Charter Township of, Sharon Stone. The Court finds that the challenged

		filing (ECF No. 51) does not pose significant prejudice to one or more of the parties to the action. Accordingly, striking the filing, a disfavored practice, is not warranted. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 03/31/2023)
04/21/2023	83	ORDER denying 73 Motion for Injunction Pending Appeal. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 04/21/2023)
04/21/2023		TEXT-ONLY ORDER TERMINATING AS MOOT 80 MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Injunction Pending Appeal (this motion to expedite is unopposed)</i> filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 04/21/2023)
05/02/2023	84	OPINION AND ORDER denying 75 Motion for Reconsideration. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 05/02/2023)
05/02/2023		TEXT-ONLY ORDER TERMINATING AS MOOT 77 MOTION for Leave to File a <i>Response to Defendants' Motion for Reconsideration (ECF No. 75)</i> filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 05/02/2023)
06/12/2023	85	NOTICE OF RULE 16 SCHEDULING CONFERENCE AND RULE 26 JOINT DISCOVERY PLAN DEADLINE: Telephonic Scheduling Conference set for 7/11/2023 11:00 AM before District Judge Shalina D. Kumar. The parties are to use the call-in information provided in this Notice to join the call. (THal) (Entered: 06/12/2023)
06/21/2023	86	STIPULATION AND ORDER to adjourn scheduling conference and Rule 26 joint discovery plan deadline. Signed by District Judge Shalina D. Kumar. (DPer) (Entered: 06/21/2023)
09/11/2023	87	OPINION and JUDGMENT from U.S. Court of Appeals - Sixth Circuit [Appeal Case Number 22-2139] (DJen) (Entered: 09/11/2023)
09/12/2023	88	ORDER GRANTING PRELIMINARY INJUNCTION. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 09/12/2023)
09/18/2023	89	MOTION for Reconsideration re 69 Order on Motion to Dismiss by All Plaintiffs. (Muisse, Robert) (Entered: 09/18/2023)
10/30/2023	90	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 71 Notice of Interlocutory Appeal filed by Catholic Healthcare International, Incorporated, Jere Palazzolo, 87 Appeal Order/Opinion/Judgment [Appeal Case Number 22-2139] (DJen) (Entered: 10/30/2023)
10/31/2023	91	MOTION to Stay <i>Scheduling Conference and Rule 26 Joint Discovery Plan Deadline until Resolution of Motions</i> by All Plaintiffs. (Muisse, Robert) (Entered: 10/31/2023)
11/02/2023	92	ORDER Requiring Response to 89 Motion for Reconsideration. Response due by 11/16/2023. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 11/02/2023)
11/16/2023	93	STIPULATION AND ORDER Extending Response Due Date re 89 MOTION for Reconsideration. (Response due by 11/29/2023). Signed by District Judge Shalina D. Kumar. (THal) (Entered: 11/16/2023)
11/21/2023	94	Ex Parte MOTION for Leave to File Excess Pages by All Plaintiffs. (Muisse, Robert) (Entered: 11/21/2023)
11/28/2023	95	ORDER granting 94 Motion for Leave to File Excess Pages. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 11/28/2023)

11/30/2023	96	STIPULATION AND ORDER Extending Date for Response to 89 MOTION for Reconsideration. (Response due by 12/4/2023). Signed by District Judge Shalina D. Kumar. (THal) (Entered: 11/30/2023)
11/30/2023	97	MOTION for Partial Summary Judgment by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Jere Palazzolo with Exhibits A-N, # 3 Exhibit 2 - Declaration of Ann O'Reilly with Exhibit A, # 4 Exhibit 3 - Declaration of Scott Tousignant with Exhibit A, # 5 Exhibit 4 - Declaration of Robert J. Muise with Exhibits A-I) (Muise, Robert) (Entered: 11/30/2023)
12/04/2023	98	RESPONSE to 89 MOTION for Reconsideration re 69 Order on Motion to Dismiss filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Ordinance Excerpts) (Burress, David) (Entered: 12/04/2023)
12/06/2023	99	REPLY to Response re 89 MOTION for Reconsideration re 69 Order on Motion to Dismiss filed by All Plaintiffs. (Muise, Robert) (Entered: 12/06/2023)
12/18/2023	100	STIPULATION AND ORDER To Extend Briefing Schedule re 97 MOTION for Partial Summary Judgment . Response due by 1/11/2024, Reply due by 1/25/2024.) Signed by District Judge Shalina D. Kumar. (THal) (Entered: 12/18/2023)
01/11/2024	101	Ex Parte MOTION for Leave to File Excess Pages <i>in Response to PL MSJ</i> by All Defendants. (Burress, David) (Entered: 01/11/2024)
01/11/2024		TEXT-ONLY ORDER GRANTING 101 Ex Parte MOTION for Leave to File Excess Pages <i>in Response to PL MSJ</i> filed by Genoa, Charter Township of, Sharon Stone. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 01/11/2024)
01/11/2024	102	RESPONSE to 97 MOTION for Partial Summary Judgment filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, Declaration of Wyatt, # 3 Exhibit 1A, VERSA PUD, # 4 Exhibit 2, Google Maps, # 5 Exhibit 3, Livingston GIS, # 6 Exhibit 4, Warranty Deed, # 7 Exhibit 5, GIS Sales History, # 8 Exhibit 6, PubMed Article, # 9 Exhibit 7, Planning Commission Minutes, # 10 Exhibit 8, Goble Post, # 11 Exhibit 9, GIS Info, # 12 Exhibit 10, Holy Spirit Bulletin, # 13 Exhibit 11, CASA USA Update, # 14 Exhibit 12, 2023-10-01 - Holy Spirit Bulletin, # 15 Exhibit 13, Articles of Incorporation, # 16 Exhibit 14, CHI Leadership, # 17 Exhibit 15, 2019-10-10 - Livingston Daily Article, # 18 Exhibit 16, Benedictine Press Release, # 19 Exhibit 17, Looking forward to 2024 with Faith, # 20 Exhibit 18, Benedictine College, Mass Times Prayer and the Sacraments, # 21 Exhibit 19, Warranty Deed, # 22 Exhibit 20, 2019 - Form 990EZ, # 23 Exhibit 21, 2020 - Form 990, # 24 Exhibit 22, REMax Listings, # 25 Exhibit 23, Affidavit of Kelly Van Marter (Proposed), # 26 Exhibit 23A, GIS Map (Permitted Use), # 27 Exhibit 24, Declaration of David Burress, # 28 Exhibit 25, Warranty Deed (Panhandle Eastern), # 29 Exhibit 26, Genoa Ord.) (Burress, David) (Entered: 01/11/2024)
01/16/2024	103	EXHIBIT 23, <i>Affidavit of Kelly Van Marter (signed)</i> re 102 Response to Motion,,,,, by All Defendants (Attachments: # 1 Document Continuation) (Burress, David) (Entered: 01/16/2024)
01/22/2024	104	Ex Parte MOTION for Leave to File Excess Pages by All Plaintiffs. (Muise, Robert) (Entered: 01/22/2024)
01/25/2024	105	ORDER granting 104 Motion for Leave to File Excess Pages. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 01/25/2024)
01/25/2024	106	REPLY to Response re 97 MOTION for Partial Summary Judgment filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Supplemental Declaration of Ann O'Reilly) (Muise, Robert) (Entered: 01/25/2024)

04/03/2024		TEXT-ONLY ORDER GRANTING 91 MOTION to Stay <i>Scheduling Conference and Rule 26 Joint Discovery Plan Deadline until Resolution of Motions</i> filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 04/03/2024)
05/01/2024	107	NOTICE OF REMOTE HEARING on 97 MOTION for Partial Summary Judgment . Motion Hearing set for 8/28/2024 10:00 AM before District Judge Shalina D. Kumar Remote Access Phone Number: 669 254 5252 and Meeting ID: 160 797 4368 (THal) (Entered: 05/01/2024)
05/31/2024	108	ORDER SETTING SETTLEMENT CONFERENCE. (Settlement Conference set for 7/30/2024 10:00 AM before District Judge Shalina D. Kumar). Signed by District Judge Shalina D. Kumar. (THal) (Entered: 05/31/2024)
07/12/2024	109	MOTION Leave to File Counter Statement of Material Facts re 102 Response to Motion,,,,, by Genoa, Charter Township of, Sharon Stone. (Attachments: # 1 Exhibit 1 - Counter Statement of Facts) (Burress, David) (Entered: 07/12/2024)
07/16/2024	110	RESPONSE to 109 MOTION Leave to File Counter Statement of Material Facts re 102 Response to Motion,,,,, filed by All Plaintiffs. (Muisse, Robert) (Entered: 07/16/2024)
07/19/2024	111	MOTION for Leave to File <i>Second Supplemental Brief</i> by Genoa, Charter Township of, Sharon Stone. (Attachments: # 1 Exhibit A, Supp Reply in Opp to MSJ, # 2 Index of Exhibits, # 3 Exhibit 27, CHI Website Post, # 4 Exhibit 28, YouTube Screenshot, # 5 Exhibit 29, Holy Spirit Bulletin (excerpt), # 6 Exhibit 30, Trinity Health News Release, # 7 Exhibit 31, Livingston GIS Map, # 8 Exhibit 32, CHI Press Release, # 9 Exhibit 33, Google Maps, # 10 Exhibit 34, Trinity Health Campus Map, # 11 Exhibit 35, BSA Online Property Summary, # 12 Exhibit 36, Howell Ordinance) (Burress, David) (Entered: 07/19/2024)
07/23/2024	112	REPLY to Response re 109 MOTION Leave to File Counter Statement of Material Facts re 102 Response to Motion,,,,, filed by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 07/23/2024)
07/24/2024	113	RESPONSE to 111 MOTION for Leave to File <i>Second Supplemental Brief</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Declaration of Ann O'Reilly) (Muisse, Robert) (Entered: 07/24/2024)
07/30/2024		Minute Entry for in-person proceedings before District Judge Shalina D. Kumar: Settlement Conference held on 7/30/2024. Disposition: No settlement reached (Court Reporter: None Present, Not on the Record) (THal) (Entered: 07/30/2024)
07/31/2024	114	REPLY to Response re 111 MOTION for Leave to File <i>Second Supplemental Brief</i> filed by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 07/31/2024)
08/21/2024	115	**TIME CHANGE ONLY** NOTICE OF REMOTE HEARING on 97 MOTION for Partial Summary Judgment . Motion Hearing reset for 8/28/2024 01:30 PM before District Judge Shalina D. Kumar Remote Access Phone Number: 669-254-5252 and Meeting ID: 160 797 4368 (THal) (Entered: 08/21/2024)
08/28/2024		Minute Entry for remote proceedings before District Judge Shalina D. Kumar: Motion Hearing held on 8/28/2024 re 97 MOTION for Partial Summary Judgment filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. Disposition: 97 Motion taken under advisement. The Court also terminated as moot 109 Motion, granted 111 Motion and indicated that 89 Motion was taken under advisement. (Court Reporter: Andrea Wabeke) (THal) (Entered: 08/28/2024)
08/29/2024	116	ORDER denying as moot 109 Motion for leave to file a counterstatement of facts; granting 111 Motion for leave to file second supplemental brief. Signed by District Judge Shalina

		D. Kumar. (THal) (Entered: 08/29/2024)
08/29/2024	117	SUPPLEMENTAL BRIEF re 102 Response to Motion,,,,, <i>Per ECF No. 116</i> filed by Genoa, Charter Township of, Sharon Stone. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 27, CHI Website Post, # 3 Exhibit 28, YouTube Screenshot, # 4 Exhibit 29, Holy Spirit Bulletin (excerpt), # 5 Exhibit 30, Trinity Health News Release, # 6 Exhibit 31, Livingston GIS Map, # 7 Exhibit 32, CHI Press Release, # 8 Exhibit 33, Google Maps, # 9 Exhibit 34, Trinity Health Campus Map, # 10 Exhibit 35, BSA Online Property Summary, # 11 Exhibit 36, Howell Ordinance) (Burress, David) (Entered: 08/29/2024)
08/30/2024	118	SUPPLEMENTAL BRIEF re 117 Supplemental Brief,, (<i>incorporating response at ECF No. 113 per hearing of August 28, 2024</i>) filed by All Plaintiffs. (Muise, Robert) (Entered: 08/30/2024)
08/30/2024	119	MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Partial Summary Judgment</i> by All Plaintiffs. (Muise, Robert) (Entered: 08/30/2024)
09/06/2024	120	TRANSCRIPT of Hearing on Plaintiff's Motion for Summary Judgment held on 8/28/2024. (Court Reporter/Transcriber: Andrea Wabeke) (Number of Pages: 34) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/27/2024. Redacted Transcript Deadline set for 10/7/2024. Release of Transcript Restriction set for 12/5/2024. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Wabeke, A) (Entered: 09/06/2024)
09/11/2024	121	EXHIBIT 23B, <i>Church Special Use_vacant</i> re 102 Response to Motion,,,,, by All Defendants (Burress, David) (Entered: 09/11/2024)
09/13/2024	122	RESPONSE to 119 MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Partial Summary Judgment</i> filed by All Defendants. (Attachments: # 1 Exhibit Davis v. Benson) (Burress, David) (Entered: 09/13/2024)
09/16/2024	123	REQUEST : <i>Plaintiffs' Objection and/or Response to Defendants' Late Filing of Exhibit</i> by All Plaintiffs. (Muise, Robert) (Entered: 09/16/2024)
09/19/2024	124	REPLY to Response re 119 MOTION to Expedite <i>Ruling on Plaintiffs' Motion for Partial Summary Judgment</i> filed by All Plaintiffs. (Muise, Robert) (Entered: 09/19/2024)
09/30/2024	125	ORDER granting 89 Motion for Reconsideration re 69 Order on Motion to Dismiss filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 09/30/2024)
11/20/2024	126	Second MOTION for Leave to File <i>Second Sur Reply</i> by Genoa, Charter Township of, Sharon Stone. (Attachments: # 1 Exhibit A, Proposed Supplement) (Burress, David) (Entered: 11/20/2024)
12/02/2024	127	RESPONSE to 126 Second MOTION for Leave to File <i>Second Sur Reply</i> filed by All Plaintiffs. (Muise, Robert) (Entered: 12/02/2024)
12/09/2024	128	REPLY to Response re 126 Second MOTION for Leave to File <i>Second Sur Reply</i> filed by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 12/09/2024)
04/22/2025	129	MOTION for Discovery by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, Draft Discovery Plan, # 3 Exhibit 2, CHI 'Events' webpage) (Burress, David) (Entered: 04/22/2025)

04/30/2025	130	RESPONSE to 129 MOTION for Discovery filed by Catholic Healthcare International, Incorporated, Jere Palazzolo. (Muise, Robert) (Entered: 04/30/2025)
05/07/2025	131	REPLY to Response re 129 MOTION for Discovery filed by All Defendants. (Burress, David) (Entered: 05/07/2025)
08/29/2025	132	NOTICE by Catholic Healthcare International, Incorporated, Jere Palazzolo re 97 MOTION for Partial Summary Judgment of <i>Matter Under Advisement for More than One Year</i> (Muise, Robert) (Entered: 08/29/2025)
09/24/2025	133	ORDER denying 97 Motion for Partial Summary Judgment; terminating 119 Motion to Expedite; terminating 126 Motion for Leave to File; granting 129 Motion for Discovery. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 09/24/2025)
09/30/2025	134	MOTION for Reconsideration re 133 Order on Motion for Partial Summary Judgment, Order on Motion to Expedite, Order on Motion for Leave to File, Order on Motion - Free by Catholic Healthcare International, Incorporated, Jere Palazzolo. (Attachments: # 1 Exhibit 1 - Defendants' Discovery Requests) (Muise, Robert) (Entered: 09/30/2025)
09/30/2025	135	MOTION for Protective Order by Catholic Healthcare International, Incorporated, Jere Palazzolo. (Attachments: # 1 Exhibit 1 - Defendants' Discovery Requests) (Muise, Robert) (Entered: 09/30/2025)
10/01/2025	136	NOTICE OF RULE 16 SCHEDULING CONFERENCE AND RULE 26 JOINT DISCOVERY PLAN DEADLINE: Telephonic Scheduling Conference set for 11/5/2025 02:30 PM before District Judge Shalina D. Kumar. *READ NOTICE FOR CALL-IN INFORMATION. (THal) (Entered: 10/01/2025)
10/14/2025	137	RESPONSE to 135 MOTION for Protective Order filed by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 10/14/2025)
10/16/2025	138	REPLY to Response re 135 MOTION for Protective Order filed by All Plaintiffs. (Muise, Robert) (Entered: 10/16/2025)
10/29/2025	139	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Muise, Robert) (Entered: 10/29/2025)
11/04/2025		TEXT-ONLY NOTICE: Telephonic Scheduling Conference on 11/5/2025 is Cancelled. Scheduling Order to be issued. (THal) (Entered: 11/04/2025)
11/10/2025	140	RULE 16 SCHEDULING ORDER (PHASE I): Telephonic Status Conference set for 2/12/2026 11:30 AM before District Judge Shalina D. Kumar. Discovery due by 6/1/2026. Dispositive Motion Cut-off set for 7/1/2026. Signed by District Judge Shalina D. Kumar. (Refer to image for additional dates) (THal) (Entered: 11/10/2025)
11/10/2025	141	ORDER APPOINTING DISCOVERY MASTER. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 11/10/2025)
11/13/2025	142	AMENDED ORDER APPOINTING DISCOVERY MASTER. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 11/13/2025)
11/13/2025	143	MOTION to Vacate 142 Order, 141 Order by Catholic Healthcare International, Incorporated, Jere Palazzolo. (Yerushalmi, David) (Entered: 11/13/2025)
11/13/2025	144	NOTICE by Catholic Healthcare International, Incorporated, Jere Palazzolo re 143 MOTION to Vacate 142 Order, 141 Order of <i>filing Ex to Dkt. No. 143</i> (Attachments: # 1 Exhibit 1 to Motion to Revoke) (Yerushalmi, David) (Entered: 11/13/2025)
11/26/2025	145	CONSENT OF COURT-APPOINTED NEUTRAL (REFEREE/SPECIAL MASTER) AND AFFIDAVIT OF THE HONORABLE VICTORIA A. ROBERTS (THal) (Entered: 11/26/2025)

		11/26/2025)
12/10/2025	146	MOTION TO EXTEND Deadlines by Genoa, Charter Township of, Sharon Stone. (Burress, David) (Entered: 12/10/2025)
12/11/2025	147	ORDER granting 146 Motion to Extend Deadlines. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 12/11/2025)
01/19/2026	148	<i>Preliminary</i> WITNESS LIST by All Plaintiffs (Muisse, Robert) (Entered: 01/19/2026)
01/19/2026	149	WITNESS LIST by All Defendants (Burress, David) (Entered: 01/19/2026)
02/11/2026	150	ORDER denying 143 Motion to Vacate the Order Appointing Discovery Master. Signed by District Judge Shalina D. Kumar. (THal) (Entered: 02/11/2026)
02/11/2026		TEXT-ONLY NOTICE: Telephonic Status Conference on 2/12/2026 is Cancelled. (THal) (Entered: 02/11/2026)
02/24/2026	151	<i>Amended</i> WITNESS LIST by All Defendants (Burress, David) (Entered: 02/24/2026)

PACER Service Center			
Transaction Receipt			
03/11/2026 13:25:50			
PACER Login:	AFLC12345	Client Code:	
Description:	Docket Report	Search Criteria:	4:21-cv-11303-SDK-DRG
Billable Pages:	14	Cost:	1.40

**JAMS FEE AGREEMENT AND CANCELATION POLICY
COURT-APPOINTED NEUTRAL (REFEREE/SPECIAL MASTER)**

Catholic Healthcare International, Inc., et al v. Charter Township of Genoa, et al
Reference No.1345002712

Case:

1. Professional Fees

Professional services for this matter, including but not limited to reading and other preparation time, hearing time, extra hearing time, and any additional services or work, will be billed at the panelist's normal hourly rate. Fees for unused scheduled time are non-refundable. The professional fees for Hon. Victoria Roberts (Ret.) are \$925 per hour.

2. Additional Fees

- A. *Case Management Fees:* Each party will be charged an initial non-refundable Case Management Fee of \$1000.00, which is subject to reassessment according to the Panelist's Fee Schedule.
- B. *Expenses* are billed at cost. Food and beverage costs incurred by the parties at the hearing are to be paid by the parties upon delivery.
- C. *Travel:* If travel is required and is not included in the panelist's rate, travel time is billed at the panelist's hourly rate. Travel expenses such as mileage are billed at cost.
- D. *Reading and Research Fees:* Parties will be billed for expected reading and research time. Unused portions of these fees are refundable.

3. Cancellation and Rescheduling Policy

According to JAMS Policy, and as indicated on the Panelist's Fee Schedule, fees for hearing sessions are non-refundable if a session is canceled or rescheduled less than 30 calendar days before the hearing date unless the panelist's time can be rescheduled with another matter. Cancellation and rescheduling fees will be paid by the canceling party(ies). Case Management Fees are non-refundable.

4. Payment

- A. The parties agree to divide the fees and expenses for this matter as set forth in the Panelist's Fee Schedule and, specifically, as follows: 50/50 split: 50% to Seward Henderson PLLC on behalf of Sharon Stone individually and in her official capacity as Genoa Charter Township of Genoa; and 50% to American Freedom Law Center on behalf of Catholic Healthcare international, Inc, et al;
- B. Each party agrees to pay its share of the estimated fees and expenses to be received by JAMS at least 30 calendar days prior to the hearing. Unless otherwise agreed, JAMS is not bound by agreements between the parties with respect to fees. ***The hearing will not be held unless such fees and expenses are paid by the applicable deadline.***
- C. ***The undersigned attorney and his/her client(s) are jointly and severally liable for the payment of their portion of the fees and expenses, as detailed above.***

By the signatures below, each participant, either directly or through counsel, hereby certifies that s/he has read this entire Agreement and agrees with all matters stated herein and in the Fee Schedule. This Agreement may be signed in counterparts.

Signed: _____

Signed: _____

Print Name: _____

Print Name: _____

For: _____

For: _____

Dated: _____

Dated: _____



March 9, 2026

NOTICE TO ALL PARTIES

Re: Catholic Healthcare International, Inc., et al vs. Charter Township of Genoa, et al
Reference #: 1345002712
Case #:

Dear Parties:

This is to confirm receipt of the Order Appointing Discovery Master appointing Hon. Victoria Roberts (Ret.) as Court-Appointed Neutral (Referee/Special Master) in the above referenced matter.

Please be advised that the Court does not provide us with the documents. Therefore, we request that the Operative Pleadings and motion papers be provided to our office, along with the initial Case Management Fees of \$1000 per side, made payable to JAMS.

Once all documents are received, we will contact the parties to schedule a preliminary status conference.

Please feel free to contact me at 212-607-2785 should you have any questions. Thank you and we look forward to assisting you in your ADR needs.

Sincerely,

Catrina Barnes/s/

Catrina Barnes
Senior Case Manager
CBarnes@jamsadr.com

Enclosure

JAMS Commencement Disclosure (MKT016I)

Catholic Healthcare International, Inc., et al vs. Charter Township of Genoa, et al

JAMS administers approximately 21,000 cases per year. This report lists the numbers of cases JAMS has administered in the last five years involving any party, lawyer, or law firm in the present case. "Administered" means any case in which JAMS received a payment, regardless of which party (or parties) remitted payment. The numbers below do not include the present case. All branches of law firms are included. JAMS has nearly 500 neutrals on its panel, and approximately one third of JAMS neutrals have an ownership share in the company. Each owner has one share.

Owners are not privy to information regarding the number of cases or revenue related to cases assigned to other panelists. No shareholder's distribution has ever exceeded 0.1% of JAMS total revenue in a given year. Shareholders are not informed about how their profit distributions are impacted by any particular client, lawyer or law firm and shareholders do not receive credit for the creation or retention of client relationships. JAMS typically serves this report on the parties at the commencement of a JAMS matter. This report is not provided to JAMS' neutrals and will not be provided to the neutral eventually selected for this matter. JAMS neutrals are not informed about matters handled by other neutrals and are not privy to the numbers of matters involving any particular company, lawyer or law firm other than matters in which they have previously served as a neutral.

Please note, cases administered by JAMS Denver are not included in this report. JAMS Denver is a licensee office and does not share the same case administration system as JAMS. If you would like disclosure information for Denver administered cases, please notify your Case Manager within 15 days.

Once appointed in this case, the neutral will issue his or her own required disclosures.

Reference #: 1345002712

03/09/2021 - 03/09/2026

Defendant(s)
Genoa, Charter Township of

No Address Listed

Cases heard with Genoa, Charter Township of

No Cases to Report

Sharon Stone individually and in her official capacity as Or

No Address Listed

Cases heard with Sharon Stone individually and in her official capacity as Or

No Cases to Report

Sharon Stone individually and in her official capacity as

No Address Listed

Cases heard with Sharon Stone individually and in her official capacity as

No Cases to Report

JAMS Commencement Disclosure (MKT0161)

Catholic Healthcare International, Inc., et al vs. Charter Township of Genoa, et al

Reference #: 1345002712

03/09/2021 - 03/09/2026

Counsel for Defendant**David Daniel Burress**
Seward Henderson PLLC210 E 3rd St.
Suite 212
Royal Oak, MI 48067**Cases heard with David Daniel Burress**Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

Cases heard with Seward Henderson PLLCMediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

T. Joseph Seward
Seward Henderson PLLC210 E 3rd St.
Suite 212
Royal Oak, MI 48067**Cases heard with T. Joseph Seward**Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

Plaintiff(s)**Catholic Healthcare International, Inc.**

No Address Listed

Cases heard with Catholic Healthcare International, Inc.

No Cases to Report

Jere Palazzolo

No Address Listed

Cases heard with Jere Palazzolo

No Cases to Report

JAMS Commencement Disclosure (MKT0161)

Catholic Healthcare International, Inc., et al vs. Charter Township of Genoa, et al

Reference #: 1345002712

03/09/2021 - 03/09/2026

Counsel for Plaintiff

David Yerushalmi

American Freedom Law Center

6218 Gerigua Avenue NW Suite 1 #684

Washington, DC 20011

Cases heard with David Yerushalmi

No Cases to Report

Cases heard with American Freedom Law Center

No Cases to Report

Kate M. Oliveri

American Freedom Law Center

6218 Gerigua Avenue NW Suite 1 #684

Washington, DC 20011

Cases heard with Kate M. Oliveri

No Cases to Report

Robert Muise

American Freedom Law Center

6218 Georgia Avenue NW Suite 1 #684

Washington, DC 20011

Cases heard with Robert Muise

No Cases to Report

JAMS Commencement Disclosure (MKT016I)

Catholic Healthcare International, Inc., et al vs. Charter Township of Genoa, et al

Reference #: 1345002712

03/09/2021 - 03/09/2026

Firm Names

N/A



General Fee Schedule

Hon. Victoria Roberts (Ret.)

PROFESSIONAL FEES

\$850 per hour

- Other professional time (including additional hearing time, pre- and post-hearing reading and research, conference calls, and drafting orders and awards) will be billed at \$850 per hour. This may include travel time.
- All travel expenses are billed at actual cost.

ARBITRATION FEES

Filing Fee

\$2,000 – Two Party Matter

\$3,500 – Matters involving three or more parties

\$2,000 – Counterclaims

- Entire Filing Fee must be paid in full to commence the proceedings.
- A refund of \$1,000 will be issued if the matter is withdrawn within five days of filing. After five days, the Filing Fee is non-refundable.

Case Management Fee

- 13% of Professional Fees
- The Case Management Fee includes access to an exclusive nationwide panel of judges, attorneys, and other ADR experts, dedicated services including all administration through the duration of the case, document handling, and use of JAMS conference facilities including after hours and on-site business support. Weekends and holidays are subject to additional charges.

CASE MANAGEMENT FEES FOR OTHER MATTERS

Discovery, Court Appointed Neutral (Reference/Special Master), Appraisal, and Binding Mediation

Initial Non-Refundable Case Management Fee of \$1000 per party

Plus 13% of Professional Fees

Neutral Analysis Matters

Contact JAMS for administrative and pricing details.

CANCELLATION/CONTINUANCE POLICY

Number of Days	Cancellation/Continuance Period	Fee
1 day or less	30 days or more prior to hearing	100% REFUNDABLE, except for time incurred
2 days or more	60 days or more prior to hearing	100% REFUNDABLE, except for time incurred
Sessions of any length	Inside the cancellation/continuance period	NON-REFUNDABLE

- Unused hearing time is non-refundable.
- Hearing fees, including all applicable Case Management Fees, are non-refundable if time scheduled (or a portion thereof) is cancelled or continued after the cancellation date unless the Arbitrator's time can be rescheduled with a hearing in another matter. The cancellation policy exists because time reserved and later cancelled generally cannot be replaced. In all cases involving non-refundable time, the cancelling or continuing party is responsible for the fees of all parties.
- A retainer for anticipated preparation and follow-up time will be billed to the parties. Any unused portion will be refunded.
- Refund Policy: Payments received from a single source will be issued back to that payer but mailed to the JAMS billing contact. Payments received from multiple sources will be issued and mailed to the JAMS billing contact only. Returned refunds will incur a \$100 reprocessing fee.
- All fees are due and payable in advance of services rendered and by any applicable due date as stated in a hearing confirmation letter. JAMS reserves the right to cancel your hearing if fees are not paid by all parties by the applicable cancellation date and JAMS confirms the cancellation in writing.
- Receipt of payment for all fees is required prior to service of an arbitration order or award.
- For arbitrations arising out of employer-promulgated plans, the only fee that an employee may be required to pay is \$400. The employer must bear the remainder of the employee's share of the Filing Fee and all Case Management Fees. Any questions or disagreements about whether a matter arises out of an employer-promulgated plan or an individually negotiated agreement or contract will be determined by JAMS, whose determination shall be final.
- For arbitrations arising out of pre-dispute arbitration clauses between companies and individual consumers, JAMS Policy on Consumer Arbitrations Pursuant to Pre-Dispute Clauses, Minimum Standards of Procedural Fairness applies. In those cases, when a consumer (as defined by those Minimum Standards) initiates arbitration against the company, the only fee required to be paid by the consumer is \$250. The company must bear the remainder of the consumer's share of the Filing Fee and all Case Management Fees.
- Parties that, through mutual agreement, have held their case in abeyance for one year will be assessed an initial abeyance fee of \$500, and \$500 every six months thereafter. If a party refuses to pay the assessed fee, the other party or parties may opt to pay the entire fee on behalf of all parties, otherwise the matter will be closed.
- JAMS panelists may use a law clerk depending on the complexity of the case. The parties will be informed of the engagement if the neutral plans to employ a clerk. The clerk's hourly rate will be billed to the parties subject to the agreed fee split and in accordance with JAMS' policies.

JAMS agreement to render services is with the attorney, the party, and/or other representatives of the party.

[JAMS Locations](#)

www.jamsadr.com Updated 3/9/2026

SBM STATE BAR OF MICHIGAN

2023 ECONOMICS OF LAW SURVEY RESULTS

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2023 ECONOMICS OF LAW PRACTICE IN MICHIGAN

2023 ATTORNEY INCOME AND BILLING RATE SUMMARY REPORT

The State Bar of Michigan Economics of Law Practice Survey provides Michigan attorneys with a resource that allows access to the most current law practice economic information available. This survey was conducted in 2023 and requested 2022 income and 2022 billing rate information. The survey results are provided as a service to members of the State Bar of Michigan.

The survey has two primary objectives:

- To provide timely, relevant and accurate information to inform and guide the practical management decisions of Michigan Attorneys
- To track and illustrate changes and trends within the legal profession

The survey monitors and reports on several points of information useful to attorneys:

- Attorney income
- Prevailing average hourly billing rates by several indicators including fields of practice, judicial circuit, and geographic location
- Time allocated to billable and non-billable professional activities
- Management practices
- Perceptions regarding current and future economic circumstances related to the practice of law

The key finding report contains information pertaining to attorney income and billing rates. It is produced as an early and separate report to provide attorneys with this target information as quickly as possible, as it is the most requested information from all attorneys. All other information will be contained in the full 2023 Economics of Law Practice Desktop Reference Report that will follow.

METHODS AND MEASURES

The 2023 Economics of Law Practice Survey was conducted in 2023. In 2023 45.0% of active members identified as private practitioners and 55.0% identified as non-private practitioners. Surveys were emailed to 41,065 active members. Based on the proportions of both groups of active members an electronic survey was emailed to approximately 18,479 private practitioners and 22,586 non-private practice members of the State Bar of Michigan, inviting their participation.

18,292 members opened the survey. A total of 3,819 individuals completed the survey for an overall response rate of 20.9% of members who viewed the survey request. However, the response rate for private practitioners is significantly higher than for non-private practitioners.

Questionnaires were tabulated by Dr. James McComb, an independent consultant statistician. The economic data provides measures of central tendency and spread.

To help interpret the information presented in the surveys the following is a brief description of statistical terms of measures of central tendency (median and mean) and measures of dispersion (spread).

MEAN—The mean (also called the average) is calculated by adding the values of all responses then dividing by the number of responses. Example: Three responses (30, 1, 2) are reported. The average or mean is calculated by adding $30+1+2=33$ and then by dividing by 3 = 11.

MEDIAN—The median is the middle value in a series or distribution of values (50th percentile, which is initially rank-ordered (from low to high or vice versa). By definition half of the numbers are greater and half are less than the median. Example: Three responses (30, 1, 2) are reported. The median is the middle number of the order of distribution (1, 2, 30), or 2. By comparison, the average of this distribution as shown above is 11. Use of the median as a statistical metric of central tendency reduces the effects of 'outliers' (extremely high or low values, such as the data point of 30 in the previous example) while the average does not. Median values are utilized throughout the survey results to denote the measure of central tendency.

PERCENTILES—In addition to the median, four other percentile values are used in the survey results to reveal the spread of a particular data distribution. The percentiles include:

- 25th percentile—Also referred to as the “lower quartile.” One-fourth of the values are less and three-fourths are more than this value.
- Median or 50th percentile—Half of the values are less and half are more than the “median” value.
- 75th percentile—Also referred to as the “upper quartile.” Three-fourths of the values are less and one-fourth are more than this value.
- 95th percentile—Ninety-five percent of the values are less and five percent of the values are more than this value.

NOTE OF CLARIFICATION: Extreme values were excluded due to their unrepresentative qualities. Thirty-five cases where private practitioners reported gross income over \$2,000,000 and two cases where non-private practitioners reported over \$2,000,000 were not included in the financial distributions because they were not typical of the population and skewed the distributions. Two cases in the private practitioner group were excluded for reporting hourly billing rates over \$5,000 (\$32,500 and \$48,333 respectively). All cases were included in the remainder of the analysis.

I. 2022 ATTORNEY INCOME

Table 1 -2022 Reported Attorney Gross Income - Private Practice						
	Number	25th Percentile	Median	Mean	75th Percentile	95th Percentile
Sole Practitioner, office outside of home	384	97,350	165,000	232,312	279,500	750,000
Sole Practitioner, working out of home office	281	13,500	45,000	79,425	103,000	275,000
Sole Practitioner, sharing space	72	72,500	172,126	198,243	245,000	500,000
Managing Partner	157	190,000	300,000	432,291	510,000	1,300,000
Equity Partner/Shareholder	425	200,000	350,000	449,440	600,000	1,200,000
Non-Equity Partner	172	160,000	225,000	282,591	317,500	750,000
Of Counsel	69	35,000	150,000	184,897	260,000	700,000
Senior Associate	111	118,000	145,000	182,585	200,000	589,733
Associate	269	75,000	100,000	130,346	150,000	305,000
Arbitrator/Mediator	12	27,500	65,000	92,360	116,059	360,000
Assigned Counsel	6	87,000	93,000	133,833	130,000	350,000
Other	81	7,000	78,000	148,734	180,000	520,000
Total	2039	85,000	165,000	252,738	300,000	780,000

Excludes 35 cases reporting over 2,000,000 in income and 628 cases where either or both occupation and income were not reported

Table 2 -2022 Reported Attorney Gross Income - Non-Private Practice						
	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Other (please specify)	119	80,000	100,006	126,148	132,500	329,000
Academia	41	77,000	110,000	128,029	150,000	275,000
Federal Government	66	121,000	148,982	168,577	175,000	195,000
Governmental Relations	5	87,000	124,000	118,400	150,000	160,000
In-House Counsel	244	120,500	165,000	200,279	230,000	400,000
Judge	67	155,000	160,000	153,246	168,000	187,400
Law School	5	62,000	70,000	84,300	108,000	120,000
Legal Service Agency	80	64,474	75,000	79,363	86,685	153,000
Local Government	140	75,000	94,799	96,850	119,500	153,000
Military	4	147,500	159,000	161,750	176,000	184,000
Non-Law Related	24	79,000	112,500	178,208	198,000	500,000
Non-Profit Org	56	62,500	78,500	101,031	115,500	275,000
Other Judiciary	61	79,000	95,000	99,356	116,000	143,000
State Government	165	90,000	115,000	113,268	138,000	167,426
Total	1077	82,500	115,000	136,282	160,000	290,000

Excludes one case with income over 2 million, 64 cases without income data and cases without occupational area specified. Excludes retirees

II. ATTORNEY HOURLY BILLING RATES

Table 3 - 2023 Attorney Hourly Billing Rates by Practice Classification						
	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Sole Practitioner, office outside of home	403	300	250	311	350	475
Sole Practitioner, working out of home office	292	250	200	267	315	425
Sole Practitioner, sharing space	72	300	250	292	350	450
Managing Partner	161	325	275	348	408	585
Equity Partner/Shareholder	460	395	297	413	500	730
Non-Equity Partner	192	406	308	425	525	700
Of Counsel	74	350	300	368	485	605
Senior Associate	113	317	250	316	367	485
Associate	277	280	230	291	335	500
Arbitrator/Mediator	13	300	275	312	400	450
Assigned Counsel	4	163	103	197	290	405
Other	57	270	185	294	350	575
Total	2118	301	250	339	400	625

Excludes cases where either or both hourly rates and/or classification are missing and two cases with hourly rates over 5 thousand

Table 4 – 2023 Attorney Hourly Billing Rates by Years in Practice						
	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
1 to 2	73	200	250	251	300	350
3 to 5	129	228	275	300	340	530
6 to 10	237	250	300	322	385	585
11 to 15	253	250	305	330	395	575
16 to 25	424	250	315	337	425	600
26 to 30	228	275	350	375	450	635
31 to 35	195	260	342	369	450	645
>35	652	250	300	339	400	650
Total	2191	250	300	337	400	620

Excludes missing values and cases reporting over 67 years in the bar and hourly rates over 5000

Table 5 – 2023 Attorney Hourly Billing Rates by Number of FTE Attorneys in Local Office						
	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
1	625	230	283	289	342	450
2	213	250	300	311	375	475
3	163	250	310	333	375	525
4 to 6	240	250	300	327	371	550
7 to 10	175	267	320	347	405	600
11 to 20	188	268	350	359	450	640
21 to 50	233	258	385	381	475	680
Over 50	240	332	448	460	588	748
Total	2077	250	308	340	400	625

Excludes missing values, hourly rates over 5000 and 0 FTE

Table 6 – 2023 Attorney Hourly Billing by Primary Office Location

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Ann Arbor area	114	275	325	358	438	640
Battle Creek area	13	53	220	191	275	300
Bay City/Saginaw/Midland area	30	175	250	244	300	405
Detroit, not Downtown	34	208	263	306	400	575
Downtown Detroit and New Center area	132	293	448	454	593	760
Flint area	61	228	260	286	300	450
Grand Rapids area	274	275	350	368	450	625
Jackson area	24	204	250	252	300	400
Kalamazoo area	69	250	317	332	415	600
Kent County (outside of Grand Rapids area)	6	200	250	268	395	400
Lansing area	120	250	300	333	375	667
Livingston County	34	200	259	249	300	345
Macomb County (outside of Mt. Clemens area)	73	250	300	320	350	510
Mid-Michigan area (outside of Lansing area)	23	247	275	269	315	350
Mount Clemens area	32	250	300	307	338	550
Muskegon area	32	195	250	235	300	380
Northern Michigan, Lower Peninsula	55	200	250	274	300	450
Oakland County, north of M-59	56	250	300	318	379	500
Oakland County, south of M-59	545	267	325	354	425	600
Other metro areas	9	175	250	217	250	300
Out state, Lower Peninsula	11	200	225	242	300	400
Southeast Michigan	45	215	262	277	337	450
Southfield	78	250	317	339	400	600
Traverse City area	42	225	279	284	350	450
Upper Peninsula	29	200	250	242	275	350
Wayne County (outside of Detroit)	101	240	283	295	350	425
Western Michigan	45	275	300	323	370	565
Out of State	126	275	366	395	492	700
Total	2213	250	300	338	400	620

Exclude missing data and hourly rates over 5000.

Table 7 Attorney Hourly Billing Rates by Field of Practice

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Administrative Law	52	250	348	359	468	700
Appellate Law	107	250	350	356	435	625
Arbitration/Mediation	84	283	350	357	400	600

Table 7 Attorney Hourly Billing Rates by Field of Practice

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Auto (not lemon) Law	30	235	363	381	495	850
Auto no fault	94	175	225	307	450	650
Bankruptcy, Creditor	47	250	320	336	390	610
Bankruptcy, Debtor	53	250	300	311	400	540
Business/Commercial Litigation	312	300	373	392	450	660
Civil Litigation	408	250	325	351	425	625
Civil Rights	54	250	350	381	450	710
Collections, creditor	48	250	295	288	333	450
Collections, debtor	8	60	200	208	350	400
Condemnation law	8	173	400	333	460	550
Construction law	59	250	325	323	405	540
Consumer law (including lemon law)	27	235	330	330	450	600
Contracts	141	250	325	348	450	600
Corporate and business	318	300	350	380	440	675
Criminal (misdemeanor)	127	200	250	259	300	400
Criminal (felony)	144	250	300	316	400	500
Drivers License Revocation Restoration	20	250	250	275	325	400
Elder Law	73	250	300	304	350	425
Election Law	8	275	375	355	450	585
Employment law (plaintiff)	59	300	400	412	475	650
Employment law (defense)	65	250	325	354	435	580
Entertainment Law	7	200	300	256	350	400
Environmental law	18	300	413	409	490	650
Family law	386	250	300	299	350	450
Foreclosure, debtor	3	40	285	208	300	300
Foreclosure, lender	10	225	275	304	350	550
General Civil	75	225	275	295	350	595
Health & Hospital law	38	350	415	429	525	665
Immigration law	43	200	295	300	350	600
Indian Law	11	75	250	271	400	630
Insurance law (plaintiff)	45	350	450	447	550	700
Insurance law (defense)	99	160	185	201	210	310
Intellectual property	78	335	400	419	480	700
Labor and Employment	80	250	350	364	475	645
Landlord/tenant (commercial)	20	223	250	265	330	388
Landlord/tenant (residential)	59	175	250	228	275	350
Libel, slander and defamation	1	450	450	450	450	450
Marijuana Law	13	275	350	365	420	630
Medical malpractice (plaintiff)	15	350	600	635	900	1200
Medical malpractice (defendant)	18	185	203	249	250	650
Municipal Law	93	165	200	217	250	380

Table 7 Attorney Hourly Billing Rates by Field of Practice

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Veterans and Military Law	3	50	240	180	250	250
Other Civil law	66	250	300	327	400	650
Other Professional Liability	21	225	250	295	350	500
Personal Injury (defendant)	60	173	195	217	225	425
Personal Injury (plaintiff)	96	298	400	425	500	900
Probate litigation	122	275	300	324	385	525
Guardianship & conservatorship	98	250	285	284	350	425
Probate, trust administration	267	250	300	317	350	500
Probate estate planning, wills, and trusts	484	250	300	308	350	490
Product liability	13	250	280	275	400	500
Property Damage	6	165	283	305	500	550
Public benefits	7	45	300	269	450	500
Real Estate	366	250	300	318	370	510
Schools and Education	20	260	290	325	375	585
Securities Law	14	350	375	466	600	1065
Tax Law	73	300	400	419	525	700
Workers' Compensation (employee)	13	250	350	365	400	800
Workers' Compensation (employer)	10	135	145	145	150	185
Total	5197	250	300	330	400	600

Excludes Missing Data and Hourly Billing Rates Over 5000

Table 8 Attorney Hourly Billing Rates by County

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Alcona	2	168	186	186	205	205
Alger	6	183	267	229	300	300
Allegan	55	250	300	316	370	525
Alpena	10	60	184	160	250	300
Antrim	24	200	250	253	321	400
Arenac	5	48	145	107	158	158
Baraga	6	53	204	188	300	325
Barry	13	250	350	321	385	490
Bay	32	156	247	247	300	585
Benzie	14	113	217	220	295	450
Berrien	34	215	300	297	365	550
Branch	9	195	292	220	295	310
Calhoun	37	225	295	302	350	525
Cass	21	200	267	258	310	365
Charlevoix	19	217	280	262	317	425
Cheboygan	9	250	283	280	325	367
Chippewa	7	107	200	184	245	275

Table 8 Attorney Hourly Billing Rates by County

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Clare	13	267	300	285	315	350
Clinton	53	250	300	301	330	450
Crawford	6	145	241	238	350	400
Delta	6	150	167	181	250	300
Dickinson	7	150	200	200	285	350
Eaton	71	250	300	303	350	500
Emmet	20	208	282	273	321	450
Genesee	109	228	275	292	300	530
Gladwin	5	233	250	257	300	325
Gogebic	1	267	267	267	267	267
Grand Traverse	47	213	275	294	350	450
Gratiot	12	275	300	285	318	425
Hillsdale	11	200	250	253	300	335
Houghton	9	250	267	267	300	350
Huron	5	200	250	242	275	337
Ingham	151	250	300	334	383	640
Ionia	11	258	280	295	375	450
Iosco	2	158	182	182	205	205
Iron	5	47	150	122	180	200
Isabella	21	250	300	278	315	400
Jackson	38	225	250	265	300	440
Kalamazoo	112	250	350	366	450	600
Kalkaska	2	183	204	204	225	225
Kent	338	285	364	374	450	620
Keweenaw	3	57	275	211	300	300
Lake	5	47	180	161	225	308
Lapeer	33	228	250	293	350	585
Leelanau	25	250	300	323	395	463
Lenawee	26	180	250	241	300	350
Livingston	83	250	295	305	350	425
Luce	3	107	200	196	280	280
Mackinac	4	75	178	169	263	275
Macomb	540	250	300	327	393	550
Manistee	10	295	308	401	333	1167
Marquette	16	205	263	261	310	350
Mason	10	207	267	246	308	325
Mecosta	2	158	229	229	300	300
Menominee	3	200	200	233	300	300
Midland	10	267	296	314	350	585
Missaukee	5	47	150	178	300	350
Monroe	29	207	260	265	300	450

Table 8 Attorney Hourly Billing Rates by County

	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Montcalm	9	200	300	307	375	497
Montmorency	5	47	50	128	250	250
Muskegon	59	213	280	273	325	440
Newaygo	13	183	300	254	325	440
Oakland	1045	250	325	356	425	637
Oceana	11	200	225	246	308	385
Ogemaw	3	158	267	235	280	280
Osceola	5	300	300	297	350	350
Oscoda	2	52	201	201	350	350
Otsego	10	200	238	229	250	270
Ottawa	162	285	340	355	415	595
Presque Isle	2	228	239	239	250	250
Roscommon	6	57	258	221	300	400
Saginaw	45	200	250	279	310	585
Sanilac	11	150	200	192	233	275
Schoolcraft	3	45	183	143	200	200
Shiawassee	20	238	256	307	325	625
St. Clair	32	208	278	286	325	550
St. Joseph	9	200	290	242	295	310
Tuscola	12	164	200	210	263	308
Van Buren	33	250	300	301	375	565
Washtenaw	223	250	325	342	420	600
Wayne	972	250	330	357	425	650
Wexford	11	183	208	256	350	363
Statewide Practice	39	300	350	396	485	710
Out of state practice	130	300	400	410	500	737
Total	5037	250	300	334	400	600

Table 9 Attorney Hourly Billing Rates by Circuit

Circuit/County(s)	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
1 Hillsdale	11	200	250	253	300	335
2 Berrien	34	215	300	297	365	550
3 Wayne	972	250	330	357	425	650
4 Jackson	38	225	250	265	300	440
5 Barry	13	250	350	321	385	490
6 Oakland	1045	250	325	356	425	637
7 Genesee	109	228	275	292	300	530
8 Ionia, Montcalm	20	229	290	300	375	473
9 Kalamazoo	112	250	350	366	450	600
10 Saginaw	45	200	250	279	310	585
11 Alger, Luce, Mackinac, Schoolcraft	16	107	200	192	271	300
12 Baraga, Houghton, Keweenaw	18	180	263	231	300	350
13 Antrim, Grand Traverse, Leelanau	96	221	275	291	350	450
14 Muskegon	59	213	280	273	325	440
15 Branch	9	195	292	220	295	310
16 Macomb	540	250	300	327	393	550
17 Kent	338	285	364	374	450	620
18 Bay	32	156	247	247	300	585
19 Benzie, Manistee	24	200	285	295	321	500
20 Ottawa	162	285	340	355	415	595
21 Isabella	21	250	300	278	315	400
22 Washtenaw	223	250	325	342	420	600
23 Alcona, Arenac, Iosco, Oscoda	21	158	200	189	250	270
24 Sanilac	11	150	200	192	233	275
25 Marquette	16	205	263	261	310	350
26 Alpena, Montmorency	15	48	168	149	250	300
27 Newaygo, Oceana	24	192	268	251	312	385
28 Missaukee, Wexford	16	163	204	232	343	363
29 Clinton, Gratiot	65	250	300	298	330	450
30 Ingham	151	250	300	334	383	640
31 St. Clair	32	208	278	286	325	550
32 Gogebic, Ontonagon	1	267	267	267	267	267
33 Charlevoix	19	217	280	262	317	425
34 Ogemaw, Roscommon	9	158	267	225	280	400
35 Shiawassee	20	238	256	307	325	625
36 Van Buren	33	250	300	301	375	565
37 Calhoun	37	225	295	302	350	525
38 Monroe	29	207	260	265	300	450
39 Lenawee	26	180	250	241	300	350

Table 9 Attorney Hourly Billing Rates by Circuit						
Circuit/County(s)	Number	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
40 Lapeer	33	228	250	293	350	585
41 Dickinson, Iron, Menominee	15	150	200	181	200	350
42 Midland	10	267	296	314	350	585
43 Cass	21	200	267	258	310	365
44 Livingston	83	250	295	305	350	425
45 St. Joseph	9	200	290	242	295	310
46 Crawford, Kalkaska, Otsego	8	163	204	230	325	400
47 Delta	6	150	167	181	250	300
48 Allegan	55	250	300	316	370	525
49 Mecosta, Osceola	7	183	300	277	350	350
50 Chippewa	7	107	200	184	245	275
51 Lake, Mason	15	155	225	218	308	325
52 Huron	5	200	250	242	275	337
53 Cheboygan, Presque Isle	11	228	280	273	325	367
54 Tuscola	12	164	200	210	263	308
55 Clare, Gladwin	18	233	300	277	315	350
56 Eaton	71	250	300	303	350	500
57 Emmet	20	208	282	273	321	450
84 Statewide Practice	39	300	350	396	485	710
85 Out Of State Practice	130	300	400	410	500	737
Total	5037	250	300	334	400	600



Kate Oliveri <koliveri@americanfreedomlawcenter.org>

RE: CHI v Genoa Township, Case No. 21-cv-11303/Meet and Confer

1 message

Joe Seward <jseward@sewardhenderson.com>

Tue, Mar 17, 2026 at 3:22 PM

To: "D. Yerushalmi" <dyerushalmi@americanfreedomlawcenter.org>, David Burress <dburress@sewardhenderson.com>,
Sarah Weiland <sweiland@sewardhenderson.com>

Cc: Kate Oliveri <koliveri@americanfreedomlawcenter.org>, Robert Muise--AFLC <rmuise@americanfreedomlawcenter.org>,
"C. Page" <cpage@americanfreedomlawcenter.org>

We agree with your position,



T. Joseph Seward

210 East Third Street, Suite 212

Royal Oak, MI 48067

T 248.733.3580

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E jseward@SewardHenderson.com

From: D. Yerushalmi <dyerushalmi@americanfreedomlawcenter.org>

Sent: Tuesday, March 17, 2026 3:09 PM

To: David Burress <dburress@sewardhenderson.com>; Sarah Weiland <sweiland@sewardhenderson.com>; Joe Seward <jseward@sewardhenderson.com>

Cc: 'Kate Oliveri' <koliveri@americanfreedomlawcenter.org>; 'Robert Muise--AFLC' <rmuise@americanfreedomlawcenter.org>; 'C. Page' <cpage@americanfreedomlawcenter.org>

Subject: Re: CHI v Genoa Township, Case No. 21-cv-11303/Meet and Confer

David

We are contemplating (and indeed preparing) a writ of mandamus seeking the 6th Circuit's intervention on the matter of the appointment of a special master. The rationale is essentially the same as our motion and timely given the \$1K fee each for which JAMS wants just to open the file and the SM's note to schedule a status conference which will likely add another few thousand dollars each since of course she will "need to prepare".

While not necessary, we would like to know if you "consent" as you did for the motion. Please let me know by Thursday.