



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM



Date: September 10, 2025

To: Honorable Mayor and Members of the Troy City Council

From: Lori Grigg Bluhm, City Attorney
Nicole MacMillan, Assistant City Attorney

Subject: Naqiya Salman v. City of Troy

The City was served with the attached lawsuit filed by Naqiya Salman. The Complaint alleges that on March 12, 2025, she tripped on the sidewalk adjacent to 2029 Hempstead, in the City of Troy. According to the Complaint, her fall caused her to fracture her right shoulder, requiring surgery.

The lawsuit is filed against the City of Troy under the sidewalk exception to governmental immunity (MCL 691.1402). In her Complaint, Plaintiff alleges that the City failed to maintain the sidewalk in reasonable repair.

Plaintiff alleges that her damages exceed \$25,000, which is the threshold for filing a case in the circuit court. It has been filed in the Oakland County Circuit Court, and assigned to Judge Nanci Grant.

The proposed resolution authorizes our office to represent the City in this case, and approves necessary expenditures required for the defense of the case.

Please let us know if you have any questions or concerns.

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Approved, SCAO

Original Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NUMBER 2025-217050-NO
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Court address 1200 North Telegraph Road, Pontiac, MI Court telephone number

Plaintiff's name, address, and telephone number Naqiya Salman	v	Defendant's name, address, and telephone number City of Troy
Plaintiff's attorney bar number, address, and telephone number Sean McNally (P77563) Attorney for Plaintiff 18930 W 10 Mile Road Southfield, MI 48075 (248) 557-1688		

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party or **take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 8/25/2025	Expiration date* 11/24/2025	Court clerk Lisa Brown
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

☐ I served ☐ personally ☐ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

☒ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name City of Troy City Attorney	Date and time of service 8/29/25
Place or address of service 500 W. Big Beaver Road, Troy, MI 48084	
Attachments (if any) Initial Disclosures	

☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	
Incorrect address fee \$	Miles traveled	Fee \$	TOTAL FEE \$

/s/Maryanne Balaban

Signature

Maryanne Balaban

Name (type or print)

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

Attachments (if any) _____ on _____
Date and time

Signature _____ on behalf of _____

Name (type or print) _____



**LIPTON
LAW**

— THE EDGE YOU NEED —

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

NAQIYA SALMAN,

Plaintiff,

v

CITY OF TROY,
a Municipal Corporation.

Defendant.

2025-217050-NO

JUDGE Nanci J. Grant

Case No. 2025- -NO
HON.

SEAN M. MCNALLY (P77563)
MARC LIPTON (P43877)
LIPTON LAW
Attorneys for Plaintiff
18930 W. 10 Mile Rd.
Southfield, MI 48075
(248) 557-1688/557-6344 (Fax)
sean@liptonlaw.com

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action, not between these parties, arising out of the same transaction or occurrence as alleged in this complaint that is either pending or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this Court.

COMPLAINT

NOW COMES Plaintiff, Naqiya Salman, through her attorneys, Lipton Law, and complains against the Defendant, City of Troy, as follows:

VENUE AND JURISDICTION

1. Plaintiff, Naqiya Salman, is a resident of the City of Troy, County of Oakland, State of Michigan.
2. Defendant, City of Troy ("Troy"), is a Michigan municipal corporation located in the

18930 W 10 Mile Rd
Southfield, MI 48075

Phone: 248.557.1688
Fax: 248.557.6114

www.liptonlaw.com

County of Oakland, State of Michigan.

3. The amount in controversy exceeds the sum of Twenty-Five Thousand Dollars (\$25,000.00) and this action is otherwise within the jurisdiction of this court.
4. The events giving rise to this action occurred in the City of Troy, County of Wayne, State of Michigan.
5. That Oakland County is the proper venue for this action pursuant to MCL 600.1629(1)(a)(i).

FACTUAL ALLEGATIONS

6. Plaintiff realleges all prior paragraphs as though they were fully restated herein.
7. On or about March 12, 2025, at approximately 5:00 pm, Plaintiff was walking on the sidewalk adjacent to 2029 Hempstead, Troy, Michigan, when she tripped and fell on a depressed, broken, and unlevel slab of the concrete, the area of which was not illuminated or marked by cones, signs, bright paint or any other indication of the dangerous and/or defective condition(s) now complained of.
8. That this defective and/or dangerous condition faces Hempstead Road.
9. At all relevant times, Troy had possession and control of this sidewalk which was open to the public.
10. That this sidewalk, was not kept in reasonable repair, and was not in a condition that was reasonably safe and fit for public travel.
11. That the condition and/or defect in question presented an unreasonable risk of harm to Plaintiff and other members of the public.
12. That at least thirty (30) days before the occurrence of Plaintiff's injury, Defendant, its agents, servants, or employees had actual and/or constructive knowledge of the dangerous

and/or defective condition.

13. That the defects described above existed so as to be readily apparent to an ordinarily observant person for more than thirty (30) days before Plaintiff's injury took place.

COUNT I - NEGLIGENCE

14. Plaintiff realleges all prior paragraphs as though they were fully restated herein.
15. Pursuant to MCL 691.1402, MCL 691.1403, and MCL 691.1404, Defendant had a statutory obligation to keep the sidewalk in reasonable repair and in a condition reasonable safe and fit for public travel, and is therefore not shielded by governmental immunity.
16. Defendant violated these statutory duties by the following negligent acts and/or omissions, as it is presently known:
- a. Failing to exercise reasonable care for the protection of Plaintiff;
 - b. Failing to inspect the location for defects;
 - c. Failing to maintain the sidewalk in a reasonably safe condition without increasing the dangerous and hazardous condition to public users of the sidewalk;
 - d. Failing to remove, eliminate or repair the dangerous condition or defect,;
 - e. Failing to hire and/or employee personnel or staff that would properly maintain the sidewalk and not allow the defect or dangerous condition to remain;
 - f. Failing to exercise reasonable care to make the sidewalk safe or to warn members of the public, such as Plaintiff, of the condition and the risk;
 - g. Failing to warn members of the public, such as Plaintiff, of the existing defect or dangerous condition when Defendant knew, or should have known, that such defect or condition would not be visible at night;
 - h. Failing to take reasonable precautions to protect the Plaintiff from foreseeable dangers; and
 - i. Other negligent acts and/or omissions, not yet known but which may be ascertained during this litigation.

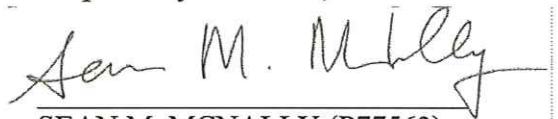
17. As a direct and proximate result of Defendant's negligence, Plaintiff sustained severe and permanent injuries, including, but not limited to, the following:

- a. Fractured dominant, right shoulder requiring surgical shoulder replacement; and
- b. Other injuries.

18. As a further direct and proximate result of Defendant's negligence, Plaintiff has incurred the expenses of medical treatment and will incur further expenses in the future due to the permanent nature of her injuries; she has incurred lost wages and/or earning capacity; she has suffered embarrassment, humiliation, mental anguish and emotional distress; she has been deprived of the activities of life which she enjoyed prior to her injuries; and she has suffered further injuries and losses which the proofs may show.

WHEREFORE, Plaintiff Naqiya Salman prays for a Judgment against Defendant Troy, of damages in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) she is deemed to be entitled by this Honorable Court and/or Jury, together with costs, interest, and attorney fees.

Respectfully submitted,



SEAN M. MCNALLY (P77563)
Attorneys for Plaintiff
18930 W. Ten Mile Road
Southfield, MI 48075
(248) 557-1688

Dated: August 18, 2025

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

NAQIYA SALMAN,

Plaintiff,

v

CITY OF TROY,
a Municipal Corporation.

Defendant.

2025-217050-NO

JUDGE Nanci J. Grant

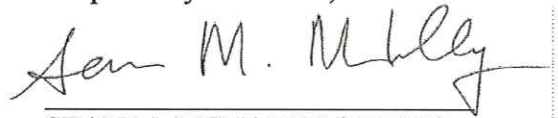
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sean@liptonlaw.com

JURY DEMAND

Plaintiff hereby demands trial by jury.

Respectfully submitted,



SEAN M. MCNALLY (P77563)
Attorneys for Plaintiff
18930 W. Ten Mile Road
Southfield, MI 48075
(248) 557-1688

Dated: August 18, 2025