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CITY COUNCIL AGENDA ITEM

Date: October 6, 2025

To: Honorable Mayor and City Council Members

From: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney
Julie Quinlan Dufrane, Assistant City Attorney
Nicole F. MacMillan, Assistant City Attorney

Subject: Third Quarter 2025 Litigation Report

The following is the quarterly report of pending litigation and other matters of interest. **Developments during the THIRD quarter of 2025 are in bold.**

A. ANATOMY OF THE CASE

Once a lawsuit has been filed against the City or City employees, the City Attorney's office prepares a memo regarding the allegations in the complaint. At that time, our office requests authority from Council to represent the City and/or the employees. Our office then engages in the discovery process, which generally lasts for several months, and involves interrogatories, requests for documents, and depositions. After discovery, almost all cases are required to go through case evaluation (also called mediation). In this process, three attorneys evaluate the potential damages, and render an award. This award can be accepted by both parties, and will conclude the case. However, if either party rejects a case evaluation award, there are potential sanctions if the trial result is not as favorable as the mediation award. In many cases, a motion for summary disposition will be filed at the conclusion of discovery. In all motions for summary disposition, the Plaintiff's version of the facts are accepted as true, and if the Plaintiff still has failed to set forth a viable claim against the City, then dismissal will be granted. It generally takes at least a year before a case will be presented to a jury. It also takes approximately two years before a case will be finalized in the Michigan Court of Appeals and/or the Michigan Supreme Court.

B. ZONING CASES

These are cases where the property owner has sued for a use other than that for which the land is currently zoned and/or the City is suing a property owner to require compliance with the existing zoning provisions.

1. **Stafa et. al v. Troy-** This federal case was served on the City on March 20, 2024. It was filed by Safet Stafa, Tollbrook LLC, Tollbrook West LLC, Tollbrook North LLC and Arban Stafa against the City. It is currently assigned to Judge Nancy Edmunds. In the complaint, Plaintiffs argue that the City's actions in denying various rezoning requests was in retaliation for the numerous lawsuits Plaintiffs filed against the City, allegedly in violation of the First Amendment. The complaint also asserts an allegation that the City treated Plaintiffs differently than other developers and land owners, depriving Plaintiffs

of rights to equal protection of the law. The case seeks damages, injunctive relief, and attorney fees under 42 U.S.C. Section 1983. The City's first responsive pleading is due on or before April 10, 2024. The City timely filed a Motion to Dismiss. Plaintiff subsequently filed a Motion for Temporary Restraining Order/Preliminary Injunction concerning one of its projects. The City filed a response and the parties are now awaiting a decision from the Court. After receipt of the City's Motion to Dismiss, Judge Goldsmith gave the Plaintiff the option to submit an amended complaint, and Plaintiff availed itself of that opportunity. On June 28, 2024, the City filed a Motion to Dismiss the Amended Complaint for failure to state a claim. Defendant filed a response to the City's motion to dismiss, and the Court has not yet ruled on this motion. The parties are also waiting for the Court's decision regarding Plaintiffs' request for a temporary restraining order and/or preliminary injunction. On February 25, 2025, Judge Goldsmith granted the City's motion in part, dismissing the equal protection claim, but denied the City's motion to dismiss the First Amendment Retaliation claim, allowing this case to proceed through discovery. On March 25, 2025, Judge Goldsmith denied Plaintiff's Motion for a Temporary Restraining Order and a Preliminary Injunction. The parties exchanged initial disclosures in accordance with the court rules and have begun the discovery process. **Pursuant to Court order, the parties are scheduled to participate in facilitation on October 1, 2025.**

2. **2955 E. Long Lake LLC et al v. City of Troy-** Plaintiffs/Appellants 2955 E. Long Lake LLC, Collard LLC, and National Express Wash LLC filed a joint application, seeking Preliminary Site Plan approval and Special Use approval for a proposed car wash with second story office space on their property located at the corner of E. Long Lake and Dequindre Roads. On November 12th, 2024, the Planning Commission denied the Special Use approval application. Plaintiffs then tried to file an appeal with the Troy Board of Zoning Appeals (ZBA), which was administratively denied, since the ZBA does not have the authority to review the Planning Commission decision in this case. Appellants then filed this appeal in the Oakland County Circuit Court, requesting a reversal of the Planning Commission's decision. In the alternative, Appellants seek an order directing the ZBA to review the Planning Commission decision. The City timely filed the appellate record with the Oakland County Circuit Court, Judge Kwame Rowe. On March 28, 2025, Appellants filed their brief with the Court. The parties filed their briefs in accordance with the Court's scheduling order. Oral argument was originally scheduled for May 21, 2025, but was then adjourned by the Court to June 12, 2025. The parties presented oral argument, and are now awaiting a written decision from the Court. **On July 1, 2025, the Court issued a written opinion remanding Plaintiff's application back to the Planning Commission for the Planning Commission to include additional findings and conclusions in its resolution. The parties are now waiting for Plaintiff to confirm that it still wants to proceed to the Planning Commission.**

C. EMINENT DOMAIN CASES

These are cases in which the City wishes to acquire property for a public improvement and the property owner wishes to contest either the necessity or the compensation offered. In cases where only the compensation is challenged, the City obtains possession of the property almost immediately, which allows for major projects to be completed.

1. **Troy v Denha, et al.** – This condemnation case was initiated by the City on August 22, 2024 to acquire needed right of way for a planned road improvement project located on Rochester Road, from Barclay Drive to Trinway Drive. The case was assigned to Oakland County Circuit Court Judge Jeffery S. Matis. A hearing on the complaint and the City's request for immediate possession was initially set for September 25, 2024, but was subsequently adjourned. The hearing on the complaint was initially adjourned to October 23, 2024 and then again to October 30, 2024. On October 30, 2024 the Court entered an order surrendering possession and vesting title to the property to the City. The order also required the City to pay the estimated just compensation to the property owner. The case will now proceed on the issue of just compensation only. The Court issued a scheduling order establishing discovery deadlines and for the exchange of witness and exhibit lists and appraisal reports and for facilitation. If the case is not resolved through facilitation or otherwise, a jury trial is scheduled for March 2, 2026. The parties timely submitted Witness and Exhibit Lists for the jury trial. The parties are in the discovery phase. **On September 17th the parties exchanged updated appraisals. Discovery is ongoing.**

2. **Troy v Kreger, et al.** – This condemnation case was initiated by the City on August 22, 2024 to acquire needed right of way for a planned road improvement project located on Rochester Road, from Barclay Drive to Trinway Drive. The case was assigned to Oakland County Circuit Court Judge Martha Anderson. A hearing on the complaint has not yet been scheduled. The Court issued a scheduling order establishing discovery deadlines and for the exchange of witness and exhibit lists. If the case is not resolved through facilitation or otherwise, a jury trial is scheduled for January 5, 2026. On January 17, 2025, the Court entered an order surrendering possession and vesting title in the subject property to the City, which required the City to pay the property owner the estimated just compensation, as determined by an independent appraisal. The case now continues to allow a jury to determine the total value of the property. The Court also required the parties to mediate this case, which is scheduled for October 23, 2025. The parties are in the discovery phase. **The parties exchanged updated appraisals on July 25th. Discovery is ongoing.**

3. **Troy v Potts, et al.** – This condemnation case was initiated by the City on August 22, 2024 to acquire needed right of way for a planned road improvement project located on Rochester Road, from Barclay Drive to Trinway Drive. The case was assigned to Oakland County Circuit Court Judge Nanci Grant. A hearing on the complaint has not yet been scheduled. The hearing on the complaint was set for October 23, 2024. Defendants Mr. and Mrs. Potts filed a motion to review necessity and to dismiss the case. The hearing on that motion was also scheduled for October 23, 2024. The City filed a timely response to the motion. Prior to the hearing date, the Potts withdrew their motion to challenge necessity and dismiss the case. On October 21, 2024 the Court

entered an order surrendering possession and vesting title to the property to the City. The order also required the City to pay the estimated just compensation to Flagstar Bank, which is named as a defendant since it has a mortgage interest in the subject property. The case will now proceed on the issue of just compensation only. The Court issued a scheduling order establishing discovery deadlines and for the exchange of witness and exhibit lists. If the case is not resolved through facilitation or otherwise, a jury trial is scheduled for December 8, 2025. The parties are currently in the discovery phase. The parties are in the discovery phase. **The parties exchanged updated appraisals on September 18th. Discovery is ongoing.**

4. **Troy v McDonald's Corporation. –** The City filed this condemnation case on February 11, 2025, seeking a permanent easement for public utilities and public service facilities for the Rochester Road improvement project, from Barclay Drive to Trinway Drive. The case was assigned to Oakland County Circuit Court Judge Daniel P. O'Brien. Judge O'Brien granted the City's motion to schedule a hearing on the complaint, which is now set for April 16, 2025. At that time, the City hopes to secure title for the easement, and will pay the estimated just compensation that was set by the City's appraiser. On April 16, 2025 a stipulated order granting the City possession was entered and requiring payment of the estimated just compensation to McDonalds. The case will now proceed on the issue of the final amount of just compensation only. **The parties are in the discovery phase.**

5. **Troy v 5024 Rochester, LLC, et al. –** This is another Rochester Road Improvement Project condemnation case filing, submitted on March 20, 2025. The City has requested an initial hearing before the assigned Oakland County Circuit Court Judge Mary Ellen Brennan, seeking title to the property needed for the Project. The parties stipulated to an order granting the City possession and requiring payment of the estimated just compensation to 5024, LLC and dismissing all other parties. The Court entered this order. **The case will now proceed to discovery and ultimately a jury trial to determine the final just compensation.**

6. **Troy v Troy Landmark Properties, et al. –** This condemnation case was initiated by the City on March 20, 2025. The City is seeking a strip of real estate and a permanent easement for public utilities and public service facilities for the Rochester Road Improvement Project. The case was assigned to Oakland County Circuit Court Judge Daniel P O'Brien. The City has requested an initial hearing, seeking an order granting title and requiring payment of the estimated just compensation. A stipulated order was entered granting the City possession and requiring payment of the estimated amount of just compensation. Another order was signed by the Court, dismissing all the other Defendants except for Troy Landmark Properties, LLC. **This case will now proceed to discovery on the issue of the final amount of just compensation.**

7. **Troy v DB Troy, LLC et al. –** For the Rochester Road Improvement Project, Barclay Drive to Trinway Drive, the City filed this condemnation case on March 20, 2025. The City needs to acquire a permanent easement for public utilities and public service facilities at the Firebird Tavern location. Oakland County Circuit Court Judge Mary Ellen Brennan is the assigned judge, who will hopefully quickly schedule the initial hearing on the complaint. The Court granted the City's motion for possession allowing the City to hold off paying the estimated compensation until all the parties agree to the allocation between all defendants. Subsequently, Defendants agreed to an

apportionment between the parties, and DB Troy, LLC is the only Defendant remaining, since all others have been dismissed. **The case will proceed through discovery and jury trial as to the final amount of just compensation.**

8. **Troy v 4770 Rochester Holdings, LLC, et al.** – This is another Rochester Road Improvement Project condemnation case, filed April 28 2025. The City requested an initial hearing before the assigned Oakland County Circuit Court Judge Mary Ellen Brennan, seeking title to the property needed for the Project. The City filed a motion for an order for possession and Defendant 4770 Rochester Holdings filed a response. Prior to the hearing date, the parties agreed on a possession order, which the Court entered. The other Defendant – Community Choice Credit Union was dismissed, pursuant to the attorney's request. **The case will now proceed to discovery and jury trial on the final amount of just compensation.**

D. CIVIL RIGHTS CASES

These are cases that are generally filed in the federal courts, under 42 U.S.C. Section 1983. In these cases, the Plaintiffs argue that the City and/or police officers of the City of Troy somehow violated their civil rights.

1. **Melvin Matsey v. Troy, et al.** - Melvin Matsey was a suspect in some burglaries in the area and had been under surveillance by the Troy Police Department Special Investigations Unit (SIU). On March 9, 2022, at approximately 8:30pm, Matsey was observed running away from a closed business carrying something under his arm. He quickly got into his parked car and drove away. SIU officers followed him, and used a boxing maneuver to stop him. Officers then got Matsey out of his car, and took him in for questioning. Plaintiff's complaint alleges there was no legal basis for the boxing maneuver, and that he was falsely arrested. He alleges injuries, pain and psychological trauma resulted. Plaintiff's complaint is brought under 42 USC, Section 1983 and it asserts claims under the 5th, 8th, and 14th Amendments of the United States Constitution. Plaintiff also asserts state law claims against the individual officers for assault and battery, intentional infliction of emotional distress and alleged gross negligence. He is seeking damages in an amount exceeding $75,000, plus interest, costs and attorney fees. On June 26, 2024, Judge Kumar, the U.S. District Court Judge assigned to this case, entered a scheduling order. On August 20, 2024, Plaintiff filed an amended complaint specifically identifying all of the individual officers involved in the March 9, 2022 encounter. The City will file a timely response. The City has also initiated discovery. The City filed a response to the amended complaint, and the parties are engaging in discovery. The attorney for one of the co-defendants requested an adjournment of the case, due to an expected medical leave. This was stipulated to by the parties, and granted by the Court**. Discovery continues.**

2. **Edward Ross v. Troy, et. al.-** Plaintiff filed this lawsuit under 42 U.S.C. Section 1983, claiming a deprivation of his constitutional rights resulting from his termination as a volunteer firefighter. The complaint was served on the City and the individual defendants on August 1, 2024. A timely response will be filed with the Court. The City timely filed its answer. The parties are scheduled for mediation on March 5, 2025. The parties were not able to successfully mediate

this case and the administrative law proceeding. The parties are now in the discovery phase. Plaintiff filed a Motion to Compel Discovery, seeking additional documentation, which the Court granted in part and denied in part. **The parties are proceeding through discovery.**

3. **Thomas Szczesny v. Troy, el. al- Plaintiff filed this Complaint against the City and individual police officers, claiming deprivation of his Constitutional rights under the 4th and 14th Amendments resulting from an accident that occurred on September 22, 2023. Plaintiff, who was riding a motorcycle, collided with a vehicle driven by a Troy officer who was responding to a call. Plaintiff's medical claims are being addressed separately under the State of Michigan Motor Vehicle Code. The accident was investigated by an independent police agency, which determined that Plaintiff, who failed to yield, was at fault. A subsequent search warrant obtained for Plaintiff's blood revealed that it contained intoxicating substances. Initially, the Oakland County Prosecutor's Office issued charges against Plaintiff, but shortly before trial, these charges were dismissed by the prosecutor. This development partially serves as the basis for Plaintiff's malicious prosecution claims under State and Federal Laws. The Complaint also alleges that the City is liable for an alleged failure to supervise and failure to train its officers. This case has been assigned to U.S. District Court Senior Judge Gershwin Drain.**

E. PERSONAL INJURY AND DAMAGE CASES

These are cases in which the Plaintiff claims that the City or City employees were negligent in some manner that caused injuries and/or property damage. The City enjoys governmental immunity from ordinary negligence, unless the case falls within one of four exceptions to governmental immunity: a) defective highway exception, which includes sidewalks and road way claims; b) public building exception, which imposes liability only when injuries are caused by a defect in a public building; c) motor vehicle exception, which imposes liability when an employee is negligent when operating their vehicle; d) proprietary exception, where liability is imposed when an activity is conducted primarily to create a profit, and the activity somehow causes injury or damage to another; e) trespass nuisance exception, which imposes liability for the flooding cases.

1. **Tschirhart v. Troy** - Plaintiff filed this wrongful death lawsuit against the City, claiming that the City and individual City employees and contractors were responsible for the drowning death of Plaintiff's son, Shaun Tschirhart, at the Community Center pool on April 15, 2015. Shaun was a swimming in the pool that day as part of a Friendship Club activity, and unfortunately suffered a seizure while swimming. Plaintiff's complaint alleges gross negligence, and an alleged failure to property screen, train, and supervise City employees. The case is assigned to Oakland County Circuit Court Judge Daniel O'Brien. As its first responsive pleading, the City filed a motion for dismissal, arguing that Plaintiff had failed to assert a viable claim against the City. This motion is pending before the Court. The Court denied the City's motion, and the City immediately filed a claim of appeal with the Michigan Court of Appeals, challenging the denial of governmental immunity. A timely brief on appeal will be filed once the Court issues a briefing schedule. The City's brief on appeal is due February 7, 2019. A timely brief on

appeal was filed by the City of Troy Defendants. Plaintiff's brief on appeal is expected to be filed by April 12, 2019. The briefs have been submitted, and the parties are waiting for the Court to schedule oral argument. Oral argument was held on December 6, 2019 in the Court of Appeals. On December 17, 2019, the Court issued an Opinion and Order reversing the trial court's decision, agreeing with the City that summary disposition should have been granted to the City of Troy and the individually named Troy defendants. The Court, however, remanded the case to the trial court, allowing Plaintiff an opportunity to seek leave to amend her Complaint. Plaintiff filed an application for leave to appeal with the Michigan Supreme Court. The parties anticipate that oral argument will be scheduled for March or April 2021. The Michigan Supreme Court did not schedule this matter for its March, April, or May docket, so the parties are hoping that oral argument on the application will happen in June 2021. The parties are still waiting for the Michigan Supreme Court to schedule oral argument in this matter. The Michigan Supreme Court scheduled oral arguments for November 9. The Supreme Court issued its opinion, remanding this case back to the Oakland County Circuit Court for a decision consistent with part of the Court of Appeals' decision. Plaintiff filed a motion in Oakland County Circuit Court to lift the stay entered in this matter which was granted by the Court on March 23, 2022. Subsequently, Plaintiff filed a motion seeking leave to file an amended Complaint in this matter. The City filed a motion opposing this request. The Court will hear oral argument on this motion on April 20, 2022. On April 20, 2022, the Court denied plaintiff's motion seeking leave to amend the Complaint, dismissing the case. Plaintiff filed an appeal of this decision. Plaintiff filed a motion to extend the time for filing the brief on appeal with the Court of Appeals, and then timely filed her appellate brief on September 23, 2022. The City will file a timely Brief on Appeal. The City timely filed its Brief on Appeal, and the parties are waiting for the Court of Appeals to schedule oral argument. The Court of Appeals scheduled oral argument for May 2, 2023. The Court of Appeals reversed the lower court's decision and remanded the case to the Oakland County Circuit Court to permit Plaintiff to file an Amended Complaint**.** On July 27, 2023, Plaintiff filed a Motion to Lift the Stay in the case. Plaintiff then filed another amended complaint on September 28, 2023. The Court re-opened the case, but there has been a delay in entering the Court order memorializing this action. There is a hearing scheduled for April 3, 2024 on Plaintiff's motion to lift the stay and file an amended complaint against the individual defendants only. The trial court lifted the stay in this matter and the parties have filed their Answers to the Complaint and are proceeding with discovery. The discovery phase continues in this case. The parties are continuing with the discovery process. The parties have continued with discovery, including but not limited to taking depositions. Four separate motions for summary disposition were timely filed on behalf of the four individual Troy Defendants. Plaintiff filed responses to two of those motions and subsequently agreed to dismiss one of the lifeguards and the pool manager from this case. Oral argument is scheduled for July 2, 2025, and trial is set for July 9, 2025. Depending on the decision made by the Court, if necessary, a claim of appeal will be filed immediately on behalf of the individual Troy Defendants. The claim of appeal will be based on governmental immunity which provides for an automatic stay of proceedings. On June 30, 2025, Plaintiff filed an application for leave to appeal with the

Michigan court of appeals, challenging the Court's decision denying her request to amend the complaint as to the co-defendant O'Connor. **In addition to Plaintiff's application in the Michigan Court of Appeals, the City filed an appeal challenging the Court's denial of our motion to dismiss one of the individual defendants on July 3, 2025. The City's appellate brief in this case is now due on October 23, 2025.**

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3. **Zari v. City of Troy**- Plaintiff filed a lawsuit against the City of Troy under MCL 691.1402 (the sidewalk exception to governmental immunity) after he tripped on the curb at/near the north entrance of the Troy Community Center. Plaintiff alleges that as a result of the fall, he sustained injuries to his left hand and his damages exceed $25,000. The case was filed in the Oakland County Circuit Court, and assigned to Judge Kwame Rowe. The City filed a motion seeking an immediate dismissal of the Complaint on June 20, 2025. Plaintiff filed an amended complaint, and the City filed a motion asking for a dismissal of the amended complaint on June 23, 2025. **On August 13. 2025, the Court granted the City's motion to dismiss the amended complaint. Subsequently, Plaintiff filed a motion requesting to amend his complaint for a third time, and the City filed a written objection. On September 2, 2025, instead of holding oral argument, the Court issued an opinion and order relying on the briefs. The Court denied Plaintiff's request to amend his complaint. Plaintiff then filed an appeal with the Michigan Court of Appeals.**

4. **Naqiya Salman v. City of Troy – Plaintiff filed a lawsuit against the City of Troy under MCL 691.1402 (the sidewalk exception to governmental immunity) after 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. Plaintiff alleges that her damages exceed $25,000. The lawsuit was filed in the Oakland County Circuit Court and assigned to Judge Nanci Grant. On September 30, 2025, the City filed a motion seeking an immediate dismissal of the Complaint.**

F. MISCELLANEOUS CASES

1. Michigan Association of Home Builders; Associated Builders and Contractors of Michigan; and Michigan Plumbing and Mechanical Contractors Association v. City of Troy - The Plaintiffs filed a complaint for Declaratory and Injunctive Relief in the Oakland County Circuit. On the date of filing the Plaintiffs also filed a Motion for Preliminary Injunction and Order to Show Cause. The Plaintiffs allege that the City of Troy has violated Section 22 of Michigan's Stille-DeRossett Hale Single State Construction Code Act by collecting fees for building department services that are not reasonably related to the cost of providing building department services. They are alleging that the City of Troy has illegally entered into a contract with Safe Built of Michigan, Inc. for building services that provides that 20% of each building permit fee be returned to the City to cover services that are not "reasonably related to the cost of building department services," as required by state statute. The Plaintiffs also assert a violation of the Headlee Amendment,

arguing that the 20% returned to the City is a disguised tax that was not approved by voters. The Plaintiffs are asking for a declaratory judgment, as well as a return of any "surplus" building department service funds collected to date. Plaintiffs also request an order requiring the City to reduce its building department fees. The City of Troy was served with the Complaint and the Motion for Preliminary Injunction and Order for Show Cause on Wednesday, December 15, 2010. The parties were required to appear at Court on Wednesday, December 22, 2010, but the Court did not take any action at that time. Instead, the Court adjourned the matter to January 19, 2011. In the interim, the parties may engage in preliminary discovery in an attempt to resolve this matter. The parties are conducting discovery. The parties have completed discovery. Trial in this matter is scheduled for January 30, 2012. After being presented with motions for summary disposition, the Court ordered the parties to engage in mediation with a neutral municipal audit professional. Financial documents concerning this case are now being reviewed by an independent CPA. It is expected that the April 19, 2012 trial date will be postponed until after this review is complete. Mediation was unsuccessful in resolving this case, and therefore the Court is expected to issue an order on the pending Summary Disposition Motions. The trial date has been adjourned. On November 13, 2012, Oakland County Circuit Court Judge Shalina Kumar issued her order in favor of the City, and dismissed this case. Plaintiffs filed an appeal, which is now pending in the Michigan Court of Appeals. Appellant's brief is expected to be filed soon. The parties timely filed their appellate briefs, and are now waiting for the Court of Appeals to schedule a date for oral argument. The Court of Appeals has not yet scheduled oral argument for this case. The parties are still waiting for a date for oral argument. Oral argument was held on March 4, 2014. On March 13, 2014, the Court of Appeals issued its opinion ruling in the City's favor and affirming the Circuit Court's decision dismissing the case. On April 23, 2014, Plaintiff Home Builders filed an Application for Leave to Appeal with the Michigan Supreme Court. Troy's response was filed on May 19, 2014. The Michigan Supreme Court considered the application for leave to appeal and ordered that the matter be scheduled for oral argument. The Court also permitted the parties to submit supplemental briefs, which are due October 29, 2014. The City timely filed its supplemental brief with the Michigan Supreme Court. The parties are now waiting for the Court to set a date for oral argument on the application. The Michigan Supreme Court entertained oral arguments on the application for leave to appeal on March 11, 2015. On June 4, 2015, the Michigan Supreme Court reversed the decisions of the Court of Appeals and the Circuit Court and ruled there was no requirement for Plaintiffs to exhaust their administrative remedies. The case was remanded to Circuit Court for further proceedings. A status conference was held on June 18, 2015 with Judge Kumar. During the status conference, Judge Kumar scheduled a hearing for September 2, 2015, allowing the parties to address the issues that were previously raised in the motion for summary disposition but were not decided since the case was initially dismissed for failure to exhaust administrative remedies. At the hearing on September 2, 2015, Judge Kumar allowed Plaintiffs to request additional discovery within 30 days. Thereafter, both parties are allowed to file supplemental briefs. Supplemental briefs have been filed and we are awaiting a decision. On February 5, 2015, Judge Kumar issued her opinion and order ruling in favor of the City and dismissing the case. Plaintiffs filed a Claim of Appeal with the Michigan Court of Appeals on February

23, 2016. The Plaintiffs and the City have both filed appellate briefs. Based on our request, the Michigan Municipal League Legal Defense Fund, Public Corporations Section of the State Bar of Michigan, Michigan Townships Association and also Safe Built have filed a motion asking for permission to file amicus briefs supporting the City's position. The Michigan Association of Realtors has sought permission to file an amicus brief supporting Plaintiffs' position. The Plaintiffs filed a reply brief. We are waiting for the Court of Appeals to rule on the motions for amicus briefs and to schedule a date for oral argument. Oral argument has not yet been scheduled**.** The parties presented oral arguments on September 7, 2017. On September 28, 2017, the Court of Appeals entered a two to one decision affirming the Circuit Court's grant of summary disposition in favor of the City. The Plaintiffs have filed an application for leave to appeal to the Michigan Supreme Court. The City timely filed an answer to the application. Additionally, the Michigan Municipal League's Legal Defense Fund, the Government Law Section of the State Bar of Michigan, and the Michigan Townships Association filed a motion to file an amicus curiae brief with the Supreme Court, supporting the City's position and asking for a denial of the application for leave to appeal. The Court granted the request for MML's amicus brief on January 5, 2018, and the brief was accepted for filing. The Michigan Realtor's Association filed a motion to file an amicus brief on behalf of Plaintiff Home Builders on February 23, 2018. On June 20, 2018, the Michigan Supreme Court entered an order granting the Michigan Realtor's Association's motion to file a brief amicus curiae. The Court also ordered that oral arguments be scheduled on Plaintiff's application for leave to appeal, and established a schedule for submitting supplemental written briefs. The Court accepted an amicus brief from the Michigan Health and Hospital Association and the Michigan Society of Association Executives, which was drafted by the attorney representing the Home Builders. The parties are now waiting for the Supreme Court to schedule oral argument. On December 19, 2018, the Michigan Manufacturers Association filed a motion to file a brief amicus curiae, and attached its proposed brief to the motion. On December 21, 2018, the Supreme Court granted the motion and accepted the brief that was submitted on December 19, 2018 for filing. The Michigan Supreme Court presided over the oral argument on March 7, 2019. After oral argument, the Court granted a motion to file a late amicus curiae brief. The City filed a response seeking to address the arguments raised in that brief and attached a proposed response. On April 5, 2019, the Court granted the City's motion to file a response to the amicus curiae brief and accepted the City's response for filing. The parties are now waiting for the Supreme Court to issue its opinion. On July 11. 2019, the Michigan Supreme Court entered its decision holding that the use of the revenue generated by the City's building inspection fees to pay the Building Department's budgetary shortfalls in previous year's violates the State Construction Code Act. The Court reversed the decisions of the Court of Appeals and the Circuit Court and remanded the case back to the Circuit Court for further proceedings. On remand the City can still present evidence to justify the retention of a portion of the fees. The Court permitted additional discovery, as requested by Plaintiff, and the City has responded to the numerous discovery requests. The Plaintiffs sought additional discovery, which the City objected to. The Plaintiffs then filed a motion to compel additional discovery and the City filed a response to the motion. The parties resolved the motion without a hearing with a stipulated order in which the City agreed to provide some additional information, which has

now been provided. The Plaintiffs have now indicated they would like to take some depositions. Because of the Emergency Declaration, and the difficulty in conducting depositions, Plaintiff filed a motion to extend the discovery deadline, and the City has not objected to this Motion. The Court has scheduled a new trial date. Plaintiffs filed a motion for summary disposition. The Court issued a scheduling order, requiring the City to respond on or before November 18, 2020, and scheduling the hearing for December 2. Oral argument was held on the summary disposition motion on December 2nd. We are awaiting a decision from the Court. The Court granted Plaintiffs' motion to file supplemental information. Plaintiffs then filed a supplementary brief, and the City filed its response. We are awaiting a decision by the Court on the summary disposition motion. On May 26, 2021, the Court entered its opinion and order denying both requests for summary disposition. The Court ruled that the Michigan Association of Home Builders had standing to pursue a claim under the Headlee Amendment but it dismissed the Headlee Amendment claims of Associated Builders and Contractors of Michigan and Michigan Plumbing and Mechanical Contractors Association on the basis those Plaintiffs did not establish standing. The case will now proceed to trial unless otherwise resolved through facilitation. The Court has scheduled a status conference for June 30th. The Court ordered facilitation, which was unsuccessfully accomplished on September 15, 2021. The Court also allowed the Plaintiff to take a late deposition of the City's Chief Financial Officer Rob Maleszyk, who was not employed during by the City prior to the discovery cut-off date. The case will now proceed to trial, and the Court has scheduled a status conference for October 19, 2021. The Court adjourned the status conference to November 2, 2021 and subsequently adjourned it to January 14, 2022. The case was re-assigned to visiting Judge Sosnick since Judge Kumar was appointed to serve as a Judge in Federal Court. The status conference was then adjourned to March 1, 2022. However, the case was then re-assigned to the newly appointed Judge Cohen and the status conference was rescheduled for April 5, 2022. On April 5, 2022, Judge Cohen held a status conference, and he scheduled trial for August 2, 2022. The trial commenced on August 2, 2022 and the testimony was concluded on August 3, 2022. Rather than hear closing arguments, the Court directed the parties to submit closing argument briefs within two weeks after a transcript of the testimony is prepared. The Court reporter has notified the parties the transcript will not be available until late October, 2022. The transcript of the trial was filed with the Court, and the parties were then required to simultaneously file written closing arguments, which were timely filed. Afterwards, the City filed a motion asking for permission to file a supplemental response to Plaintiff's closing argument and the Plaintiff opposed that motion. On November 30th, Judge Cohen granted the City's motion, and allowed Plaintiff to file a supplemental response too, and these were timely filed. We are now awaiting a decision from the Court. On February 2, 2023, Judge Cohen issued his opinion and order after bench trial. He found in favor of the Plaintiff on its Construction Code claim and enjoined the City from considering the work of non-building department employees in the calculation of building department expenses when determining what to charge for building permits. However, the Court ruled in favor of the City on Plaintiff's Headlee Amendment claim and ruled the Plaintiff did not establish standing and dismissed that claim. Plaintiff then filed a motion to amend the judgment or for a new trial, and the City responded. The trial Court denied Plaintiff's motion. On March 2, 2023, Plaintiff filed a claim of Appeal in the

Michigan Court of Appeals appealing Judge Cohen's decision to dismiss Plaintiff's Headlee Amendment Claim and his denial of the motion to amend judgment. On March 9, 2023, the City filed a Claim of Cross Appeal appealing the previous decision of Judge Kumar denying the City's request for summary disposition and Judge Cohen's decision finding in favor of Plaintiff on the Construction Code claim. On July 3, 2023, the City filed its Brief on Cross Appeal. On July 28, 2023, the Plaintiff filed its Appellate Brief. On August 2, 2023, the Plaintiff filed its Brief in Response to the City's Cross Appeal. On August 23, 2023, the City filed its Reply to Plaintiff's Response to the City's Cross Appeal. The City filed is Appellee Brief on September 1, 2023 and Plaintiff filed its Reply on September 15, 2023. The parties are now waiting for the Court of Appeals to schedule oral argument. The parties are still waiting for the Court to schedule oral argument. The Michigan Court of Appeals has scheduled oral argument for July 11, 2024. After oral argument, the parties are waiting for the Court of Appeals to issue its opinion. On October 16, 2024, the Michigan Court of Appeals issued an opinion affirming the Circuit Court decision in favor of Plaintiff on the Construction Code Claim, reversing the decision on the Headlee Amendment claim, and remanding the case back to the Circuit Court for judgment in favor of Plaintiff. On November 27, 2024, the City filed an Application for Leave to Appeal to the Michigan Supreme Court and the Plaintiff timely responded. On January 2, 2025, the Michigan Supreme Court granted the joint motion of the Michigan Municipal League and the Government Law Section of the State Bar of Michigan to file an amicus curiae brief, which was submitted and supported the City's position. The City also timely filed a Reply to Plaintiff's Response to the Application for Leave to Appeal. **The parties are awaiting the decision of the Michigan Supreme Court.**

2.

3. <u>Edward Ross v. Troy</u>-Our office is handling an administrative case against the City, which has been filed with the State of Michigan Office of Administrative Hearings. This complaint, filed by Edward Ross, alleges unlawful political retaliation resulted in his termination as a volunteer firefighter. The City's answer to this complaint is due on or before August 23, 2024. The City timely filed a position statement and motion to dismiss, and Petitioner filed a response. The Administrative Law Judge granted the city leave to file a reply to Petitioner's response, which was timely submitted on September 25, 2025. The Administrative Law Judge initially scheduled a hearing for September 27, 2024, but this was subsequently adjourned to October 31, 2024. The Administrative Law Judge has taken the motion under advisement. In the meantime, the trial is tentatively set for March 25, 2025. The Administrative Law Judge denied the pending motion. On March 25, 2025, the Administrative Law Judge presided over a day-long hearing, where witnesses presented testimony. The Judge requested that the parties submit written closing arguments within 60 days. On May 27, 2025, the parties submitted closing statements. On June 23, 2025, the parties submitted replies to the closing statements. The Administrative Law Judge is expected to issue his opinion after the consideration of these closing statements and the hearing testimony. **On September 12, 2025, the Administrative Law Judge issued his unfavorable opinion, finding that Mr. Ross met the definition of an employee under this state statute, and was therefore entitled to its protections.**

4. **Franklin v Troy Police Department-** This is a claim and delivery action assigned to Judge Hartig in the 52-4 District Court. Plaintiff seeks the return of a pistol and ammunition that was confiscated when he was arrested for operating a vehicle while intoxicated and possessing a concealed pistol while under the influence of alcohol. The City filed an answer to the complaint and Plaintiff's motion seeking immediate possession. The Judge adjourned the May 21, 2025 hearing on the motion to allow the City to file a motion for summary disposition, which has now been filed. On June 2, 2025, the Court denied the motion for summary disposition, finding that there were factual issues that could only be determined at trial. The Court scheduled the case for a final pretrial. **On August 1, 2025, the Court entered an order allowing the firearm to be returned to a third party. This case is now concluded.**

5. **Villa v Troy Police Department-** This is a claim and delivery action assigned to Judge Hartig in the 52-4 District Court. Plaintiff seeks the return of a knife and his driver's license that were confiscated when he was arrested for operating a vehicle while intoxicated. He also seeks return of a rifle that he turned over to the Police Department as a condition of bond. The City filed an answer to the complaint and the motion seeking immediate possession, and the hearing is scheduled for July 2, 2025. **On July 2, 2025, a stipulated order was entered allowing for the return of property to Plaintiff. This case is now concluded.**

6. **Nagy v Troy Police Department-** This is a claim and delivery action assigned to Judge Hartig in the 52-4 District Court. Plaintiff seeks the return of two firearms that were turned over to the Troy Police Department as a condition of bond when he was charged with felonious assault and brandishing a firearm. The City filed an answer to the complaint and opposed Plaintiff's motion seeking immediate possession. The hearing on the motion is scheduled for July 9, 2025. **On July 14, 2025, an order was entered allowing return of one firearm to Plaintiff and the other to a third party. This case is now concluded.**

7. **Rakay v Troy Police Department – This claim and delivery case was assigned to Judge Hartig. Defendant sought the return of firearms that were turned over to the Troy Police Department as a condition of bond when he was charged with assault and battery. The assault charge was ultimately dismissed. At a hearing on the motion for possession, the parties agreed to an order allowing the firearms to be returned to Plaintiff, which was signed on August 1, 2025. This case is now concluded.**

8. **Cureton v Troy Police Department- This is a claim and delivery action assigned to Judge Hartig in the 52-4 District Court. Plaintiff seeks the return of two pistols and ammunition that were confiscated when he was arrested for operating a vehicle while intoxicated and possessing concealed pistols while under the influence of alcohol. The City filed an answer to the complaint and Plaintiff's motion seeking immediate possession. At the hearing on the motion on July 30, 2025, Judge Hartig dismissed the case without prejudice.**

9. **Davis v Troy Police Department- This is a claim and delivery action assigned to Judge Hartig in the 52-4 District Court. Plaintiff seeks the return of pistols, ammunition and**

other property that was confiscated during an inventory search after his vehicle was impounded after it was driven without insurance. The City filed an answer to the complaint and Plaintiff's motion seeking immediate possession. At the hearing on August 12, 2025, the case was adjourned to September 2nd to allow the parties an opportunity to resolve the case. Prior to August 27, 2025, the parties agreed that many of the items, including one of the firearms, could be returned to Plaintiff without a court order and arrangement were made for the return of that property. On August 27, 2025, the parties stipulated to order that was entered by the Court allowing the one remaining firearm to be returned to Plaintiff, subject to conditions set forth in the order. This case is now concluded.

10. **Thigpen v Troy Police Department- This is a claim and delivery action assigned to Judge Hartig in the 52-4 District Court. Plaintiff seeks the return of a pistol that was confiscated when he was arrested for operating a vehicle while intoxicated and possessing a concealed pistol while under the influence of alcohol. The City filed an answer to the complaint and Plaintiff's motion seeking immediate possession. On August 12, 2025 at the hearing on the motion, Plaintiff advised the Court he was voluntarily dismissing his case. On August 13, 2025, a dismissal order was entered allowing the City to dispose of the firearm. This case is now concluded.**

11. **Rodgers v Troy Police Department – This claim and delivery case was assigned to Judge Hartig. Defendant sought the return of a firearm that was turned over to the Troy Police Department as a condition of bond when he was charged with domestic assault and battery. The City filed an answer to the complaint and Plaintiff's motion seeking immediate possession. On September 23, 2025, at the hearing on the motion for immediate possession, the parties were able to negotiate a resolution, and the Judge entered on order allowing the return of the firearm to Plaintiff. This case is now concluded.**

G. CRIMINAL APPEALS/ DISTRICT COURT APPEALS

There are no current appeals from decisions of the 52-4 District Court in misdemeanor ordinance prosecution cases.

H. ADMINISTRATIVE PROCEEDINGS

The City Attorney's Office is working with the City Assessor in the following Tax Tribunal cases, where Property owners challenge the City Assessor's property valuation determinations or other determinations.

2023 CASES

Quality Behavioral Health, Case No. 23-002182

The Tribunal dismissed the Petitioner's first two petitions for defects, but accepted the third petition, even though it also was defective. The City timely filed its answer and affirmative defenses on November 13, 2023. The Tribunal scheduled a status conference for January 11, 2024. Subsequent to the status conference, the Tribunal entered a scheduling order for motions to be filed. On April 17, 2024, Petitioner filed a motion for summary judgment. The City timely responded on May 8, 2024. The parties are now waiting for a decision from the Tribunal on the pending motion. On August 16, 2024, the Court entered an order denying Petitioner's motion for summary disposition. The Administrative Law Judge presided over the trial on February 11, 2025. **The parties are awaiting the Court's decision after the presentation of evidence and argument.**

Troy Westington, Case No. 23-002586

The City timely filed its Answer and Affirmative Defenses. The Prehearing Statement and Valuation Disclosure are due July 5, 2024. The parties have exchanged information and discovery. Petitioner filed a motion to add a challenge to the 2024 tax year to this case, and the City filed a response concurring in the requested relief. The Tribunal granted the motion. Petitioner requested an adjournment of the scheduling dates, and the City concurred in the request, which was submitted to the Tribunal. The Tribunal Judge granted the requested adjournment. The Pre-Hearing Statements and Valuation Disclosures are now due on October 7, 2024. The parties timely filed the pleadings. A prehearing conference is scheduled for February 3, 2025. Trial is set to begin September 22, 2025. The Exhibit List and Proposed Trial Exhibits are due on September 8, 2025. **On September 17, 2025, the Administrative Law Judge entered a Consent Judgment based on a stipulation of the parties. This case is now concluded.**

2024 Cases

Macomb Residential Opportunities, Case No. 24-001160

This petition was timely filed prior to the May 31, 2024 deadline. The City timely filed its answer and affirmative defenses on May 16, 2024. The parties will commence the discovery process. Discovery requests were sent to Petitioner on July 11, 2024, and responses were timely received. The City filed a motion for summary disposition on December 26, 2024. Petitioner filed a response to the City's motion and its own cross motion for summary disposition on January 16, 2025. On April 7, 2025, the Tribunal Judge issued an order denying both the Petitioner's and the City's cross motions for summary disposition, finding that there are remaining issues of fact for trial. The Tribunal held a status conference on June 4, 2025, and subsequently issued a scheduling order. **A Prehearing conference was held on August 11, 2025. The case is scheduled for a trial to begin November 4, 2025.**

MK Oakland Mall, Case No. 24-001352

This case was filed prior to the May 31, 2024 deadline, and subsequently served on the City. The City timely filed its answer and affirmative defenses on June 24, 2024. The parties will commence the discovery process. The Tribunal set an April 4, 2025 deadline for Pre-Hearing Statements and Valuation Disclosures. The parties are in the discovery phase. On March 17, the Tribunal granted the parties' joint motions to extend time. The Tribunal then set a June 20, 2025 deadline for Pre- Hearing Statements and Valuation Disclosures to be filed. This matter is now placed on the October 16, 2025 trial docket. On April 14, 2025, the Tribunal issued an order, allowing for consolidation of the 2024 and 2025 tax years. The City timely filed its Valuation Disclosure and Prehearing Statement on June 20, 2025, covering both the 2024 and 2025 tax years. **A pre-hearing conference is scheduled for October 28, 2025.**

14 Mile/ John R Road Holdings LLC, Case No. 24-001354

This case was filed prior to the May 31, 2024 deadline, and subsequently served on the City. The City timely filed its answer and affirmative defenses on June 24, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are due April 4, 2025. The parties submitted a Joint Motion to Extend Valuation Disclosures, which was granted by the Tribunal on March 6, 2025. The Tribunal then set an August 19, 2025 deadline for Pre-Hearing Statements and Valuation Disclosures. The parties continue to discuss possible settlement. **The pre-hearing statements and valuation disclosures are due on November 17, 2025.**

Troy Lodging, LLC, Case No. 24-002033

The City timely filed its answer and affirmative defenses on August 27th, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are due May 20, 2025. The attorney representing petitioner filed a Motion to Withdraw, which was granted by the Tribunal. Petitioner has a new attorney, and requested an extension of time on April 10, 2025. The Tribunal granted the requested extension on April 25, 2025. The prehearing statements and valuation disclosure statements are now due on September 19, 2025. Petitioner also filed a Motion to add the 2025 tax year to the pending case, which was granted by the Tax Tribunal Judge on June 30, 2025. **The parties timely submitted prehearing statements and valuation disclosures on Sepember 19, 2025.**

Troy Sports Center, LLC, Case No. 24-002723

The City timely filed its answer and affirmative defenses on August 27th, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are due August 4, 2025. On May 30, 2025, Petitioner filed a motion to amend the subsequent year, which was granted by the Tribunal. A Motion to Extend was received on June 30, 2025 and granted on July 1, 2025. **The pre-hearing statements and valuation disclosures are due on November 17, 2025.**

Flagstar Bank Case No. 24-001989

The city timely filed its answer and affirmative defenses on September 18, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are due June 4, 2025. It is expected that the parties will discuss possible settlement or in the alternative prepare for trial. On May 20, 2025, Petitioner filed a motion to consolidate a 2025 tax year appeal to the pending case, and the City filed its response on May 22, 2025. Petitioner filed a Motion to Consolidate an appeal for 2025 with the pending case, which the Tribunal granted on June 2, 2025. **The pre-hearing statements and valuation disclosures are due on November 17, 2025.**

United States Steel Corp. No. 24-002135

The City was served with this appeal on September 24, 2024. The City timely filed its answer and affirmative defenses. The prehearing statements and valuation disclosures are due July 7, 2025. It is expected that the parties will discuss possible settlement or in the alternative prepare for trial. On May 29, 2025, Petitioner filed a motion to amend to include an appeal of the 2025 tax year with the pending case, which was granted on June 18, 2025. **A settlement was stipulated and a consent judgment was entered, in which the Tribunal granted on July 9th 2025. The case is now concluded.**

HAP of Michigan/Henry Ford Health Systems No. 24-001931

The City timely filed its answer and affirmative defenses on October 4th, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are due July 21, 2025. It is expected that the parties will discuss possible settlement or in the alternative prepare for trial. Petitioner filed a Motion to Consolidate an appeal for 2025 with the pending 2024 case, which the Tribunal granted on June 16, 2025. **The parties were able to negotiate a resolution to the case, and the Judge entered a Consent Judgement on July 31, 2025. This case is now concluded.**

Cole Tov Investments No. 24-002107

The city timely filed its answer and affirmative defenses on October 8, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are due August 4, 2025. It is expected that the parties will discuss possible settlement or in the alternative prepare for trial. On May 30, 2025, Petitioner filed a motion to amend the subsequent year, which the Tribunal granted on June 17, 2025. **The parties requested an extension of time, which the Judge granted on August 4, 2025. The pre-hearing statements and valuation disclosures are now due on December 18, 2025.**

Windemere Park of Troy Land Holdings No. 24-001954

The City timely filed its answer and affirmative defenses on October 8, 2024. The parties will commence the discovery process. The prehearing statements and valuation disclosures are November 4, 2024. It is expected that the parties will discuss possible settlement or in the alternative

prepare for trial. On May 30, 2025, Petitioner filed a motion to amend the subsequent year, which was granted on June 18, 2025. **The pre-hearing statements and valuation disclosures are now due on October 21, 2025.**

2025 Cases

Troy 16 Properties No. 25-000677

The City was served with this tax appeal on May 1, 2025, and timely filed its answer and affirmative defenses on May 21, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

Kumar No. 25-000594

The City was served with this residential tax appeal on May 7, 2025, and timely filed its answer and affirmative defenses on May 21, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

Singh/Devi No. 25-000596

The City was served with this residential tax appeal on May 8, 2025, and timely filed its answer and affirmative defenses on May 21, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

14 Mile and John R. Holdings No. 25-001033

This commercial tax appeal was served on the City on May 19, 2025, and the City timely filed its answer and affirmative defenses on May 21, 2025**. The pre-hearing statements and valuation disclosures are due November 17, 2025.**

500 West Holdings LLC No. 25-001030

The City received this commercial tax appeal on May 19, 2025, and timely filed its answer and affirmative defenses on May 21, 2025. **The valuation disclosures and pr-hearing statements are due January 2, 2026.**

Big Beaver Property Investment, LLC No. 25-000580

The City received this commercial tax appeal on May 22, 2025, and timely filed its answer and affirmative defenses on May 29, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

CTL PropCo I, LLC No. 25-000799

The City received this commercial tax appeal on May 22, 2025, and timely filed its answer and affirmative defenses on May 29, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

Sheffield Owner LLC No. 25-001164

The City received this commercial tax appeal on May 23, 2025, and timely filed its answer and affirmative defenses on May 29, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 4, 2026.**

E. And F. Agency, INC., No. 25-001302

The City received this commercial tax appeal on May 30, 2025, and timely filed its answer and affirmative defenses on June 18, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

DWH, LLC No. 25-001504

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

DWH, LLC No. 25-001514

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **Petitioner filed an Amended Petition, and the City timely filed its response on September 22, 2025. The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

BMARK 2020-B20 1960 RING ROAD, LLC No. 25-001438

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The valuation disclosures and pre-hearing statements are due February 17, 2026.**

BMARK 2020-B20 1960 RING ROAD, LLC No. 25-000821

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

BMARK 2020-B20 1960 RING ROAD, LLC No. 25-000822

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 4, 2026.**

BMARK 2020-B20 1960 RING ROAD, LLC No. 25-000823

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

BMARK 2020-B20 1960 RING ROAD, LLC No. 25-001437

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The City's Valuation Disclosure and Prehearing Statement are due on April 20, 2026.**

Troy 750 Stephenson Investors LLC, No, 25-002180

The City received this commercial tax appeal on June 9, 2025, and timely filed its answer and affirmative defenses on June 17, 2025.

EHMCD LLC & ESMCD LLC, No. 25-000978

The City received this commercial tax appeal on June 9, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 4, 2026.**

BBS Maple Research Investors LLC & BF Maple Inlay LLC, No. 25-002186

The City received this commercial tax appeal on June 9, 2025, and timely filed its answer and affirmative defenses on June 17, 2025.

Troy KS Development LLC, No. 25-002195- Parcel 001

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025.

Troy KS Development LLC, No. 25-001301- Parcel 003

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 9, 2025. In connection with the 2023 and 2024 pending cases, the

parties were able to reach a settlement. The Tribunal entered a Consent Judgment on July 11, 2025.

PentaCentre LLC, No. 25-001435

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 4, 2026.**

2075 ASSOCIATES LIMITED PARTNERSHIP No. 25-001518

The City received this commercial tax appeal on June 2, 2025, and timely filed its answer and affirmative defenses on June 17, 2025. **The Tribunal issued a scheduling order, requiring the City's Valuation Disclosure and Pre-Hearing Statement to be filed on or before February 2, 2026.**

Zen Troy, LLC No. 25-001938

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 2, 2025.

Toyoda Gosei North American Corporation No. 25-001101

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 2, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 4, 2026.**

North Troy Timberland Office II No. 25-001192

The City received this commercial tax appeal, and timely filed its answer and affirmative defenses on July 2, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

North Troy Timberland Office III No. 25-001193

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 2, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

North Troy Timberland Office IV No. 25-001194

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 2, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

Trigild IVL, LLC No. 25-001345

The City received this commercial tax appeal, and timely filed its answer and affirmative defenses on July 2, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on March 19, 2026.**

HNK Investments LLC, No. 25-001061

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 9, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on April 6, 2026.**

Wattles Square Center LLC, No. 25-001075

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 9, 2025. **The City's Valuation Disclosure and Prehearing Statement are due on April 20, 2026.**

Troy Dual Hospitality LLC, No. 25-001025

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 9, 2025. **The City's Valuation Disclosure and the Prehearing Statement are due on April 6, 2026.**

Kilmer Plaza LLC, No. 25-001184

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 9, 2025. **The City's Valuation Disclosure and Prehearing Statement are due on April 20, 2026.**

Troy Elite Hospitality LLC, No. 25-001436

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on August 11.

Universal Property T.M.P., LLC No. 25-001592

The City was served with this commercial tax appeal, and timely filed its answer and affirmative defenses on July 31, 2025.

Acqualina 1801 LLC, No. 25-001890

The City was served with this tax appeal on August 29, 2025, and timely filed its answer and affirmative defenses on September 3, 2025.

1400 Allen LLC, No. 25-001860

The City was served with this tax appeal on August 29, 2025, and timely filed its answer and affirmative defenses on September 3, 2025.

Brinston LLC, No. 25-003030

The City was served with this tax appeal on September 2, 2025, and timely filed its answer and affirmative defenses on September 22, 2025.

Canterbury Square LLC, No. 25-001803

The City was served with this tax appeal on September 5, 2025, and timely filed its answer and affirmative defenses on September 22, 2025.

Kelly Retail

The City was served with this tax appeal on September 24, 2025, and timely filed its answer and affirmative defenses on September 25, 2025.

London Centre

The City was served with this tax appeal on September 29, 2025.

Kela Investment

The City was served with this tax appeal on September 29, 2025.

Project Troy

The City was served with this tax appeal on September 29, 2025.

Easton Investments

The City was served with this tax appeal on September 29, 2025.

If you have any questions concerning these cases, please let us know.