

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM**

TANARA AREND

Plaintiff (s)

DOCKET NO. 21-000313-CK-C30

V

JUDGE WANDA M. STOKES

SCOTT FREDERICKSON CONSTRUCTION CORP

Defendant (s)

NOTICE OF CASE EVALUATION

**TO COUNSEL/PARTIES FOR THE ABOVE ENTITLED MATTER,
THIS CASE HAS BEEN SCHEDULED FOR CASE EVALUATION ON:**

June 15, 2022 at the tentative time of 9:30 am.

The case evaluation panel is:

**BONNIE G. TOSKEY
GORDON W. VANWIJEREN
WILLIAM D. TOMBLIN**

THE CASE EVALUATION WILL BE HELD VIA ZOOM. A LINK FOR THE ZOOM MEETING WILL BE EMAILED TO THE PARTIES 48 HOURS PRIOR TO THE EVALUATION DATE.

RESPONSIBILITIES

In accordance with MCR 2.403, parties are required to do the following:

- 1) Each party must submit a check for \$75, made payable to the Ingham County Circuit Court, prior to the evaluation date.
- 2) **AT LEAST 14 DAYS BEFORE THE EVALUATION DATE**, each party shall **file** three copies of a summary and supporting documents setting forth that party's factual and legal position on the issues presented by this action and a proof of service. The summary and proof of service can be mailed/delivered to the ADR Coordinator at:

P.O. Box 40771, Lansing, MI 48901 or 313 West Kalamazoo Street, Lansing, MI 48933.

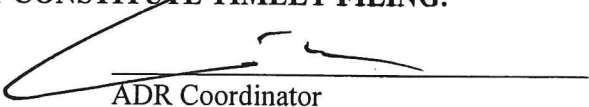
OR

The summary can also be emailed to the ADR Coordinator at Bkim@ingham.org. **Summaries and exhibits exceeding 100 pages shall be sent by regular mail or hand delivery.**

FAILURE TO FILE BRIEFS OR SUMMARIES WITHIN THE DESIGNATED TIME SUBJECTS THE OFFENDING PARTY TO A \$150 PENALTY IN ADDITION TO THE \$75 CASE EVALUATION FEE. PLEASE NOTE THAT A POSTMARK DOES NOT CONSTITUTE TIMELY FILING.

NOV 22 2021

Date


ADR Coordinator
517-483-6500 ext. 6718

CERTIFICATE OF MAILING

I certify that copies of this notice were served upon counsel/parties by ordinary mail.

NOV 22 2021

Date


ADR Coordinator



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

TANARA AREND

Plaintiff (s)

DOCKET NO. 21-000313-CK-C30

V

JUDGE WANDA M. STOKES

SCOTT FREDERICKSON CONSTRUCTION CORP

Defendant (s)

NOTICE OF PRETRIAL AND JURY TRIAL

TO COUNSEL/PARTIES FOR THE ABOVE ENTITLED MATTER: THIS CAUSE HAS BEEN SCHEDULED FOR:

PRETRIAL CONFERENCE on

July 22, 2022 at 8:30 am

CLIENTS MUST BE PRESENT AT PRETRIAL

JURY TRIAL on

August 15, 2022 at 8:30 am

AT THE MASON COURTHOUSE, 315 S. JEFFERSON ST. MASON, MI 48854

ORDER

IT IS HEREBY ORDERED that counsel shall meet prior to the pretrial to mark exhibits and be prepared to discuss and advise the Court as to what exhibits can be agreed to for admission, authenticity, or other limited purposes.

IT IS HEREBY ORDERED THAT COUNSEL PREPARE AND BRING THE FOLLOWING TO PRETRIAL:

- 1. A trial brief covering the issues to be resolved at trial and all pertinent law. The brief shall be limited to a maximum of five pages (Counsel must prepare and provide to the Court one week before the scheduled trial date).
2. A brief containing the elements of all civil claims, as well as any definitions, legal presumptions and burdens of proof, in a completed form suitable to provide to the jury in writing as required by MCR 2.513(A).
3. A joint list of witnesses who are actually intended to be called at trial.
4. A joint exhibit list and exhibits highlighting exhibits that are disputed.
5. A joint list of all Model Civil Jury Instructions requested by both parties with full text, highlighting instructions that are disputed.
6. Any special jury instructions requested under MCR 2.512(D)(4) with full text and legal support, providing a brief statement of the basis for any objections, and authority in support of the competing positions.
7. Parties shall email a Word format document of the above documents to the Court's Judicial Assistant and law clerk no later than week before the final pre-trial conference. The Court's Judicial Assistant can be reached at 517-676-7223. You do NOT need to bring a paper copy to the conference.
8. One paper copy of all Orders issued for Motions in Limine to the Court on the day of trial.

Dated: NOV 22 2021

Wanda M Stokes
30th Circuit Judge

PROOF OF SERVICE

I certify that copies of this notice were served upon counsel/parties by ordinary mail. NOV 22 2021

Dated:

[Signature]
Case Processing Coordinator

STATE OF MICHIGAN
COUNTY OF INGHAM

TANARA AREND,

Plaintiff,

v

SCOTT FREDERICKSON CONSTRUCTION CORP,

Defendant,

SCHEDULING CONFERENCE ORDER

Judge WANDA M STOKES

Docket No. 21-000313-CK-C30

1. **EARLY SCHEDULING CONFERENCE** under MCR 2.401(B) may be ordered by the Court or requested by the parties, and more than one conference may be held in an action.
- The court has determined that an early scheduling conference is needed. These conferences are held on Tuesday afternoons. Please contact the Court at 517-676-7223 at your earliest opportunity to secure a date and time.

2. **INITIAL DISCLOSURES** under MCR 2.302(A) must be made pursuant to the deadlines set out in MCR 2.302(A)(5) unless otherwise determined by stipulation or court order.
- Stipulations or motions regarding initial disclosures must be submitted on or before the deadline for submission of this Scheduling Conference Order. Stipulations made after the date of this Order attempting to extend the time for submission of initial disclosures will not be tolerated; extensions will be granted only on motion supported by good cause, in the discretion of the Court. Stipulations or motions for a court order must include what, if any, changes should be made in the timing, form, or requirements for disclosures under MCR 2.302(A). If a stipulation or motion is seeking an exemption from initial disclosures other than as contemplated by MCR 2.302(A)(4), the parties or party submitting the stipulation or motion must include a statement of good cause.

- This case is exempted from initial disclosures pursuant to MCR 2.302(A)(4). State the specific sub-rule under which the exemption is sought. _____
- This case is subject to additional disclosures as required by MCR 2.302(A)(2) or (3).

NOTE: Pursuant to MCR 2.301(A)(1), a party may only seek discovery **after** that party serves its initial disclosures. A PARTY THAT FAILS TO COMPLY WITH INITIAL DISCLOSURE REQUIREMENTS OR TO PROVIDE OR PERMIT DISCOVERY WILL BE SUBJECT TO SANCTIONS PURSUANT TO MCR 2.313.

3. Parties discovery conference/plan as contemplated by MCR 2.401(C)(1) and (2) scheduled: Completed
4. Parties request an **ESI conference** as contemplated by MCR 2.401(J): YES NO
5. Plaintiff's **EXPERT WITNESSES** must be named no later than 10/1/2021
6. Defendant's **EXPERT WITNESSES** must be named no later than 11/1/2021
7. All witnesses discovered after the time for initial disclosures must be named no later than 12/1/2021

THIS REQUIREMENT DOES NOT EXEMPT A PARTY FROM EXERCISING DUE DILIGENCE IN THE REQUISITE INITIAL DISCLOSURES. A PARTY THAT FAILS TO EXERCISE DUE DILIGENCE DURING THE INITIAL DISCLOSURES MAY BE SUBJECT TO SANCTION PURSUANT TO MCR 2.313. AFTER THESE DATES, WITNESSES MAY TESTIFY ONLY UPON A MOTION FOR GOOD CAUSE.

8. **DISCOVERY** shall be **COMPLETED** on or before 3/1/2022

Pursuant to MCR 2.301, additional discovery will be permitted beyond this date **only** upon a motion for good cause. Pursuant to MCR 2.401, any changes to the limitations on discovery imposed under the Court Rules and alternative presumptive limits may be established by motion or stipulation. Motions or stipulations must be submitted on or before the deadline for submission of this Scheduling Conference Order.

9. **MOTIONS TO AMEND PLEADINGS** must be filed on or before 12/1/2021

can RDR

10. MCR 2.116 MOTIONS must be filed and heard on or before 5/1/2022.

Due to the limited availability of dates on which 2.116 motions may be heard, the parties are advised to schedule such motions AT LEAST 5 WEEKS IN ADVANCE of the desired hearing date. Please schedule with the Judicial Assistant for Judge Stokes at (517) 676-7223.

11. CASE EVALUATION. Select option "a," "b," or "c."

a) Case evaluation is to be scheduled for the month of June 2022 before a:

TORT _____ COMMERCIAL X LABOR & EMPLOYMENT _____ Panel.

b) This matter shall NOT be sent to a Case Evaluation panel except upon request of a party or parties.

c) The parties opt to complete case evaluation using a retained ("Blue Ribbon") case evaluation panel.

Parties are responsible for retaining, compensating, and scheduling the evaluation panel. The parties and panel may establish procedure that differs from MCR 2.403(I) & (J). MCR 2.403(K), (L), (M), (N), (O) apply and SHALL NOT be modified absent a written order.

*If the parties do not notify the ADR Clerk of the stipulated members of the retained case evaluation panel by 60 days prior to the pretrial date, the ADR Clerk shall schedule and proceed with case evaluation in accordance with MCR 2.403. The evaluation must be completed 30 days prior to the pretrial date. The panel must submit a copy of the evaluation to the ADR Clerk within seven (7) days after the hearing.

Adjournments of Case Evaluation are not favored and will be granted only if a specific replacement date has been obtained from the ADR Clerk. A new date may be scheduled only upon a showing of extraordinary circumstances and with explicit directions signed by the trial judge. The ADR Clerk will be notified of these instructions through the trial judge's office. Any adjournments granted after the dates when briefs are due under MCR 2.403 shall require the payment of a new Case Evaluation fee. ADDITIONAL BLOCKS OF TIME MAY BE REQUESTED BY CONTACTING THE ADR CLERK AT LEAST 28 DAYS PRIOR TO THE CASE EVALUATION DATE AND MUST BE ACCOMPANIED BY THE ADDITIONAL FEE.

12. The parties shall submit this case to FACILITATIVE MEDIATION pursuant to MCR 2.411. Select option "a" or "b".

a) The mediator stipulated to is _____.

b) If the parties do not notify the ADR Clerk of a stipulated mediator by 10/1/2021, the clerk shall appoint from the Court's approved mediator roster as directed in the Court's ADR Plan. A copy of the mediator roster can be located on the ADR section of the Court's website.

13. TRIAL will be scheduled after 6/1, 2022 by the Case Processing Coordinator:
X Jury _____ Non-Jury, with PRETRIAL to precede at least 2 weeks with clients present.

Estimated number of trial days _____

At the pretrial conference, counsel will be expected to provide pretrial documents as listed in the Trial Notice. Further, counsel must be prepared to discuss settlement, trial procedures, proposed jury instructions, if applicable, and use of depositions and exhibits. Exhibits that are not on a list to be exchanged at the conclusion of the pretrial conference will not be admitted into evidence except upon motion supported by good cause. In non-jury cases, counsel must also provide proposed findings of fact and conclusions of law.

X THE PLAINTIFF HEREBY CERTIFIES THAT THIS CASE EXCEEDS \$25,000 OR IT MAY BE DISMISSED BY THIS COURT.

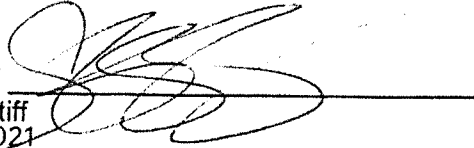
THIS ORDER MAY BE AMENDED ONLY WITH THE EXPRESS PERMISSION OF THE COURT. ANY REQUESTS FOR ADJOURNMENTS OR EXTENSIONS MUST BE SUPPORTED BY GOOD CAUSE AND ANY NEW DATE SCHEDULED BY THIS COURT MUST BE INCLUDED IN ANY ORDER PRESENTED TO THE COURT. A SCHEDULING CONFERENCE ORDER WILL NOT SAVE YOUR CASE FROM NO PROGRESS. IT IS THE RESPONSIBILITY OF THE PARTIES TO KEEP THEIR CASE MOVING.

The Ingham County 30th Circuit Court is not an electronic filing court. All pleadings must be filed with the Ingham County Clerk of the Court in Mason. JUDGE'S COPIES OF MOTIONS AND RESPONSES, WITH NOTICES OF HEARING AND PROOFS OF SERVICE ATTACHED, MUST BE PROVIDED IN ACCORDANCE WITH MCR 2.119(A)(3)(d) and MCR 2.116(G)(1)(c).

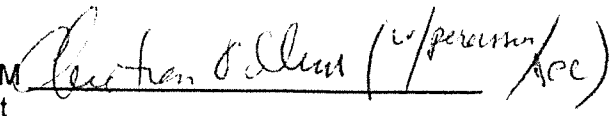
Amendments to the Michigan Civil Discovery Rules have been adopted by the Michigan Supreme Court. These amendments went into effect on January 1, 2020. This case will be governed by the amended rules. For more information about these amendments, please visit <https://www.michbar.org/civildiscovery>.

Stipulated by:

JEFFREY P RAY
Attorney for Plaintiff
Dated: 08/26/2021



CHRISTIAN P. ODLUM
Attorney for Defendant
Dated: 08/26/2021



PLAINTIFF SHALL SERVE THIS SCHEDULING CONFERENCE ORDER ON ALL NAMED PARTIES WHO HAVE NOT YET FILED AN APPEARANCE, INCLUDING ALL LATER ADDED PARTIES.

ALL PARTIES SHALL SERVE THEIR RESPECTIVE INITIAL DISCLOSURES ON ANY LATER ADDED PARTY WITHIN FOURTEEN (14) DAYS OF THAT PARTY'S APPEARANCE.

Dated: September 1, 2021



JUDGE WANDA M. STOKES (P44485)

cc: ADR/CPC Clerk