

# Order

Michigan Supreme Court  
Lansing, Michigan

October 23, 2024

Elizabeth T. Clement,  
Chief Justice

164266-70 & (116)

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Megan K. Cavanagh  
Elizabeth M. Welch  
Kyra H. Bolden,  
Justices

DELORES PROCTOR, and all others similarly  
situated,

Plaintiff-Appellant/  
Cross-Appellee,

v

SC: 164266  
COA: 349557  
Tuscola CC: 18-030544-CZ

SAGINAW COUNTY BOARD OF  
COMMISSIONERS, TIMOTHY M. NOVAK,  
BAY COUNTY BOARD OF COMMISSIONERS,  
RICHARD F. BRZEZINSKI, GRATIOT COUNTY  
BOARD OF COMMISSIONERS, MICHELLE  
THOMAS, MIDLAND COUNTY BOARD OF  
COMMISSIONERS, CATHY LUNSFORD,  
ISABELLA COUNTY BOARD OF  
COMMISSIONERS, STEVEN W. PICKENS,  
TUSCOLA COUNTY BOARD OF  
COMMISSIONERS, PATRICIA DONOVAN-  
GRAY, and SHAWNA S. WALRAVEN,  
Defendants-Appellees/  
Cross-Appellants.

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RONALD MAYNARD, and all others similarly  
situated,

Plaintiff-Appellant/  
Cross-Appellee,

v

SC: 164267  
COA: 349633  
Newaygo CC: 18-020435-CZ

COUNTY OF BENZIE, MICHELLE L.  
THOMPSON, COUNTY OF MANISTEE,  
RUSSELL POMEROY, COUNTY OF WEXFORD,  
JAYNE E. STANTON, COUNTY OF  
MISSAUKEE, LORI COX, COUNTY OF MASON,  
ELISABETH FRAZIER, COUNTY OF LAKE,  
BRENDA KUTCHINSKI, COUNTY OF  
OSCEOLA, LORI LEUDEMANN, COUNTY OF  
OCEANA, MARY LOU PHILLIPS,

COUNTY OF NEWAYGO, HOLLY MOON,  
and ANDREW KMETZ,  
Defendants-Appellees/  
Cross-Appellants.

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STEPHEN MORRIS and ROBIN MORRIS,  
and all others similarly situated,  
Plaintiffs-Appellants/  
Cross-Appellees,

v

SC: 164268  
COA: 349636  
Roscommon CC: 18-724294-CZ

COUNTY OF MONTMORENCY, JEAN M.  
KLEIN, COUNTY OF ALPENA, KIMBERLY  
LUDLOW, COUNTY OF OSCODA, WILLIAM  
KENDALL, COUNTY OF ROSCOMMON,  
REBECCA RAGAN, COUNTY OF ARENAC,  
DENNIS STAWOWY, COUNTY OF CLARE,  
JENNY BEEMER-FRITZINGER, COUNTY OF  
GLADWIN, CHRISTY VAN TIEM, COUNTY OF  
OGEMAW, and DWIGHT McINTYRE,  
Defendants-Appellees/  
Cross-Appellants,

and

COUNTY OF ALCONA and CHERYL FRANKS,  
Defendants-Appellees.

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LARRY CARLSON and MARY JO CARLSON,  
and all others similarly situated,  
Plaintiffs-Appellants/  
Cross-Appellees,

v

SC: 164269  
COA: 350394  
Berrien CC: 18-000260-CZ

BRET E. WITKOWSKI, COUNTY OF BERRIEN,  
COUNTY OF CASS, HOPE ANDERSON,  
COUNTY OF KALAMAZOO, MARY  
BALKEMA, COUNTY OF ST. JOSEPH, JUDITH  
RATERING,  
Defendants-Appellees/  
Cross-Appellants,

and

COUNTY OF VAN BUREN, TRISHA NESBITT,  
and KAREN MAKAY,  
Defendants-Appellees.

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JOANNE SMITH, and all others similarly situated,  
Plaintiff-Appellant/  
Cross-Appellee,

v

SC: 164270  
COA: 350406  
Monroe CC: 18-141556-CZ

COUNTY OF WASHTENAW, and CATHERINE  
McCLARY,  
Defendants-Appellees,

and

COUNTY OF HILLSDALE, STEPHENIE KYSER,  
COUNTY OF LENA WEE, MARILYN J. WOODS,  
COUNTY OF MONROE, and KAY SISUNG,  
Defendants-Appellees/  
Cross-Appellants.

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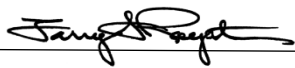
By order of January 30, 2024, the application for leave to appeal the January 6, 2022 judgment of the Court of Appeals and the application for leave to appeal as cross-appellants were held in abeyance pending the decision in *Schafer v Kent Co* (Docket No. 164975). On order of the Court, the case having been decided on July 29, 2024, \_\_\_ Mich \_\_\_ (2024), the applications are again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE Part II-B and II-C of the judgment of the Court of Appeals and we REMAND this case to that court for reconsideration in light of *Schafer* and *Hathon v State of Michigan*, \_\_\_ Mich \_\_\_ (July 29, 2024) (Docket No. 165219). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 23, 2024



Clerk