

**FY 2015-16
STATUS OF LAWSUITS
INVOLVING THE STATE OF MICHIGAN**



**SENATE FISCAL AGENCY
LANSING, MICHIGAN
FEBRUARY 2017**

THE SENATE FISCAL AGENCY

The Senate Fiscal Agency is governed by a board of five members, including the majority and minority leaders of the Senate, the Chairperson of the Appropriations Committee of the Senate, and two other members of the Appropriations Committee of the Senate appointed by the Chairperson of the Appropriations Committee with the concurrence of the Majority Leader of the Senate, one from the minority party.

The purpose of the Agency, as defined by statute, is to be of service to the Senate Appropriations Committee and other members of the Senate. In accordance with this charge, the Agency strives to achieve the following objectives:

1. To provide technical, analytical, and preparatory support for all appropriations bills.
2. To provide written analyses of all Senate bills, House bills, and Administrative Rules considered by the Senate.
3. To review and evaluate proposed and existing State programs and services.
4. To provide economic and revenue analysis and forecasting.
5. To review and evaluate the impact of Federal budget decisions on the State.
6. To review and evaluate State issuance of long-term and short-term debt.
7. To review and evaluate the State's compliance with constitutional and statutory fiscal requirements.
8. To prepare special reports on fiscal issues as they arise and at the request of members of the Senate.

The Agency is located on the 8th floor of the Victor Office Center. The Agency is an equal opportunity employer.



Ellen Jeffries, Director
Senate Fiscal Agency
P.O. Box 30036

Lansing, Michigan 48909-7536
Telephone (517) 373-2768

Internet Home Page <http://www.senate.michigan.gov/sfa>

ACKNOWLEDGMENTS

This report was prepared by Bill Bowerman, Associate Director of the Senate Fiscal Agency General Government Unit. Megan Hyde typed the report. The Senate Fiscal Agency would like to thank all State departments and agencies for their cooperation.

Any questions regarding this report, or requests for additional copies, should be directed to:

Bill Bowerman
Senate Fiscal Agency
P.O. Box 30036
Lansing, MI 48909-7536
bbowerman@senate.michigan.gov

Phone: (517) 373-2768

TABLE OF CONTENTS

Overview.....	1
Table 1 Total Court Judgments and Settlements Paid by the State - FY 2006-07 through FY 2015-16	2
Table 2 Court Judgments Paid by the State - FY 2006-07 through FY 2015-16.....	3
Table 3 Settlements Paid by the State - FY 2006-07 through FY 2015-16.....	4
Table 4 Departments with Payments over \$1.0 Million.....	5
Table 5 Highway Negligence Statistics	7
Table 6 Risk Management Fund - Automotive Liability Payments.....	8
Table 7 FY 2015-16 Total Court Judgments and Settlements Paid to the State.....	9

LISTING OF CASES RESULTING IN FY 2015-16 PAYMENTS

Attorney General.....	12
Corrections	13
Health and Human Services.....	16
Licensing and Regulatory Affairs.....	18
Natural Resources	19
State	21
State Police.....	22
Technology, Management, and Budget.....	24
Transportation.....	25
Treasury.....	26

OVERVIEW

The information in this document is based on reports filed by State departments and agencies pursuant to Section 396(3) of the Management and Budget Act (Public Act 431 of 1984). Based on the amounts reported, the State of Michigan paid \$77.0 million for judgments and settlements in fiscal year (FY) 2015-16. Of the 47 cases that resulted in payments, seven were judgments totaling \$33.6 million, and 40 were settlements totaling \$43.4 million.¹ Payments in FY 2015-16 were \$35.2 million higher than the \$41.8 million reported in FY 2014-15. The department with the largest variation in payments from FY 2014-15 to FY 2015-16 was the Department of Treasury, where payments increased by \$64.3 million. Treasury payments mainly resulted from tax refund cases.

Tables on pages 2, 3, and 4 provide a 10-year history (FY 2006-07 through FY 2015-16) of payments made by the State of Michigan. Table 1 provides information on total payments (judgments and settlements), Table 2 lists payments resulting from judgments only, and Table 3 lists settlements. Table 4 and the following narrative provide a summary of departments' FY 2015-16 payments totaling over \$1.0 million. Table 5 and the narrative on page 6 provide a history of highway negligence payments from FY 1983-84 through FY 2015-16. Table 6 on page 8 includes a history of payments from the State's Risk Management Fund for automotive liability. Payments from the Fund have historically not been included in amounts reported by departments. Also, small claims approved by the State Administrative Board are not included in this report. Table 7 and information on pages 9, 10, and 11 provide an overview of cases that resulted in payments to the State.

The FY 2015-16 reports submitted by State departments and agencies on payments made by the State follow, beginning on page 13. For each payment, the name of the case is listed along with information regarding the funding source, the county where the cause of action arose, and a brief description of the cause of action (summary of case). This report does not include payments resulting from workers' compensation or unemployment claims.

¹ The number of cases does not reflect the actual total number of cases due to the Department of Treasury's not providing detail on various tax-related cases because of confidentiality requirements in MCL 205.28(1)(f).

Table 1

TOTAL COURT JUDGMENTS AND SETTLEMENTS PAID BY THE STATE (Actual Dollars)										
Fiscal Year										
DEPARTMENT	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Corrections	\$612,097	\$4,886,697	\$450,134	\$14,676,073	\$10,571,572	\$15,503,188	\$20,647,428	\$22,478,131	\$26,684,297	\$2,438,094
Education	309,441	573,965	455,791	76,458	46,561	49,316	175,000	1,403,678	0	0
Health & Human Services ²	2,155,000	2,769,250	7,224,260	1,433,783	1,608,489	910,711	1,307,498	2,292,681	652,000	1,376,000
State Police	1,617,738	2,544,330	31,090	89,529	263,296	711,482	276,900	206,952	7,941,500	6,096,839
Transportation	8,466,876	316,000	582,000	2,716,961	230,662	2,538,165	322,900	4,352,879	5,514	73,000
Treasury	0	2,046,531	2,087,042	111,752	939,330	55,432,447	62,199,908	34,995,645	1,555,312	65,841,278
Other Departments	18,633,577	2,664,746	1,019,516	899,865	2,264,453	988,340	709,892	4,866,730	4,922,430	1,139,751
TOTAL	\$31,794,729	\$15,801,519	\$11,849,833	\$20,004,421	\$15,924,363	\$76,133,649	\$85,639,526	\$70,596,696	\$41,761,052	\$76,964,963

² Executive Order No. 2015-4 created the Department of Health and Human Services and abolished the Department of Community Health and the Department of Human Services.

Table 2

COURT JUDGMENTS PAID BY THE STATE
(Actual Dollars)

Fiscal Year										
DEPARTMENT	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Corrections	\$27,950	\$4,469	\$8,287	\$4,006	\$41,551	\$34,656	\$458,248	\$3,369	\$6,082	\$1,300
Education	309,441	210,965	455,791	76,458	46,561	49,316	0	1,348,678	0	0
Health & Human Services	0	0	4,500	9,582	0	0	0	0	0	0
State Police	1,881	383	9,590	15,000	0	1,250	33,000	0	0	6,021,839
Transportation	0	0	0	0	0	0	0	0	14	0
Treasury	0	46,531	87,042	51,752	550,000	39,397,366	0	2,776,677	408,033	27,532,436
Other Departments	2,136,175	600	288,212	207,739	159,824	182,062	196,952	2,189,420	1,888,914	6,000
TOTAL	\$2,475,447	\$262,948	\$853,422	\$364,537	\$797,936	\$39,664,650	\$688,200	\$6,318,144	\$2,303,042	\$33,561,575

Table 3

SETTLEMENTS PAID BY THE STATE
(Actual Dollars)

Fiscal Year										
DEPARTMENT	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Corrections	\$584,147	\$4,882,228	\$441,847	\$14,672,067	\$10,530,021	\$15,468,532	\$20,189,180	\$22,474,762	\$26,678,215	\$2,436,794
Education	0	363,000	0	0	0	0	175,000	55,000	0	0
Health & Human Services	2,155,000	2,769,250	7,719,760	1,424,201	1,608,489	910,711	1,307,498	2,292,681	652,000	1,376,000
State Police	1,615,857	2,543,947	21,500	74,529	263,296	710,232	243,900	206,952	7,941,500	75,000
Transportation	8,466,876	316,000	582,000	2,716,961	230,662	2,538,165	322,900	4,352,879	5,500	73,000
Treasury	0	2,000,000	2,000,000	60,000	389,330	16,035,081	62,199,908	32,218,968	1,147,279	38,308,842
Other Departments	16,497,402	2,664,146	731,304	692,126	2,104,629	806,278	512,940	2,677,310	3,033,516	1,133,751
TOTAL	\$29,319,282	\$15,538,571	\$10,996,411	\$19,639,884	\$15,126,427	\$36,468,999	\$84,951,326	\$64,278,552	\$39,458,009	\$43,403,388

PAYMENTS BY DEPARTMENTS

In FY 2015-16, four State departments made payments totaling more than \$1.0 million. Table 4 and the following narrative summarize these payments.

Table 4
FY 2015-16
PAYMENTS BY DEPARTMENT

DEPARTMENT	STATE PAYMENTS	PERCENT OF TOTAL
Corrections	\$2,438,094	3.2%
Health and Human Services	1,376,000	1.8
State Police	6,096,839	7.9
Treasury	65,841,278	85.5
Other Departments	1,212,752	1.6
TOTAL	\$76,964,963	100.0%

Corrections

The Department of Corrections made payments in 20 cases totaling \$2.4 million, accounting for 3.2% of the payments made by the State in FY 2015-16. The lowest payment was \$150 for costs assessed in a case in which a prisoner prevailed in a misconduct appeal. Two cases accounted for \$2.0 million (81.6%) of the payments made by the Department of Corrections in FY 2015-16. In Scherbinski, a \$1.1 million payment was made in a case involving alleged inadequate medical care and treatment. The second-highest payment was \$890,000 in Hedrick v MDOC, an employee case alleging racial discrimination. Of the 20 cases with payments, 12 had payments of \$10,000 or less.

Health and Human Services

The Department of Health and Human Services (DHHS) made payments in 10 cases totaling \$1.4 million. Payments ranged from \$7,500 in an employee/contract worker case to \$425,000 in Harte v DHHS, a settlement in a disability discrimination lawsuit. Payments totaling \$305,000 were made in FY 2015-16 stemming from the Dwayne B. v DHHS (formerly DHS) case that was settled in 2008. The case was a civil rights class action alleging that Michigan's foster care system violated federally protected rights. The consent decree reached through the settlement continues, and the plaintiffs continue to be entitled to fees and expenses for monitoring the Department's compliance with the consent decree. Since FY 2008-09, the DHHS has reported paying \$8.1 for the Dwayne B. v DHHS case.

State Police

In two cases, the Department of State Police made payments totaling \$6.1 million. One case, Hall & Johnson v MSP, accounted for \$6.0 million, and involved alleged race discrimination after plaintiffs failed to receive promotions to Firearms Examiners. The other case, Dervishaj, et al. v MSP et al., resulted in a \$75,000 payment for an unlawful search and seizure claim.

Treasury

The Department of Treasury made payments in totaling \$65.8 million. Other than one case with a \$35,000 payment related to an employee dismissal, the payments were the result of "various tax related cases" in which details are not provided due to MCL 205.28(1)(f). That section of the law provides, in part:

Except as otherwise provided in this subdivision, in subsection (6) or (7), or in section 23a, an employee, authorized representative, or former employee or authorized representative of the department or anyone connected with the department shall not divulge any facts or information obtained in connection with the administration of a tax or information or parameters that would enable a person to ascertain the audit selection or processing criteria of the department for a tax administered by the department.

Highway Negligence Cases

From FY 1983-84 through FY 2015-16, the State paid \$236.8 million resulting from 1,176 highway negligence cases. Since FY 1999-2000, total payments and the number of cases resulting from highway negligence litigation have declined dramatically. In FY 2013-14, no payments resulted from defective highway claims. There was one payment of \$5,500 in FY 2014-15 and two cases with payments totaling \$73,000 in FY 2015-16. One case involved a payment of \$18,000 in an action in which the plaintiff alleged injuries when he slipped and fell into a pothole on Woodward Avenue in Detroit. The other case resulted in a 55,000 payment in an action alleging serious injuries when plaintiff's motorcycle hit a pothole on an I-496 ramp.

Of the total amount paid for highway negligence cases since FY 1983-84, \$225.4 million (95.2%) was paid before FY 2000-01. The reduction in payments is attributed to rulings by the Michigan Supreme Court that limited the State's exposure to liability. Table 5 provides a history of highway negligence payments by fiscal year from FY 1983-84 through FY 2015-16.

Table 5

HIGHWAY NEGLIGENCE STATISTICS				
FISCAL YEAR	NUMBER OF CASES	JUDGMENTS	SETTLEMENTS	TOTAL PAYMENTS
1983-84	62	\$12,541,651	\$2,444,976	\$14,986,627
1984-85	55	4,399,001	4,128,751	8,527,752
1985-86	64	3,242,143	4,347,140	7,589,283
1986-87	69	22,699,603	4,151,959	26,851,562
1987-88	81	5,195,041	10,897,265	16,092,306
1988-89	90	2,869,944	12,151,689	15,021,633
1989-90	86	8,908,886	8,460,458	17,369,344
1990-91	83	10,043,560	10,353,328	20,396,888
1991-92	93	6,018,686	6,606,453	12,625,139
1992-93	70	11,290,468	8,968,167	20,258,635
1993-94	79	5,107,256	7,472,542	12,579,798
1994-95	47	1,871,956	8,010,456	9,882,412
1995-96	52	661,000	8,413,595	9,074,595
1996-97	50	1,331,974	9,679,852	11,011,826
1997-98	39	0	6,084,715	6,084,715
1998-99	33	0	4,721,422	4,721,422
1999-2000	34	2,875,000	9,461,500	12,336,500
2000-01	12	0	668,400	668,400
2001-02	14	0	1,222,240	1,222,240
2002-03	10	0	458,500	458,500
2003-04	12	0	1,521,200	1,521,200
2004-05	10	0	1,443,250	1,443,250
2005-06	9	0	614,000	614,000
2006-07	6	0	1,327,776	1,327,776
2007-08	4	0	246,000	246,000
2008-09	2	0	520,000	520,000
2009-10	1	0	2,500,000	2,500,000
2010-11	1	0	10,000	10,000
2011-12	2	0	679,000	679,000
2012-13	3	0	122,900	122,900
2013-14	0	0	0	0
2014-15	1	0	5,500	5,500
2015-16	2	0	73,000	73,000
TOTAL	1,176	\$99,056,169	\$137,766,034	\$236,822,203
Source: Michigan Department of Transportation				

RISK MANAGEMENT FUND

The Risk Management Fund was administratively established to account for specific centralized risk management functions performed for all State agencies by the Department of Management and Budget (now the Department of Technology, Management, and Budget). Effective July 1, 1992, the State became self-insured for automotive liability claims. Motor transport charges to State departments and agencies include a cost associated with projected automotive liability. This amount is deposited in the State's Risk Management Fund. Automotive liability payments that do not exceed \$1.0 million are paid from the Fund. Table 6 provides a history of payments from the Fund. Amounts are reported based on the fiscal year in which the payment was made, and therefore do not necessarily reflect the year in which the liability occurred.

Table 6

RISK MANAGEMENT FUND AUTOMOTIVE LIABILITY PAYMENTS			
FY 1991-92	\$28,318	FY 2004-05	\$2,941,684
FY 1992-93	\$138,194	FY 2005-06	\$1,457,041
FY 1993-94	\$435,862	FY 2006-07	\$2,506,962
FY 1994-95	\$1,135,659	FY 2007-08	\$1,316,613
FY 1995-96	\$1,977,178	FY 2008-09	\$1,432,166
FY 1996-97	\$1,743,580	FY 2009-10	\$863,269
FY 1997-98	\$1,223,622	FY 2010-11	\$798,449
FY 1998-99	\$3,985,189	FY 2011-12	\$1,840,225
FY 1999-2000	\$775,972	FY 2012-13	\$188,624
FY 2000-01	\$2,590,458	FY 2013-14	\$464,963
FY 2001-02	\$1,780,009	FY 2014-15	\$1,903,191
FY 2002-03	\$2,487,429	FY 2015-16	\$1,307,957
FY 2003-04	\$2,718,182		

PAYMENTS TO THE STATE OF MICHIGAN

The following table provides a summary of FY 2015-16 lawsuit payments to the State as reported by departments pursuant to Section 396(3) of the Management and Budget Act.

Table 7

FY 2015-16 JUDGMENTS AND SETTLEMENTS PAID TO THE STATE (Actual Dollars)	
DEPARTMENT	FY 2015-16
Attorney General	\$200,628,188.47
Corrections	3,451,578.41
Environmental Quality	6,064,977.19
Human Services	10,000.00
Insurance and Financial Services	405,000.00
Natural Resources	544,734.01
Transportation	1,239,521.79
Treasury	60,054,613.30
TOTAL	\$272,398,613.17

Attorney General

Of the amount reported by the Department of Attorney General, \$189.0 million resulted from annual payments under the Master Settlement Agreement. The 1998 settlement resolved public health-related claims filed by Michigan and other states against the nation's major tobacco companies. The total FY 2015-16 amount received by the State under the Master Settlement Agreement (as reported by the Department of Treasury) was \$249.1 million. The difference between that amount and the amount reported by the Department of Attorney General is accounted for under payments to the Department of Treasury (\$60.1 million) and is due to securitization of a portion of the payments owed to the State. The Health Care Fraud Division collected \$10.0 million, including a \$6.2 million settlement in the multistate action RE: Wyeth Pharmaceuticals, Inc., a case involving health care fraud. The Corporate Oversight Division collected \$1.5 million, including a \$1.0 million judgment in RE: Encana, for antitrust investigative and litigation costs.

Payments reported by the Department of Attorney General only include lawsuit proceeds deposited into the State Treasury by the Attorney General. They do not include lawsuit proceeds deposited in the State Treasury by other State agencies.

Corrections

All of the payments listed by the Department of Corrections resulted from cases filed under the State Correctional Facility Reimbursement Act. The Department reported 281 cases with payments to the State totaling \$3.5 million. Payments to the State ranged from \$23.08 to \$324,229. There were 199 cases with payments of less than \$10,000, accounting for \$781,093 (22.6 %) of FY 2015-16 total payments to the State. Four cases with payments ranging from \$125,700 to \$324,229 accounted for \$837,929 million (24.3%) of the amount recovered by the Department of Corrections. Pursuant to Section 309 of the FY 2015-16 General Government appropriation act (Article VIII of Public Act 84 of 2015), the Department of Attorney General received an appropriation of \$611,900 from the prisoner reimbursement funds to support activities related to the State Correctional Facility Reimbursement Act. In addition, this appropriation act specified that, if the Department of Attorney General collected in excess of \$1,131,000 in gross annual prisoner reimbursement receipts provided to the General Fund, the excess, up to a maximum of \$1.0 million was appropriated to the Department of Attorney General and could be spent on the representation of the Department of Corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the State, its departments, officers, employees, or agents in civil actions filed by prisoners.

Environmental Quality

The \$6.1 million recovered by the Department of Environmental Quality (DEQ) in FY 2015-16 mainly involved reimbursement for environmental contamination and other violations of the Natural Resources and Environmental Protection Act. Recoveries in those cases were deposited into various funds (e.g. Environmental Response Fund, Environmental Pollution Prevention Fund, and Settlement Fund). Settlement revenue is restricted by legal agreements or court orders for specific environmental cleanup activities at specific sites of environmental contamination or restricted to other environmental programs as appropriated. Of the 195 cases reported by the DEQ, 35 were judgments totaling \$880,279, and 160 were settlements or the result of other agreements totaling \$5.2 million. There were 169 cases with payments of less than \$50,000 that accounted for \$1.5 (25.5%) of FY 2015-16 recoveries. Six cases with payments ranging from \$200,000 to \$1.1 million accounted for \$3.0 million (50.2%) of DEQ recoveries.

The largest payment reported was \$1.1 million in Enbridge - Calhoun County Oil Pipeline Spill for a Part 201 (Environmental Remediation) violation. The State has received payments from Enbridge for several years, including payments to the DEQ, the Department of Attorney General and the Department of Natural Resources (DNR). A \$5.0 million Enbridge payment to the DNR was included in FY 2014-15. From October 2011 through September 2016, the DEQ collected \$18.5 million from Enbridge. The next-highest payment to the DEQ in FY 2015-16 was \$750,000 in Riverview Energy Systems for a Part 55 (Air Pollution Control) violation.

Natural Resources

The Department of Natural Resources reported six cases with payments to the State totaling \$544,734. Payments to the DNR ranged from \$372.80 for a diversion of water without a permit, to \$473,824 in the multiyear settlement with Consumers Energy for fisheries damage from hydropower operations. The Fisheries Settlement Fund was established to receive payments by Consumers. Under the settlement, payments will continue through 2035. Settlement funds are earmarked and subsequently used for habitat mitigation work in the area or watershed where the violation occurred. Since 1995, payments by Consumers have totaled \$13.2 million.

Transportation

Payments to the Michigan Department of Transportation (MDOT) included 30 cases totaling \$1.2 million. All but four cases totaling \$17,245 were the result of actions alleging damage to bridges, guardrails, traffic signals, signs, and other State property. The issues in the non-property damage cases involved a contract dispute, sanctions regarding a plaintiff's alleged injuries from a State-owned salt truck, sign violations, and illegal cutting of trees. Fiscal year 2015-16 payments to MDOT ranged from \$50 for damage to a traffic signal control box on northbound US-24, to \$633,693 for damage to a bridge on US-31 in Holland.

Treasury

The Department of Treasury reported payments of \$249.1 million related to the Master Settlement Agreement with the tobacco companies. To avoid double-counting due to the amount reported by the Department of Attorney General for that case, the amount listed under Department of Treasury in Table 7 reflects only the \$60.1 million allocated for debt service on the securitized portion of the Master Settlement Agreement revenue.

Other Departments

The Department of Health and Human Services reported three welfare fraud cases with payments totaling \$10,000. The Department of Insurance and Financial Services reported payments to the State totaling \$405,000 from a refund of money paid under an information technology service contract.

FISCAL YEAR 2015-16

DEPARTMENT: ATTORNEY GENERAL

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Morgan, et al v Snyder	\$10,000.00	\$0	State Restricted	Statewide	Attorney fees settlement.

FY 2015-16 TOTAL:

\$10,000.00

\$0

FISCAL YEAR 2015-16

DEPARTMENT: CORRECTIONS

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Baldwin, Timothy v MDOC	\$375.00	\$0	General Fund	Muskegon	Petition for Review - Possession of a weapon: Costs assessed for Plaintiff prevailing on appeal.
Bellamy, Lasan v MDOC, et al	400.00	0	General Fund	Ingham	Parole Revocation Process-Taxation of costs on appeal.
Redmond, Robert v MDOC	375.00	0	General Fund	Lenawee	Costs assessed for prevailing on misconduct appeal.
Robinson, Michael v Heidi Washington, et al	150.00	0	General Fund	Macomb	Petition for Review - Costs assessed for prevailing on misconduct appeal.

FY 2015-16 TOTAL: \$1,300.00 \$0

FISCAL YEAR 2015-16

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Cannon, Samuel v Frank Bernstein, et al	\$8,000.00	\$0	General Fund	Lapeer	Disciplinary Process: Plaintiff alleged his due process rights were violated during a misconduct hearing.
Cooper, Ricardo v Daniel Heyns, et al	1,500.00	0	General Fund	Saginaw	Programming: Plaintiff alleged he was reassigned to a lower paying assignment in retaliation for complaints he made regarding conditions on his prior assignment.
Fluker, Kamisha: The Estate of by and through the Personal Representative, Audra King v Dr. Aruna Bavineni, M.D. and Denise Armstrong	5,000.00	0	General Fund	Ingham	Medical: Plaintiff alleged defendants were deliberately indifferent to the deceased's suicide risk.
Hartley--Daniels v Michael Nowak, et al	24,873.02	0	General Fund	Washtenaw	Miscellaneous: Plaintiff alleged a debt of \$24,873.02 was charged to her account in violation of policy.
Hedrick, James v MDOC	890,000.00	0	General Fund	Wayne, Washtenaw	Employee: Plaintiff alleged racial discrimination.
Jarrett, Michael v Brooke Snyder, et al	2,970.00	0	General Fund	Ionia	Religion: Plaintiff alleged he was improperly removed from a religious diet.
King, Kevin v Chuck Zamiara, et al	11,451.30	0	General Fund	Branch	Harassment/Retaliation: Prisoner claimed he was retaliated against for assisting other prisoners with grievances.
Little, Bill v William Barnes, et al	65,000.00	0	General Fund	Saginaw	Medical/Use of Force: Plaintiff alleged he was denied adequate medical care while waiting for transport and excessive force was used during transport from the field office.
Malott, Michael v Lincoln Marshall, et al	1,000.00	0	General Fund	Marquette	Failure to Protect-Prisoner: Plaintiff alleged defendants failed to protect him from assault.

FISCAL YEAR 2015-16

DEPARTMENT: CORRECTIONS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Moreno, Erica et al v Ron Hughes	40,000.00	0	General Fund	Ingham	Miscellaneous: Plaintiffs alleged unconstitutional search and seizure resulting in injury to their dog.
Scherbinski, Debra, Personal Rep of the Estate of Kenneth Dalstra v Unknown Palmer, et al	1,100,000.00	0	General Fund	Ionia	Medical: Plaintiff, personal representative for prisoner Dalstra, alleged prisoner Dalstra died due to defendants failure to provide adequate medical care and treatment.
Spencer, Timothy v MDOC, et al	9,000.00	0	General Fund	Lenawee	Conditions of Confinement: Plaintiff alleged he was held in a temporary holding area in violation of his constitutional rights.
Stoudemire, Martinique v MDOC, et al	200,000.00	0	General Fund	Washtenaw	Conditions of Confinement: Plaintiff alleged her constitutional rights were violated due to her medical conditions not being appropriately accommodated.
Strayhorn, Leroy v Patricia Caruso, et al	60,000.00	0	General Fund	Lapeer	Medical: Plaintiff alleged he did not receive appropriate medical treatment.
Thomas, Harold v Duane Allen, et al	10,000.00	0	General Fund	Ingham	Medical: Plaintiff alleged inadequate dental care and treatment.
Tucker, L.T. v Todd Pentrich, et al	8,000.00	0	General Fund	Gratiot	Use of Force: Plaintiff alleged that defendants used excessive force while he was under escort.
FY 2015-16 TOTAL:	\$2,436,794.32	\$0			

FISCAL YEAR 2015-16

DEPARTMENT: HEALTH AND HUMAN SERVICES - COMMUNITY HEALTH

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Gibbons v DHHS	\$20,500.00	\$0	General Fund	Oakland	Alleged discrimination of home health worker.
Garcia v Laskowski	65,000.00	0	General Fund	Ingham	Alleged age discrimination.
Rao v SOM/Center for Forensic Psychiatry & Dr. Geo Watson	82,500.00	0	General Fund	Washtenaw	Alleged discrimination, gender, race/origin lawsuit.

FY 2015-16 TOTAL: **\$168,000.00** **\$0**

FISCAL YEAR 2015-16

DEPARTMENT: HEALTH AND HUMAN SERVICES - HUMAN SERVICES

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dwayne B. v DHHS	\$305,000.00	\$0	General Fund	Statewide	Attorney fees; Class action lawsuit re: Michigan foster care system.
Johnson, Laura v DHHS	28,000.00	0	11,569.60 GF/GP 16,430.40 Federal	Genesee	Child Protective Services-related lawsuit settled.
Davis, Crystal v DHHS	82,500.00	0	34,089.00 GF/GP 48,411.00 Federal	Wayne	Child Protective Services-related lawsuit settled.
Bauer, Jill Creech v DHHS	7,500.00	0	3,099.00 GF/GP 4,401.00 Federal	Genesee	DHHS Employee/Contract Worker lawsuit settlement.
Doe, John v DHHS	75,000.00	0	30,990.00 GF/GP 44,010.00 Federal	Ingham	Legal Guardian Ad Litem lawsuit.
Perry, Crystal v DHHS	285,000.00	0	General Fund	Ingham	Employee discrimination lawsuit settled.
Harte, Rebecca v DHHS	\$425,000.00	0	General Fund	Ingham	Employee disability discrimination lawsuit settled.
FY 2015-16 TOTAL:	\$1,208,000.00	\$0			

FISCAL YEAR 2015-16

DEPARTMENT: LICENSING AND REGULATORY AFFAIRS

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
J. Carlson v Department of Licensing and Regulatory Affairs	\$337,500.00	0	Security Fees	Ingham	License dispute.
Bureau of Healthcare Services v Jan J Pol DVM	1,765.05	0	Health Professions Regulatory Fund	Isabella	Dispute on fine and fees.

FY 2015-16 TOTAL:	\$339,265.05	\$0
--------------------------	---------------------	------------

FISCAL YEAR 2015-16

DEPARTMENT: NATURAL RESOURCES

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Platte Lake Improvement Assoc. v DNR	\$6,000.00	\$0	Game & Fish Protection Fund	Benzie	Use of former expert involved in the consent judgment dated 3/10/2000 to assist with the rewrite of the agreement regarding effluent discharge from State hatchery.
FY 2015-16 TOTAL:					
	\$6,000.00	\$0			

FISCAL YEAR 2015-16

DEPARTMENT: NATURAL RESOURCES

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Pratt, Drain Commissioners v DNR (Judgment entered March 4, 2016)	\$24,045.03	\$0	General Fund	Allegan, Gladwin, Houghton, Livingston, Mecosta, Presque Isle, Washtenaw	Lake Level Assessments 2012-2014.
Don Wegner v DNR and Robert Gentz Michigan Court of Claims No. 15-43-MZ	8,000.00	0	Forest Development Fund	Lake	Damages paid for the improper clearing of trees on private property by a DNR contractor. Parties entered into a Release and Settlement Agreement; Court issued its Order of Dismissal on 4/25/16.
FY 2015-16 TOTAL:	\$32,045.03	\$0			

FISCAL YEAR 2015-16

DEPARTMENT: STATE

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Thomas J. Simpson v Secretary of State	\$100.00	\$0	Transportation Administration Collection Fund	Wayne	This was an adversary proceeding case in which Secretary of State assessed driving fees that were discharged in bankruptcy proceeding.
Peter D. O'Connell v Director of Elections, et al.	1,463.20	0	Transportation Administration Collection Fund	Ingham	Judge O'Connell filed this case for the Court to issue mandamus to force the State Defendants to allow him to file an affidavit instead of signed petitions and to list him on the ballot as the incumbent for a seat he does not currently hold. This fee was assessed by Judge as taxed-costs.
FY 2015-16 TOTAL:	\$1,563.20	\$0			

FISCAL YEAR 2015-16

DEPARTMENT: STATE POLICE

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Hall & Johnson v MSP, et al.	\$6,021,839.36	\$586,784.22	General Fund	Wayne	Racial discrimination.

FY 2015-16 TOTAL: **\$6,021,839.36 \$586,784.22**

FISCAL YEAR 2015-16

DEPARTMENT: STATE POLICE

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Dervishaj, et al. v MSP, et al.	\$75,000.00	\$0	General Fund	Ingham	Search and seizure.

FY 2015-16 TOTAL:

\$75,000.00

\$0

FISCAL YEAR 2015-16

DEPARTMENT: TECHNOLOGY, MANAGEMENT, AND BUDGET

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Detroit Chapter 9 Bankruptcy	\$255,878.00	\$0	General Fund	Wayne	Chapter 9 Bankruptcy - Attorney fees.
Office of Retirement Services Court Settlement	495,000.00	0	General Fund	Ingham	Plaintiff and Attorney fees.

FY 2015-16 TOTAL: **\$750,878.00** **\$0**

FISCAL YEAR 2015-16

DEPARTMENT: TRANSPORTATION

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Gerald Thomas, Jr. v MDOT	18,000.00	\$0	State Trunkline Fund	Wayne	Plaintiff alleged that he suffered serious injuries when he slipped and fell into a pothole on Woodward Avenue in Detroit; highway defect.
Charles Scott Wiseley, II v MDOT	55,000.00	0	State Trunkline Fund	Ingham	Plaintiff alleged that he suffered serious injuries when he hit a pothole while driving his motorcycle entering the I-496 ramp east of Pennsylvania Avenue in Lansing; highway defect.

FY 2015-16 TOTAL: \$73,000.00 \$0

FISCAL YEAR 2015-16

DEPARTMENT: TREASURY

FORM 1: JUDGMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Various for Tax-Related Cases	\$27,532,436.00	\$0	Various	Various	Various cases; detail cannot be provided as it would violate MCL 205.28(1)(f).

FY 2015-16 TOTAL: \$27,532,436.00 \$0

FISCAL YEAR 2015-16

DEPARTMENT: TREASURY

FORM 2: SETTLEMENTS PAID BY THE STATE

NAME OF CASE	AMOUNT PAID	INTEREST	FUNDING SOURCE	LOCATION	SUMMARY OF CASE
Christopher Larkett	\$35,000.00	\$0	Restricted-Delinquent Tax Collection	Wayne	Employee dismissed, filed claim requesting Treasury modify Plaintiff's employment record to convert termination to a voluntary resignation.
Various for Tax-Related Cases	38,273,842.00	0	Various	Various	Various cases; detail cannot be provided as it would violate MCL 205.28(1)(f).

FY 2015-16 TOTAL: \$38,308,842.00 \$0

