

MINUTES OF THE MAY 3, 2025
REGULAR MONTHLY MEETING

Call to Order by Chair Forsyth at 10:01 a.m.

1. Attendance and Excused Absences

See attached attendance roll call sheet.

Motion by Mithani/King to approve excused absences; approved unanimously.

2. Approval of Agenda

Motion by McGee/Bluhm to approve; approved unanimously.

3. Minutes of the April 12, 2025, Regular Meeting (To Be Provided Under a Separate Cover)

Motion by Chubb/King to approve minutes; approved unanimously.

4. Treasurer's Report: (Attachment A)

Secretary-Treasurer King noted everything looks well. March 2024 looked good and March 2025 end of year all up to date.

5. Amicus Committee: Potential Amicus Participation: *Zezula vs. Independence Township* (Attachment B)

GLS received request to participate. Committee Chair Williams reviewed request and submitted letter in meeting packet.

Committee Chair Williams also provided the following summary verbally: Case involving governmental immunity & MISS DIG Act. The trial court confused it and COA took it further. Dissent is on point. If MSC grants leave he expects the dissent would be adopted. Discussion among Council on involvement at application stage? It is a published decision so even if the trial court gets out from under it the COA published decision would stand. Involvement at this stage is sometimes appropriate. They are filing first week of May. Discussion on timing of brief and potential authors (Mary Massaron (Plunkett) and other potential authors were discussed. Recommendation in letter from Committee Chair Williams is that GLS participate. Members Mithani and McGee noted that both Independence Twp and DTE are clients so they will not be voting.

Committee Chair Williams also provided a verbal summary of the case, which involves governmental immunity and the MISS DIG Act. He noted that the trial court confused the relevant law, and the Court of Appeals compounded the confusion. He emphasized that the dissenting opinion is well-reasoned and, should the Michigan Supreme Court grant leave to appeal, he believes the dissent could be adopted. The Council discussed the potential for involvement at the application stage, recognizing that although the trial court may be relieved of the ruling, the Court of Appeals' published opinion would remain binding. It was noted during discussion that involvement at this stage can be appropriate. The application is expected to be filed in the first week of May. The Council also discussed timing for the GLS brief and potential authors, including Mary Massaron (Plunkett Cooney) and others. It is recommended that GLS participate in the case. Members Mithani and McGee disclosed that Independence Township and DTE are their clients and, therefore, will abstain from voting.

Motion by Bluhm/Chubb to authorize GLS to participate in the *Zezula v. Independence Township* case and to engage Mary Masseron or another attorney to author the brief, at a total cost not to exceed \$15,000.00. Motion adopted by 2/3 vote in compliance with the requirements of Article VII, Section 4 of the State Bar of Michigan Bylaws (10-0 with 3 abstentions):

		<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
1	Bluhm, Lori 2027	x			
2	Brady, Michael 2024	x			
3	Chubb, Anthony 2026	x			
4	Fisher, Jerry 2026				x
5	Forbush, Audrey 2027			x (potential amicus author)	
6	Forsyth, Chris 2027 Chair	x			
7	Gibbs, Aimee 2025	x			
8	Joppich, Steve 2027				x
9	Kim, William 202				x
10	King, Dawn 2026 Secretary-Treasurer	x			
11	Kolb, Kristin 2026 Vice Chair				x
12	McGee, Mike 2025			x (Def. is client)	
13	Mills, Lizzie 2026				x
14	Mithani, Soni 2025			x (Def. is client)	
15	Nettleton, Mark 2025				x
16	Pastula, Julianne 2027 Deputy Secretary-Treasurer	x			
17	Sluggett, Jeff 2027	x			
18	Thomas, Aaron 2025				x
19	Watza, Mike 2026				x
20	White-McDonnell, Elizabeth 2025	x			
21	Williams, Eric 2025	x			

6. **Zoning Land Use and Local Control Committee:** Update
In Committee Chair Fisher's absence, Chair Forsyth provided an update, noting that the next meeting is scheduled for next week
7. **Briefly:** Update
Member Mithani reported that there are two co-editors in place and a well-organized schedule. The next issue is set to be released in early June and will feature a promotion for the Joint Summer Conference
8. **Old Business**
 - a. 2025 Joint Summer Educational Conference (June 27-28th Grand Traverse Resort) – Update

Chair Forsyth provided an update, noting that the planning team—including MAMA representatives, himself, and Vice Chair Kolb—have been working hard to finalize the agenda. He also reminded

everyone to be patient, as the conference weekend coincides with the start of the Cherry Festival. Discussion followed regarding events, fellowship, and the festival; no formal actions taken.

- b. 2026 Joint Summer Educational Conference (June 19-20th TBD) – Perry Hotel Proposal and Contract (*Attachment C*)

Chair Forsyth provided an update, noting that S. Martin (MAMA) had forwarded the proposal for GLS review. The Council held a discussion regarding timing and next steps and expressed interest in receiving MAMA's feedback on the proposal and input from its members. Chair Forsyth will inform S. Martin and V. Duckworth (MAMA) that GLS would like to receive their comments before proceeding. No formal action was taken.

9. New Business

None.

10. Council Comments

- a. Member Mithani raised the idea of hosting a Spring or Fall mixer, or possibly organizing an event in conjunction with the Summer Conference. She noted that an account balance exceeding \$100,000 might attract attention. Member McGee responded that approximately \$20,000–\$30,000 in expenses are expected for July and August. Member Bluhm added that numerous amicus requests are anticipated in the near future. The discussion also included the possibility of hosting an off-site Friday night dinner during the Summer Conference. Chair Forsyth volunteered to explore interest in the dinner and potential venue options. No formal action was taken.
- b. Member McDonnell-White inquired whether SBM has a federal pipeline to keep track of Executive Orders. If not, she recommended GLS look into identifying those resources. Member Bluhm indicated IMLA was keyed in. Member McGee noted other organizations also tracking it. He also highlighted that the District Court in DC issued opinion last night in *Perkins Coie, LLP v. US DOJ* case, 102 pages, starts with Shakespeare quote. Discussion followed and resources were shared.
- c. Member Chubb provided an update that the Michigan Supreme Court denied certiorari in the *Charter Twp of Royal Oak v Oakland Cares Coalition* case, which concerned the appropriate timing for challenging a ballot initiative

Adjournment at 10:36 a.m.

Next Meeting: June 27, 2025, at the Grand Traverse Resort and Spa.

MEETING ATTENDANCE SHEET
Government Law Section
State Bar of Michigan (2024-2025)

Meeting Date: May 3, 2025, conducted via Zoom.

Regular Monthly Meeting Begin: 10:01 a.m. **End/Adjourn:** 10:36 a.m.

		<u>Present</u>	<u>Present On Call</u>	<u>Absent Excused</u>	<u>Absent Unexcused</u>
1	Bluhm, Lori 2027	x			
2	Brady, Michael 2024	x			
3	Chubb, Anthony 2026 (arrived late)	x			
4	Fisher, Jerry 2026			x	
5	Forbush, Audrey 2027	x			
6	Forsyth, Chris 2027 Chair	x			
7	Gibbs, Aimee 2025	x			
8	Joppich, Steve 2027			x	
9	Kim, William 202			x	
10	King, Dawn 2026 Secretary-Treasurer	x			
11	Kolb, Kristin 2026 Vice Chair			x	
12	McGee, Mike 2025	x			
13	Mills, Lizzie 2026			x	
14	Mithani, Soni 2025	x			
15	Nettleton, Mark 2025			x	
16	Pastula, Julianne 2027 Deputy Secretary-Treasurer	x			
17	Sluggett, Jeff 2027	x			
18	Thomas, Aaron 2025			x	
19	Watza, Mike 2026			x	
20	White-McDonnell, Elizabeth 2025	x			
21	Williams, Eric 2025	x			

Quorum (8) Bylaws Section 5.5. (13 members present; 8 excused absences)

Others Present: N/A

Attendance taken by: Julianne Pastula