

STATE OF MICHIGAN
COURT OF CLAIMS

AMOS FINANCIAL, LLC,

Plaintiff,

v

MICHIGAN DEPARTMENT OF TREASURY,

Defendants.

NO. 17-000333-MT

HON. MICHAEL J. TALBOT

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By: Paul J. Smigielski (P57464)
Attorneys for Plaintiff
51543 Van Dyke
Shelby Twp., MI 48316
(586) 232-3153 x701

MOE FREEDMAN (P74224)
Assistant Attorney General
Attorney for Defendant Michigan
Department of Treasury
Revenue & Collections Division
3030 W Grand Blvd, Ste 10-200
Detroit, MI 48202
(313) 456-0140

STIPULATION AND ORDER
DISMISSING CASE AGAINST MICHIGAN DEPARTMENT OF TREASURY

STIPULATION

Plaintiff, Amos Financial, LLC, through its attorneys, Paul J. Smigielski & Assoc., PLLC, by Paul J. Smigielski, and Defendant, Michigan Department of Treasury, through its attorneys, BILL SCHUETTE, Michigan Attorney General, and Moe Freedman, Assistant Attorney General, stipulate as follows:

1. Plaintiff, Amos Financial, named Defendant, the State of Michigan's Department of Treasury (Treasury) in Wayne County Circuit Court Case No. 17-013432-CH which resulted in this action. Plaintiff named Treasury because the

State of Michigan had claimed an interest in property that is subject of the Circuit Court action for Quiet Title and for foreclosure. Plaintiff has no monetary claims against Treasury but is simply seeking to subject Treasury's interest in the property described below to any sale that may take place pursuant to an order that may be issued by the Circuit Court.

2. Plaintiff holds a mortgage as assignee that was originally recorded on January 21, 2003, by American General Financial Services, Inc., with the Wayne County Register of Deeds which is the subject of this lawsuit and that is more particularly described as:

Lot 48, Markey's Subdivision, as recorded Liber 2, Page
35 of Plats,
Wayne County Records.

Tax Parcel ID: Ward 18, Item No. 010485

More commonly known as: 4467 Cicotte, Detroit, MI
48210

3. The State of Michigan once claimed an interest in the property through a notice of lien dated November 7 1996 and recorded on May 28, 1997 in Liber 29597, Page 1995, Wayne County Records

4. Treasury affirms that the above mentioned lien has been released, and that the Michigan Department of Treasury does not currently claim any interest in the property..

5. Treasury is dismissed without prejudice and without costs as a Defendant in this matter.

6. This Stipulation and Order does not affect Plaintiff's Complaint against the remaining Defendants in the Circuit Court action, and Plaintiff's case against the remaining Defendants will proceed unaffected by this Stipulation and Order.

Moe Drew for Paul Smigielski
Paul J. Smigielski (P57464) *w/permission*
Attorney for Plaintiff,
Amos Financial, LLC

Date: 3/6/18

Moe Zm
Moe Freedman (P74224)
Attorney for Defendant, State of
Michigan Department of Treasury

Date: 3/6/18

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**ORDER BASED ON STIPULATION SETTING PRIORITIES & INTERESTS
BETWEEN PLAINTIFF AND THE MICHIGAN DEPARTMENT OF
TREASURY
AND
DISMISSING CASE AGAINST DEFENDANT MICHIGAN DEPARTMENT
OF TREASURY**

At a session of said Court,
held in the State of Michigan,
on MARCH 12, 2018, 2017.

PRESENT:

HON: MICHAEL J TALBOT.
Court of Claims Judge

As Stipulated above between Plaintiff, Amos Financial, LLC and Defendant,
State of Michigan Department of Treasury, this case is dismissed without Prejudice
and Costs as to the Defendant, Michigan Department of Treasury, only.

IT IS SO ORDERED.

**This is a Final Order and Resolves the last Pending Claim in this
case.**



COURT OF CLAIMS JUDGE

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STATE OF MICHIGAN
COURT OF CLAIMS JUDGE