

STATE OF MICHIGAN  
7TH JUDICIAL CIRCUIT

PARTY NOTIFICATION

CASE NO.  
05-080691-AA

Court Address

GENESEE COUNTY  
COUNTY CLERK  
900 S. SAGINAW  
FLINT MI 48502

Court Telephone No.  
810-257-3270

Mailing Date: 9/13/06

Mail To:

SUZANNE D. SONNEBORN  
525 W OTTAWA FL 6  
PO BOX 30755  
LANSING MI 48909

Judge: JOSEPH J. FARAH

Plaintiff

V K VEMULAPALLI

Defendant

MI DEPT ENVIRONMENTAL QUAL

SEE ATTACHED ORDER DENYING MOTION FOR RECONSIDERATION.

SEP 21 2006

Dept. of Attorney General  
**RECEIVED**

SEP 18 2006

NATURAL RESOURCES  
DIVISION

THIS NOTICE HAS ALSO BEEN SENT TO:  
PAUL F. BOHN

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE

V.K. VEMULAPALLI,

Plaintiff,

CASE NO. 05-80691-AA

-vs-

JUDGE JOSEPH J. FARAH

MICHIGAN DEPARTMENT OF  
ENVIRONMENTAL QUALITY,

ORDER DENYING MOTION FOR  
RECONSIDERATION

Defendant.

A TRUE COPY  
Michael J. Carr, Clerk

At a session of said Court held in the City of  
Flint, County of Genesee, State of Michigan on  
the \_\_\_\_\_ day of September, 2006.

PRESENT: HONORABLE JOSEPH J. FARAH, CIRCUIT JUDGE

The Court is in receipt of Plaintiff's motion for reconsideration of its August 21, 2006 order denying Plaintiff's petition for review of a decision by the Michigan Department of Environmental Quality, which had assessed fines and penalties against Plaintiff for underground storage tank violations. The Court has reviewed Plaintiff's motion as well as Defendant's response.

Plaintiff's motion is denied for the following reasons:

1. To the extent a motion for reconsideration is contemplated in these circumstances [i.e. from an appellate decision of this Court and not on a ruling on a motion; see MCR 2.119(F)], Plaintiff's motion is untimely.

2. Even if Plaintiff's motion were regarded as timely, Plaintiff's motion fails to persuade the Court of the requisite palpable error<sup>1</sup> for this Court to grant relief, as his claims of denial of an opportunity to participate in the agency proceeding have been previously rejected.

IT IS SO ORDERED.



JOSEPH J. FARAH, Circuit Judge

Dated 9-14-06

<sup>1</sup> Particularly unimpressive is Plaintiff's claim that he was the manager and not the owner of the property in question.