



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



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GOVERNOR

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SUPERINTENDENT OF  
PUBLIC INSTRUCTION

November 2, 2006

TO: Local and Intermediate School Superintendents, Public School  
Academy Directors, and Nonpublic School Administrators in Regions 1  
and 3

FROM: Carol Wolenberg, Deputy Superintendent *CW*

SUBJECT: Resolution Agreement with Northern Warehousing, Inc.

Last week, the Michigan Department of Education (MDE) conferred with Northern Warehousing, Inc. to draft a Resolution Agreement to resolve the possibility of any further litigation. The goals of this Agreement were to provide Northern with a price increase sufficient to allow them to perform the remainder of their contract with non-consortia districts, in exchange for Northern's promise not to appeal Judge Nettles-Nickerson's recent decision to dismiss the lawsuit.

An essential part of the Agreement was to define the set of school districts that would be serviced by Northern through June 30, 2007. The parties agreed to attach a list of these school districts to the Agreement. Due to an inadvertent error on the part of MDE, the list attached to and embodied in the Agreement identified all school districts in Regions 1 and 3, instead of just the non-consortia districts.

Understandably, Northern has taken the position that the Resolution Agreement entitles them to service all districts in Regions 1 and 3 under the price increase specified in the Agreement. MDE is arranging to meet with Northern to discuss ways to address the problems caused by this error.

Until you are advised otherwise, all USDA commodities are to be obtained from Northern. This directive applies to all school districts in Regions 1 and 3. MDE apologizes for any inconvenience and distress this will cause school districts.

cc: Jon Tomlanovich, MAISA  
Tom White, MSBO

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