

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



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April 1, 2021

- November 18, 2020 - Allegan County Health Department first contacted Marlana's Bistro regarding complaints that the restaurant was allowing indoor dining. Marlana's continued to allow indoor dining with no restrictions.
- December 2, 2020 – Allegan County Health Department issued a Warning Order. Marlana's did not comply.
- December 15, 2020 – Allegan County Health Department issued a Cease and Desist Order. Marlana's did not comply.
- December 30, 2020 – Michigan Department of Agriculture and Rural Development issued a Cease and Desist Order. Marlana's did not comply.
- January 20, 2021 – Michigan Department of Agriculture and Rural Development issued an Emergency Summary Suspension Order pursuant to MCL 289.4125 (Food Law), and MCL 24.292 (APA). Marlana's did not comply.
- January 21, 2021 – Allegan County Health Department delivered the Michigan Department of Agriculture and Rural Development Summary Suspension Order and hearing information, but it was refused by the restaurant's owner, Ms. Pavlos-Hackney.
- January 29, 2021 – Michigan Department of Agriculture and Rural Development employees again delivered the Michigan Department of Agriculture and Rural Development Summary Suspension Order and left it at the establishment.

- February 1, 2021 – Hearing in front of Administrative Law Judge Lauren G. Van Steel.
- February 11, 2021 – Administrative Law Judge Van Steel issued her Decision and Order Continuing the Summary Suspension.
- February 16, 2021 – Allegan County Health Department confirmed that Ms. Pavlos-Hackney received the Decision and Order and again asked her to work with them to come into compliance. Ms. Pavlos-Hackney declined the opportunity.
- February 18, 2021 – Ms. Pavlos-Hackney informed Allegan County Health Department that inspectors from Michigan Department of Agriculture and Rural Development or Allegan County Health Department were not welcome in her establishment.
- February 24, 2021 – Michigan Department of Agriculture and Rural Development filed a Summons and Complaint, Motion for Temporary Restraining Order and Brief in Support.
- February 25, 2021 – Judge Wanda Stokes issued a Temporary Restraining Order.
- February 26, 2021 – Temporary Restraining Order was personally served on Ms. Pavlos-Hackney at the establishment.
- March 1, 2021 – Motion for Contempt.
- March 2, 2021 – Motion for Contempt personally served on Ms. Pavlos-Hackney at the establishment.
- March 4, 2021 - The Allegan County Health Department determined that a person who tested positive for COVID-19 ate at Marlina's on February 27, 2021. The health department had to issue a public notice regarding the incident because Marlina's did not maintain a list of customers for contact tracing purposes.

- March 4, 2021 – Hearing in front of Judge Stokes. Judge Stokes ordered the Temporary Restraining Order converted to a Preliminary Injunction, fined the establishment \$7, 500 and indicated that a bench warrant would issue. Written order followed the hearing indicating Ms. Pavlos-Hackney would be incarcerated unless and until she complied. Bench Warrant was signed.
- March 5, 2021 – Michigan Department of Agriculture and Rural Development filed a Notice to the Court that Marlina’s was still operating. Bench Warrant provided by Court to law enforcement.
- March 10, 2021 – Michigan Department of Agriculture and Rural Development contacted Michigan State Police. Michigan State Police reached out to Ms. Pavlos-Hackney and provided her an opportunity to turn herself in.
- March 19, 2021- Ms. Pavlos-Hackney was arrested and brought before Judge Aquilina. Ms. Pavlos-Hackney was fined \$7,500 again (total of \$15,000) and told she would remain incarcerated until she paid her fine and demonstrated compliance.
- On March 23, 2021, Ms. Pavlos-Hackney was released from the Ingham County Jail after she paid the \$15,000 in fines issued as a result of her violation of the Court’s orders and after the Michigan Department of Agriculture and Rural Development confirmed that her establishment was closed and in compliance with the Court’s orders and Michigan Department of Agriculture and Rural Development’s Summary Suspension.

*** Additional Point: The Allegan County Health Department determined that a person who tested positive for COVID-19 ate at Marlina’s on February 27, 2021. The health department issued a press release regarding the incident on March 4, 2021, which was necessary in part because the establishment did not maintain a list of customers for contact tracing purposes.*