

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL
CIRCUIT INGHAM COUNTY

MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND
ENERGY,

No. 2022-0315-CE

Plaintiff,

HON. WANDA M. STOKES

v

LAMAR GRACE, METROPOLITAN
ENVIRONMENTAL, LLC, and SIMPLY
CONSTRUCTION AND EXCAVATING,
LLC.

Defendants.

Elizabeth Morrissette (P81899)
Attorney for Plaintiff
Michigan Department of Attorney
General
Environment, Natural Resources, and
Agriculture Division
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ORDER FOR DEFAULT JUDGMENT

At a session of said Court held in the City of Mason,
County of Ingham, State of Michigan, on the 9 day of
April 2023.

PRESENT: HONORABLE WANDA M. STOKES
Ingham County Circuit Court Judge

This matter having come before the Court on the Motion of Elizabeth
Morrissette, Assistant Attorney General, on behalf of Plaintiff Michigan

Department of Environment, Great Lakes, and Energy for entry of a default judgment against Defendant Lamar Grace, this Court, finds that:

Plaintiff duly served Lamar Grace with the complaint on November 22, 2022, and with the request for default judgment and entry on March 16, 2023;

Count I of the complaint alleged Lamar Grace violated Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act (NREPA), MCL 324.5501 *et seq.* (Part 55). (Compl at ¶ 113.) The complaint also alleged how penalties for these violations “can by computation be made certain” in accordance with MCR 2.603. (Compl at ¶ 114.)

Count II of the complaint alleged Lamar Grace violated Part 115, Solid Waste Management, of the NREPA, MCL 324.11501 *et seq.* (Part 115). (Compl at ¶¶ 117, 118, 119, 120.) The complaint also alleged how penalties for these violations “can by computation be made certain” in accordance with MCR 2.603. (Compl at ¶ 121.)

Count III of the complaint alleged Lamar Grace violated Part 111, Hazardous Waste Management, of the NREPA, MCL 324.11101 *et seq.* (Part 111). (Compl at ¶¶ 124, 125, 126.) The complaint also alleged how penalties for these violations “can by computation be made certain” in accordance with MCR 2.603. (Compl. at ¶ 127.)

Lamar Grace failed to answer or otherwise defend as required by the Michigan Court Rules.

The court, having considered all matters presented and having been duly advised of this matter:

IT IS HEREBY ORDERED that:

1. Plaintiff's motion for default judgment is GRANTED;
2. Lamar Grace is liable to Plaintiff in the amount of \$125,000 in civil penalties and same shall be paid to Plaintiff within 30 days after the date of the entry of this Order; and
3. Lamar Grace may not violate Parts 55, 111, or 115 of the NREPA.

This order does not resolve all pending claims in this case.

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HON. WANDA M. STOKES
Circuit Court Judge

LF: Grace, Lamar (EGLE v)/AG# 2020-0299142-A/Order for Default Judgment 2023-04-04