

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.

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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 <sup>Mason</sup> ~~Lansing~~,  
County of Ingham, State of Michigan, on the 21 day of \_\_\_  
March 2023.

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

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

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

Plaintiff duly served Metropolitan Services, LLC with the complaint on October 27, 2022, and with the motion for default judgment on March 16, 2023;

Count I of the complaint alleged Metropolitan Services, LLC 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 Metropolitan Services, LLC 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 Metropolitan Services, LLC 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.)

Metropolitan Services, LLC 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, and for the reasons stated on the record at the hearing for this motion states:

**IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for default judgment is GRANTED;
2. Metropolitan Services, LLC is liable to Plaintiff in the amount of \$125,000 in civil penalties; and
3. Metropolitan Services, LLC may not violate Parts 55, 111, or 115 of the NREPA.

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

Hon. Wanda M. Stokes  
HON. WANDA M. STOKES  
Circuit Court Judge

LF: Grace, Lamar (EGLE v/AG# 2020-0299142-A/Order for Default Judgment (Metropolitan) 2023-03-16