



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Brightland Properties LLC,
Petitioner,

MICHIGAN TAX TRIBUNAL

v

MOAHR Docket No. 18-001495

City of Brighton,
Respondent.

Presiding Judge
Marcus L. Abood

ORDER GRANTING JOINT MOTION FOR IMMEDIATE CONSIDERATION
ORDER GRANTING JOINT MOTION FOR PAUL E BURNS TO WITHDRAW AS
RESPONDENT'S REPRESENTATIVE

ORDER UPDATING DOCKET

ORDER DENYING JOINT MOTION TO ADJOURN AS MOOT

ORDER RESCHEDULING HEARING

Microsoft Teams meeting

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[+1 248-509-0316,,661084070#](#) United States, Pontiac

Phone Conference ID: 661 084 070#

On March 15, 2021, the parties filed a joint motion requesting that the Tribunal permit Paul E. Burns to withdraw as Respondent's representative in the above-captioned case, and to adjourn the hearing date by 60 days to allow Respondent to obtain new counsel. In the Motion, the parties state that Mr. Burns resigned as City Attorney for Respondent, effective March 4, 2021. Upon information and belief, Respondent is still in the early stages of seeking applicants for replacement counsel. The parties also request immediate consideration.

The Tribunal has considered the Motions and the case file and finds that immediate consideration is appropriate given the joint nature of the filing. The Tribunal further finds that "an attorney or authorized representative may withdraw from a contested case or be substituted for by stipulation or order of the tribunal."¹ In this case, Mr. Burns' resignation as City Attorney constitutes good cause to grant the request. Further, withdrawal has not been opposed by either party. Although the parties failed to identify a new representative or provide updated contact information for Respondent as required by TTR 223, Respondent's assessor is responsible for defending the property's assessment by way of their certification as an assessor by the Michigan State Tax Commission and can be designated as Respondent's representative pending the hiring, if any, of another City Attorney.

· TTR 223(4).

MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
MICHIGAN TAX TRIBUNAL

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The Tribunal further finds that it entered an order on March 24, 2021 granting a Motion to Adjourn. Given this, the parties' Motion to Adjourn the hearing is moot. However, given that the parties agree to adjourn the hearing by 60 days, the Tribunal re-schedules the hearing for July 19-23, 2021. Unless as otherwise indicated by the Tribunal, the parties shall prepare to litigate the rescheduled hearing in a virtual format (via Microsoft Teams). Therefore,

IT IS ORDERED that the Joint Motion for Immediate Consideration is GRANTED.

IT IS FURTHER ORDERED that the Joint Motion to Withdraw as Representative is GRANTED.

IT IS FURTHER ORDERED that the docket shall be updated to reflect Respondent's assessor as its current representative.

IT IS FURTHER ORDERED that the Joint Motion to Adjourn is DENIED AS MOOT.

IT IS FURTHER ORDERED that the hearing is rescheduled for July 19-23, 2021.

IT IS FURTHER ORDERED that June 21, 2021 is the date for Petitioner to notify the Tribunal of the name and telephone number of the court reporter retained by the parties to transcribe the hearing.

As the parties have previously submitted their respective exhibits and exhibit lists, there will be no further exhibit or exhibit list submissions for this rescheduled hearing.

IT IS FURTHER ORDERED that the hearing information in the original Notice of Hearing is incorporated by reference for the parties.

Entered: April 23, 2021
wmm

By 
