

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
MICHIGAN TAX TRIBUNAL

NOTICE OF JANUARY 2 - 12, 2018 PREHEARING GENERAL CALL AND ORDER OF  
PROCEDURE

To the parties in the cases listed below:

Please be advised that the cases listed on the attachment have been placed on a two-week Prehearing General Call commencing January 2, 2018. The prehearing conferences will be conducted in the Tribunal's courtrooms at 611 W. Ottawa, 2<sup>nd</sup> Floor, Lansing, Michigan, unless otherwise notified. Parties will be notified at least one week before they are scheduled to appear and scheduling will not necessarily occur in the order in which the cases are listed below.

Parties are required to submit a valuation disclosure or written notification that no valuation disclosure is required by the dates indicated herein. A "valuation disclosure" is defined as documentary or other tangible evidence in a property tax proceeding that a party relies upon in support of the party's contention as to the true cash value of the subject property or any portion thereof and contains the party's value conclusion and data, valuation methodology, analysis or reasoning, as provided by TTR 237.

IT IS ORDERED that the parties shall:

- a. If no valuation disclosure is required, notify the Tribunal and the opposing parties in writing within 21 days of entry of this Order that no valuation disclosure is being filed. The notice shall indicate the reason or reasons why no valuation disclosure is required (i.e., exemption claim, etc.).
- b. If a valuation disclosure is required, file and exchange their valuation disclosures by November 06, 2017. Valuation disclosures will not be admitted into evidence unless disclosed and furnished in accordance with this Order (even though admissible) except upon a finding of good cause by the Tribunal.

IT IS FURTHER ORDERED that the parties shall file and exchange their Prehearing Statements by November 06, 2017. Witnesses will not be allowed to testify unless disclosed in the Prehearing Statement and the Prehearing Statement is furnished in accordance with this Order except upon a finding of good cause by the Tribunal. Failure to file the Prehearing Statement will result in holding a party or parties in default, as provided by TTR 237.

IT IS FURTHER ORDERED that "Pre-Valuation Disclosure" discovery is CLOSED on November 06, 2017, which means all discovery has been requested, all motions to compel have been filed and resolved, and all requested or ordered discovery has been exchanged by that date. Discovery relative to the valuation disclosure prepared for purposes of litigating this case or the

valuation expert that prepared that valuation disclosure is not permitted during “Pre-Valuation Disclosure” discovery.

IT IS FURTHER ORDERED that “Post-Valuation Disclosure” discovery is CLOSED on January 02, 2018, which means all discovery has been requested, all motions to compel have been filed and resolved, and all requested or ordered discovery has been exchanged by that date. “Post-Valuation Disclosure” discovery is limited to the opposing party’s valuation disclosure, the opposing party’s valuation expert, and the witnesses identified on the opposing party’s Prehearing Statement.

IT IS FURTHER ORDERED that a case listed on this call that is not scheduled for a date certain Prehearing Conference during the time frame indicated above may be scheduled for a date certain Prehearing Conference at any time subsequent to the completion date for this Prehearing General Call. Parties will, however, be notified in writing approximately one week before they are scheduled to appear.

HEARING AUTHORITY: The prehearing conferences will be conducted in accordance with the Rules applicable to contested cases as contained in the Michigan Administrative Hearing Rules (R 792.10101 – R 792.11289); the 1995 Michigan Rules of Court, as amended; and, the Michigan Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.201 *et seq.*<sup>1</sup> The Michigan Administrative Hearing Rules apply only to practices and procedures in contested cases pending before the Michigan Administrative Hearing System. Rules governing contested cases not pending before the Michigan Administrative Hearing System may be found elsewhere in the Michigan Administrative Code.

AMERICANS WITH DISABILITIES ACT: All hearings are conducted in a barrier free location and are in compliance with the 1990 Americans with Disabilities Act. A disabled individual requiring accommodation for effective participation in a hearing, including accessible documentation, should call the Michigan Tax Tribunal at: (517) 373-4400 to make arrangements. Pursuant to R 792.1011(c), if accessibility is requested (i.e. braille, large print, electronic or audio reader), information which is to be made accessible must be submitted to the hearing system at least 14 business days before the hearing. If the information for conversion is timely provided and the Tribunal is unable to accomplish conversion prior to the date of hearing, the hearing shall be adjourned. If the information for conversion is not timely provided, the party submitting the information for conversion may request an adjournment. You can call the Tribunal at (517) 373-4400 should you have any questions.

Entered: March 16, 2017

By:   
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Steven H. Lasher, Tribunal Chair

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<sup>1</sup> See TTR 261 and 215.

CASES ON THE PREHEARING GENERAL CALL:

<b>Case Number</b>	<b>Case Title</b>
16-001908-R	MPT OF Port Huron LLC vs. City Of Port Huron
16-002536	O'Reilly Auto Enterprises LLC vs. Township Of Meridian
16-002545	Advance Auto Parts Inc vs. Township Of Brownstown
16-002582	Verplank Coal & Dock vs. City Of Ferrysburg
16-002605	Public Storage Management vs. Township Of Waterford
16-002619	Aldi Inc vs. Township Of Otsego
16-003355	O'Reilly Auto Enterprises LLC vs. Township Of Flint
16-003367	7-Eleven, Inc on behalf of Michigan Fuels Properties vs. City Of Warren
16-003384	7-Eleven Inc vs. City Of Wyandotte
16-003395	O'Reilly Auto Enterprises LLC vs. Township Of Otsego
16-003403	Fifth Third Bank vs. City Of St Johns
16-003407	O'Reilly Auto Enterprises LLC vs. City Of Richmond
16-003415	Fifth Third Bank vs. City Of Detroit
16-003424	Fifth Third Bank vs. City Of Detroit
16-003430	Fifth Third Bank vs. Township Of Lowell
16-003466	350 N Old Woodward LLC vs. City Of Birmingham
16-003489	H.B. Fuller vs. City Of Walker
16-003523	Carports Development Wsh vs. City Of Woodhaven
16-003529	7-Eleven #25676 vs. City Of Roseville
16-003569	Olive Garden on behalf of FCPT

	Restaurant Properties LLC vs. City Of Dearborn
16-003583	Olive Garden on behalf of FCPT Restaurant Properties LLC vs. City Of Southgate
16-003609	Kellogg Company vs. City Of Battle Creek,Michigan Department of Treasury
16-003623	Gaslight Investors LLC vs. City Of East Lansing
16-003652	Murray's Sterling Heights, LLC vs. City Of Sterling Heights
16-003658	Fresh Thyme Farmers Market vs. Township Of Northville
16-003675	Charter One Bank NA vs. City Of Detroit
16-005039-R	Wilmoth Farms LLC vs. Township Of Lasalle
16-005598	Besser Company USA vs. Michigan Department of Treasury
16-005599	Besser Company USA vs. Michigan Department of Treasury
17-000012	Mann Investments LLC vs. Township Of Brighton
17-000058	East Beltline Development LLC vs. City Of Grand Rapids
17-000137	Sharp Dressed Properties, Inc. vs. City Of Cadillac