

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE

MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY

Plaintiff,

CASE NO. 07-85592-CE

-vs-

JUDGE JOSEPH J. FARAH

V. K. VEMULAPALLI,

ORDER DENYING MOTION FOR
RECONSIDERATION

Defendant.

At a session of said Court held in the City of
Flint, County of Genesee, State of Michigan on
the _____ day of January, 2008.

PRESENT: HONORABLE JOSEPH J. FARAH, CIRCUIT JUDGE

The Court having reviewed Defendant's motion for reconsideration; and the Court dispensing with a response from Plaintiff or oral argument, MCR 2.119(F)(2); and the Court being otherwise fully apprised;

NOW, THEREFORE, IT IS HEREBY ORDERED that Defendant's motion for reconsideration is denied as the Court is unpersuaded that Defendant's argument should alter the Court's previous decision. The Court granted summary disposition to Plaintiff previously. That decision rendered moot Defendant's request to file amended affirmative defenses and a counter complaint. Defendant's present claim, largely based on the recent acquisition of information, concerns the underground storage tank issue previously decided in Plaintiff's favor through the Court's decision on Defendant's appeal to this Court in case number 05-80691-AA. That issue remains decided in Plaintiff's favor, despite Defendant's belated efforts to obtain a different ruling in the context of this case.

Accordingly, Defendant's motion for reconsideration is denied.

IT IS SO ORDERED.



JOSEPH J. FARAH, Circuit Judge

Dated _____

1.9.08