

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

ATTORNEY GENERAL, *ex rel*, MICHIGAN
DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS,

No. 15-804-CZ

Plaintiff,

HON. ROSEMARIE AQUILINA

v

LISA HICKS,

Defendant.

Katherine J. Bennett (P75913)
Sarah C. Hillegonds (P79173)
Attorneys for Plaintiff
Michigan Department of Attorney General
Health, Education & Family Services Division
P.O. Box 30758
Lansing, MI 48909
(517) 373-7700

Damian A. Anthes (P67138)
Attorney for Defendant
Law Office of Damian A. Anthes
P.O. Box 391
Mason, MI 48854
(517) 449-5071

SETTLEMENT AGREEMENT

This agreement is intended to settle the claims between the parties in the above-captioned litigation and all claims related to or arising from Plaintiff Department of Licensing and Regulatory Affairs' (Department) efforts to enjoin

Defendant Lisa Hicks from allegedly operating an unlicensed child care organization at 3596 Harper Rd., Mason, Michigan 48854.

On September 29, 2015, Attorney General Bill Schuette *ex rel* the Department filed the above-captioned lawsuit. Through its Complaint, the Department alleged Lisa Hicks operated an unlicensed child care organization. The Department requested declaratory and injunctive relief, as well as any fines, penalties, costs, and fees permitted under law. Along with its Complaint, the Department simultaneously filed a Motion for Order to Show Cause.

This Settlement Agreement (Agreement) is now being entered into to resolve all claims between the parties.

Lisa Hicks represents she is not providing unlicensed child care at 3596 Harper Rd., Mason, Michigan 48854, nor will she engage in such activities, while this Agreement is circulated for signatures. This representation is a material and essential consideration for the Department's entry into this Agreement.

Accordingly, the parties agree as follows:

1. The Department will voluntarily dismiss its claims against Lisa Hicks in the above-captioned litigation. This dismissal shall be with prejudice and in the form attached as Exhibit A to this Agreement.

2. Lisa Hicks will not operate a child care organization, as defined at MCL 722.111, at her home located at 3596 Harper Rd., Mason, Michigan 48854, without a license or certificate of registration issued by the Department.

3. Lisa Hicks will remove all online advertisements for a child care business that are under her control. Online advertisements under her control include, but are not limited to, Lisa Hicks' advertisement on www.care.com.

4. If the Department receives information indicating that Lisa Hicks is operating a child care organization as defined at MCL 722.111, without a license or certificate of registration issued by the Department, the Department will notify Lisa Hicks of the allegations and Lisa Hicks will cooperate with the Department's investigation of any such allegations.

5. If, at any point in the future, the Department substantiates that Lisa Hicks has operated a child care organization as defined at MCL 722.111, after the entry of this order and without a license or certificate of registration issued by the Department, Lisa Hicks will pay the Department the \$150.00 filing fee for the above-captioned lawsuit and any other costs incurred in seeking enforcement of this agreement. Otherwise, the parties will bear their respective costs and fees.

6. In exchange for good and valuable consideration set forth in this Agreement, the parties, for themselves and their successors, heirs, agents, assigns, officers, directors, employees, and attorneys, mutually release and forever discharge and dispose of any and all claims, liabilities, disputes, demands, or causes of action which were, or could have been, asserted in the present litigation, as relates to Lisa Hicks' child care organization located at 3596 Harper Rd., Mason, Michigan 48854, up to the date upon which this Agreement becomes fully executed. Nothing in this

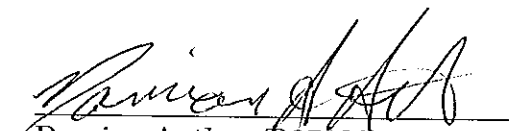
agreement shall preclude the Department from introducing evidence of Lisa Hicks' licensing history in future proceedings.

The terms of this Agreement are contractual in nature, and are binding on all parties. This Agreement represents the complete understanding of the parties and will be binding upon the parties, their representatives, successors, and assigns. No other promises or agreements will be binding between the parties unless in writing and signed by the parties. The parties acknowledge that they fully understand the content and legal consequences of this Agreement.



Katherine J. Bennett (P75913)
Attorney for Plaintiff Department of
Licensing and Regulatory Affairs

12/7/2015
Dated



Damian Anthes (P67138)
Attorney for Defendant Lisa Hicks

12/3/15
Dated

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STIPULATED ORDER FOR DISMISSAL OF CLAIMS

At a session of said court, held in the City of Lansing
County of Ingham, State of Michigan
on the 11 day of Dec, 2015

PRESENT: Hon. Rosemarie Aquilina
Circuit Court Judge

This Court has been advised that a settlement agreement has been entered into by Plaintiff, Attorney General Bill Schuette *ex rel*, the Michigan Department of Licensing and Regulatory Affairs, and Defendant Lisa Hicks. Further, this Court is advised that the terms of the settlement agreement expressly anticipate entry of this stipulated order of dismissal resolving all claims among these parties related to the property described in the complaint in the above-captioned litigation:

3596 Harper Road, Mason, Michigan 48854.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. Lisa Hicks will not operate a child care organization, as defined at MCL 722.111, at her home located at 3596 Harper Rd., Mason, Michigan 48854, without a license or certificate of registration issued by the Department.
2. Lisa Hicks will remove all online advertisements for a child care business that are under her control. Online advertisements under her control include, but are not limited to, Lisa Hicks' advertisement on www.care.com.
3. If the Department receives information indicating that Lisa Hicks is operating a child care organization as defined at MCL 722.111, without a license or certificate of registration issued by the Department, the Department will notify Lisa Hicks of the allegations and Lisa Hicks will cooperate with the Department's investigation of any such allegations.
4. If, at any point in the future, the Department substantiates that Lisa Hicks has operated a child care organization as defined at MCL 722.111, after the entry of this order and without a license or certificate of registration issued by the Department, Lisa Hicks will pay the Department the \$150.00 filing fee for the

above-captioned lawsuit and any other costs incurred in seeking enforcement of this agreement. Otherwise, the parties will bear their respective costs and fees.

4. All claims in the above-captioned matter are hereby DISMISSED with prejudice, and this Court does not retain jurisdiction.

THIS ORDER resolves the last issue and closes the case.

IT IS SO ORDERED.

JUDGE ROSEMARIE E. AQUILINA

HON. Rosemarie Aquilina
Circuit Court Judge

We Stipulate to Entry of the Above Order.

Katherine J. Bennett
Katherine J. Bennett (P75913)
Attorney for Plaintiff Department of
Licensing and Regulatory Affairs

12/7/2015
Dated

Damian Anthes
Damian Anthes (P67138)
Attorney for Defendant Lisa Hicks

12/3/15
Dated