

20-001579-NO FILED IN MY OFFICE Cathy M. Garrett WAYNE COUNTY CLERK 11/9/2020 10:59 AM Lori Fletcher

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| STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY | REQUEST FOR HEARING ON A MOTION (PRAECIPE) ORDER/ADJOURNMENT | CASE NO. 20-001579-NO |
|--|---|----------------------------------|

2 Woodward Ave., Detroit MI 48226

Courtroom 1007 CAYMC

Court Telephone No. 313-224-2444

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| Plaintiff name and address Brien Dux |
| Plaintiff's attorney, bar no., address, and telephone no. James Varchetti, P-79606 PO Box 2305 Mount Clemens, MI 48046-2305 |

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| Defendant name and address The Roman Catholic Archbishop of the Archdiocese of Detroit |
| Defendant's attorney, bar no., address, and telephone no. Donovan Asmar, P-77951 201 W Big Beaver Rd Ste 500 Troy, MI 48084-4160 (248) 743-6033 |

v

List additional attorneys on other side

1. Motion Title: Defendants' Motion for Summary Disposition

2. Moving Party: Defendants

Telephone No. (313) 259-7777

3. Please place on the motion calendar for:

20-001579-NO
FILED IN MY OFFICE
WAYNE COUNTY CLERK
10/26/2020 3:23:15PM
CATHY M. GARRETT
/s/ Lori Fletcher

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|-------------------------------------|----------------------|-------------------------|----------------------|
| Judge Dana Margaret Hathaway | Bar No. 68588 | Date: 11/ 6/2020 | Time: 9:00 AM |
|-------------------------------------|----------------------|-------------------------|----------------------|

Adj. To: _____ Adj. To: _____ Adj. To: _____

Comment

4. I certify that I have had personal contact with **plaintiffs' counsel** on **10/ 5/2020** regarding concurrence in the relief sought in this motion and that concurrence has been denied or that I have made responsible and diligent attempts to contact counsel requesting concurrence with motion.

Date: **10/8/2020**

Attorney: **Thomas J. Rheume**

Bar No. **74422**

Motions, although scheduled for hearing, will be decided without oral argument unless Court instructs otherwise.

ORDER/ADJOURNMENT

Pursuant to MCR 2.119(E)(3), the Court shall dispense with oral argument and render its decision based upon the pleadings e-filed with the Court unless otherwise ordered below and hereby finds:

IT IS ORDERED THAT THIS MOTION IS:

- ORAL ARGUMENT IS ORDERED via ZOOM on _____ at _____ am/pm
- DENIED TAKEN UNDER ADVISEMENT A written or oral decision will be rendered by _____
- GRANTED GRANTED IN PART / DENIED IN PART DISMISSED IT IS FURTHER ORDERED

Plaintiff's amended complaint is hereby dismissed as Plaintiffs have failed to assert a valid cause of action in this court.

/s/ Dana Margaret Hathaway

Date 11/9/2020

THIRD CIRCUIT COURT JUDGE