

## AGENDA REPORT

TO: Mayor & City Commissioners  
FROM: Diane Schmidt, City Clerk  
DATE: March 10, 2010  
RE: \*Communications

For the Agenda March 15, 2010

**\*Note: This is a Consent Agenda item and is considered as routine by the City Commission. As such, this matter shall be automatically enacted by one motion with all other Consent Agenda items unless a Commissioner or citizen requests this item be individually discussed, in which event it shall be removed from the Consent Agenda and considered and acted upon in its designated sequence on the approved Clare City Commission agenda of March 15, 2010.**

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The following major items of correspondence were either received by or transmitted by the City since the last regularly scheduled City Commission meeting:

Correspondence from Plunkett & Clooney. The City received the attached Order Granting Defendants' Motion for Summary Disposition.

Attachments. As noted above.

ccdf

**PLUNKETT**  **COONEY**

February 17, 2010

**RECEIVED**

FEB 18 2010

JAYNIE SMITH HOERAUF, P.C.

Elizabeth Rutherford  
MMLLPP  
3501 Lake Eastbrooke, Ste 150  
Grand Rapids, MI 49056

Jaynie Hoerauf  
Jaynie Smith Hoerauf, P.C.  
601 Beech Street  
P.O. Box 67  
Clare, MI 48617

Re: Richard Bancroft v City of Clare, et al  
Your File No: 100GL0902739

Dear Ms. Rutherford and Ms. Hoerauf:

Enclosed please find a hard copy of the Order Granting Defendants' Motion for Summary Disposition as a follow up to my email.

If you have questions or concerns, please do not hesitate to contact us.

Very truly yours,

PLUNKETT COONEY

*Gene Hullinghorst*

Gene Hullinghorst  
Direct Dial: (517) 324-5607

GH/lr  
Enclosures  
cc: Chief Dwayne Miedzianowski (w/encl)

Branches.00560.94391.1915119-1

ATTORNEYS & COUNSELORS AT LAW

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STATE OF MICHIGAN  
IN THE 80TH DISTRICT COURT FOR THE COUNTY OF CLARE

RICHARD BANCROFT,

Plaintiff,

-vs-

Case No: 09-4958-GC

Judge Joshua M. Farrell

CITY OF CLARE, POLICE DEPARTMENT,  
OFFICER JEREMY MCGRAW,

Defendants.

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Richard Bancroft, In Pro Per  
1064 N. Clare Avenue  
Harrison, MI 48625-9193  
(989) 539-3070

David K. Otis (P31627)  
Gene Hullinghorst (P45557)  
PLUNKETT COONEY  
Attorneys for Defendant  
325 E. Grand River Ave, Ste 250  
East Lansing, MI 48823  
(517) 324-5612

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ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY DISPOSITION

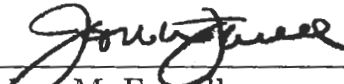
At a session of said court held in the Circuit  
Courtrooms, City of Harrison, Clare County,  
Michigan on this 17<sup>th</sup> day of February, 2010.

PRESENT: THE HONORABLE JOSHUA M. FARRELL  
District Judge

This matter having come before the court on Defendants' Motion for  
Summary Disposition, the court having considered the brief submitted and oral  
argument, and the court being fully advised in the premises,

**IT IS ORDERED** that Defendants' Motion for Summary Disposition is  
hereby **GRANTED** for the reasons stated on the record.

This resolves all pending claims and closes the case.

  
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Joshua M. Farrell  
District Judge