

STATE OF MICHIGAN  
CIRCUIT COURT FOR THE 22ND JUDICIAL CIRCUIT  
WASHTENAW COUNTY

**COPY**

JOHN DOE 1; JOHN DOE 2, JOHN DOE 3,  
JOHN DOE 5; JOHN DOE 6; and next friends  
of minors JOHN DOE 4 and JOHN DOE 7, on  
behalf of themselves and a class of others  
similarly situated,

No. 13-1196-CZ

HON. CAROL KUHNKE

Plaintiffs,

**ORDER DENYING  
DEFENDANTS' MOTION FOR  
SUMMARY DISPOSITION  
FILED UNDER MCR  
2.116(C)(8)**

v

MICHIGAN DEPARTMENT OF  
CORRECTIONS (MDOC), RICK SNYDER,  
DANIEL H. HEYNS, THOMAS FINCO,  
DENNIS STRAUB, RANDY TREACHER,  
WILLIE SMITH, HEIDI WASHINGTON,  
MARY BERGHUIS, PAUL KLEE, JOHN  
PRELESNIK, CATHLEEN STODDARD,  
CINDI S. CURTIN, DAVID BERGH,  
JEFFREY WOODS, ROBERT NAPEL, and  
KENNETH MCKEE,

Defendants.

Deborah LaBelle (P31595)  
Anlyn Addis (P76568)  
Attorneys for Plaintiffs  
221 N. Main St., Ste. 300  
Ann Arbor, MI 48104  
(734) 996-5620

A. Peter Govorchin (P31161)  
Clifton B. Schneider (P70582)  
John L. Thurber (P44989)  
James T. Farrell (P35400)  
Cori Barkman (P61470)  
Michigan Department of Attorney General  
Attorneys for Defendants

Michael L. Pitt (P24429)  
Peggy Goldberg Pitt (P31407)  
Cary S. McGehee (P42318)  
Pitt McGehee Palmer Rivers & Golden, PC  
Attorneys for Plaintiffs  
117 W. Fourth St., Ste. 200  
Royal Oak, MI 48067  
(248) 398-9800

Corrections Division  
P.O. Box 30217  
Lansing, MI 48909  
(517) 335-7021

Richard A. Soble (P20766)  
Soble Rowe Krichbaum LLP  
Attorney for Plaintiffs  
221 N. Main St., Ste. 200  
Ann Arbor, MI 48104  
(734) 996-5600

Jennifer B. Salvatore (P66640)  
Nakisha Chaney (P65066)  
Edward Macey (P72939)  
Nacht Roumel Salvatore  
Blanchard & Walker, PC  
Attorneys for Plaintiffs  
101 N. Main St., Ste. 555  
Ann Arbor, MI 48104  
(734) 663-7550

**ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY  
DISPOSITION FILED UNDER MCR 2.116(C)(8)**

At a session of said Court held in Ann Arbor, Michigan on April 30, 2014.

PRESENT: HONORABLE CAROL KUHNKE

Defendants having moved for summary disposition pursuant to MCR 2.116(C)(8), and after oral arguments in open Court on April 23, 2014, and the Court being advised in the premises,

IT IS ORDERED that Defendants' Motion for Summary Disposition pursuant to MCR 2.116(C)(8) is DENIED. The Court finds, for the reasons stated on the record, MCL 37.2301(b) to be unconstitutional, as a violation of the equal protection clause of the Michigan and United States Constitutions, *in that it deprives prisoners of equal protection of the law.*



HON. CAROL KUHNKE  
Circuit Court Judge

APPROVED AS TO FORM:

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Deborah LaBelle (P31595)  
Attorney for Plaintiffs

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A. Peter Govorchin (P31161)  
Attorney for Defendants