



STATE OF MICHIGAN
 EXECUTIVE OFFICE
 LANSING

RICK SNYDER
 GOVERNOR

BRIAN CALLEY
 LT. GOVERNOR

**IN THE SUPREME COURT OF THE
 STATE OF MICHIGAN**

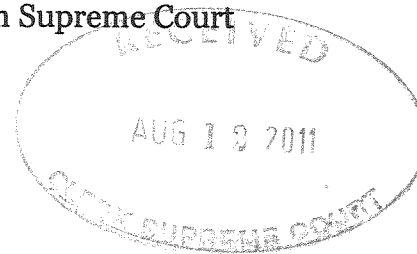
Executive Message of Governor Rick Snyder

TO: The Honorable Chief Justice and Justices of the Michigan Supreme Court

FROM: Rick Snyder
 Governor

DATE: August 12, 2011

RE: *Brown et al. v Richard D. Snyder, Governor, and Andrew Dillon, Treasurer, Ingham County Circuit Court No. 11-685-CZ*
 Gubernatorial request for early determination under MCR 7.305(A)



The above-captioned Ingham County Circuit Court case, pending before Circuit Judge Rosemarie Aquilina, seeks declaratory and injunctive relief while challenging the constitutionality of the Local Government and School District Fiscal Accountability Act, 2011 PA 4, MCL 141. 1501 *et seq.* (the “Emergency Manager law”). This lawsuit is a facial challenge to the Act requiring no factual development.¹

Severe financial difficulties face Michigan’s local governments and school districts,² requiring swift resolution of the constitutional claims presented in this litigation. Emergency managers are already in place to address fiscal crises in several Michigan communities and the Detroit Public Schools, and the validity of those managers’ actions may well depend on the Act’s constitutionality. As Governor, I submit that this constitutional challenge involves controlling questions of public law of such public moment as to require early and final determination by the Michigan Supreme Court. Passage of the Emergency Manager law was intended to confront structural financial problems facing our communities and school districts, and the Act can serve as an essential tool to address the austere fiscal realities local units of government face after a decade of economic challenges. Without a bypass, this lawsuit may take years to reach finality, regardless of the substantive disposition of this case; the subject matter requires an expeditious resolution. Accordingly, as provided by MCR 7.305(A), I respectfully request that this Court certify the questions presented here and move to resolve this lawsuit as expeditiously as possible.

¹ See complaint attached. An answer and affirmative defenses was filed on July 20, 2011.

² In this message school districts and their officials are not referred to separately, but are included within references to local units and their officials.

Background

The Emergency Manager law was passed and given immediate effect on March 16, 2011. The Act expanded the authority of emergency managers appointed under Public Act 72 of 1990, and it provides for the appointment of additional emergency managers for those local governments and school districts that meet the statutory criteria. The earlier emergency manager legislation, repealed by 2011 PA 4, was responsible for the appointment of emergency financial managers in seven Michigan communities, in addition to an emergency financial manager appointment for the Detroit Public School District in 2009.

Plaintiffs consist of 28 Michigan residents from around the state, including 11 from Detroit and vicinity, 4 from Pontiac, 2 from Benton Harbor, 2 from the Flint area, 1 from Jackson, 1 from Ann Arbor, 6 from Western Michigan, and 1 from the Upper Peninsula. The complaint alleges that the Act violates nine provisions of the 1963 Michigan Constitution, concentrating on those provisions of the Act that allow the emergency manager to suspend the authority of, and act in the place of, local officials.

Complaint

Count I asserts that the Act violates Const. 1963, art 3, § 2 and art 4, § 1 by delegating legislative powers to executive branch agencies and officials as well as private contractors, thus violating the separation of powers doctrine and the nondelegation doctrine. Count I refers to sections 14a, 15, 17, and 19 of the Act.

Count II asserts that the Act violates art 4, § 29, the local acts clause, “through provisions providing for consent agreements, without a finding of local financial emergency, that permit the state treasurer to delegate sole discretionary power to adopt local acts to a local government’s chief administrative officer, the chief financial officer, or other executive officers of the local government.” (Compl at 75.) Count II refers to sections 14a, 17, and 19 of the Act.

Count III asserts that the Act violates art 7, § 22, the rights of local electors, through provisions “providing for consent agreements that, without a finding of local financial emergency, permit the state treasurer to delegate sole discretionary power to a local government’s chief administrative officer, the chief financial officer, or other executive officers of the local government . . . to effectively suspend and/or implicitly repeal, the provisions of city and village charters.” (Compl at 80.) Count III refers to sections 14a, 15, 17, and 19 of the Act.

Count IV asserts that the Act violates art 1, § 17 and §23, and art 7, § 21, § 22, and § 34, based on local citizens’ procedural due process “during repeal of local charter provisions and during the repeal, amendment, and adoption of local ordinances” (Compl at 84), and violates local citizens’ “substantive due process rights to a republican form of local government and to choose the officials of local government by democratic elections” (Compl at 85). Additionally, Count IV asserts a violation of the “due process

clause, the retained rights clause, and the inherent rights of the people” by delegating the powers of an emergency manager to a local government’s chief administrative or financial officer, or other executive officers. (Compl at 88.) Count IV refers to sections 15, 17, and 19 of the Act.

Count V asserts the Act violates art 9, § 29 of the Headlee amendment by “imposing new and increased activities upon local government without making an appropriation and disbursement to pay for necessary increased costs to local government.” (Compl at 92.) Count V refers to section 15(5)(e) and (6), section 19(1)(o) and (p), and section 25(3), (4) and (5) of PA 4.

Controlling Questions at Issue

The following questions control the determination of this case:

1. Does 2011 PA 4 violate 1963 Const art 3, § 2 (separation of powers), or art 4, § 1 (legislative power), in its authorization of an emergency manager or a consent-agreement-designated local official to exercise powers of a local unit, including adopting, amending, and repealing local ordinances, to address the local unit’s debilitated financial condition, notwithstanding the provisions of local charters and ordinances?

2. Does 2011 PA 4 violate Const. 1963, art 4, § 29 (local or special acts), by permitting actions by an emergency manager or by a consent-agreement-designated local official to exercise powers of a local unit, including adopting, amending, and repealing local ordinances, to address the local unit’s debilitated financial condition, notwithstanding the provisions of local charters and ordinances?

3. Does 2011 PA 4 violate Const 1963, art 7, § 22 (charters, resolutions, ordinances; enumeration of powers) by allowing an emergency manager or a consent-agreement-designated local official to exercise powers of a local unit, including adopting, amending, and repealing local ordinances, to address the local unit’s debilitated financial condition, notwithstanding the provisions of local charters and ordinances?

4. Does 2011 PA 4 violate due process rights set forth in Const. 1963, art 1, § 17, or violate any right that is retained in Const 1963, art 1, § 23, by allowing an emergency manager or a consent-agreement-designated local official to assume the power and authority of a local governing body, including enacting or repealing local laws and ordinances, notwithstanding the provisions of local charters and ordinances?

5. Does 2011 PA 4 violate Const. 1963, art 7, §§ 21, 22, and 34 (provisions for local government) by allowing an emergency manager or a designated local official to assume the power and authority of a local governing body to act as a local governing body, including enacting or repealing local laws and ordinances, notwithstanding the

provisions of local charters and ordinances?

6. Does 2011 PA 4 impose new or increased activities or services on local governments in violation of the Headlee Amendment, Const 1963, art 9, § 29, by requiring the local government for which the emergency manager is appointed to pay for certain costs associated with the emergency manager?

Conclusion

This is a difficult period for state and local governments and school districts. I recognize the significance of seeking a bypass to this Court as provided by MCR 7.305, and only request this Court's involvement after careful consideration of the urgency and importance of the issues presented here. I do not anticipate additional review requests in the immediate future and sincerely appreciate the Court's granting of review in accord with my previous request regarding the issues related to the exemption for retirement income.

As Governor, I submit that this constitutional challenge involves controlling questions of public law of such public moment as to require early and final determination by the Michigan Supreme Court. I respectfully request this Court to order the lower court to certify the above questions. I further request, as provided for by MCR 7.305, that this Court stay all lower court proceedings pending resolution of the certified questions.

Respectfully submitted,



Rick Snyder
Governor

Attachment

REC'D JUN 24 REC'D *lym*

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT 30th JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO. <i>11685CZ</i>
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Court address: Veterans Memorial Courthouse 313 W. Kalamazoo Street 2nd Floor Lansing, MI
 Court telephone no.: ROSEMARIE E. AQUILINA (517) 483-6500

Plaintiff's name(s), address(es), and telephone no(s).
 BROWN, et. al.

v

Defendant's name(s), address(es), and telephone no(s).
 RICHARD D. SNYDER, as Governor of the
 STATE OF MICHIGAN, and ANDREW DILLON,
 as the TREASURER OF THE STATE OF
 MICHIGAN.

Plaintiff's attorney, bar no., address, and telephone no.
 John C. Philo (P52721)
 Anthony D. Paris (P71525)
 Sugar Law Center For Economic & Social Justice
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 Detroit, MI 48201 (313) 993-4505

Governor Richard D. Snyder
 George W. Romney Building
 111 South Capitol Avenue
 Lansing, MI 48933
 (517) 373-6800

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111(C))
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued JUN 22 2011	This summons expires SEP 21 2011	Court clerk MIKE BRYANTON
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*This summons is invalid unless served on or before its expiration date.
 This document must be sealed by the seal of the court.

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

Family Division Cases

There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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General Civil Cases

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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VENUE

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Place where action arose or business conducted	

Date 6/22/11

Signature of attorney/plaintiff *[Signature]*

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

Elizabeth Brown, Tameka Ramsey,
Emma Kinnard, Hon. Juanita Henry,
Barbara Ford, Edith Lee-Payne,
Evelyn Foreman, Jacqueline Steingold,
Leslie Little, Michelle Martinez,
Suzanne Sattler IHM, Barbara Davenport,
Irene Wright, Patrick O'Connor, Paul Jordan,
Michael Merriweather, Marcia Sikora,
Ahmina Maxey, Maryion Lee,
Lisa Oliver-King, Kimberly Spring,
Brenda Reeber, George Reeber,
David Frederick, John David Ivers,
Lori Christenson, Betsy Coffia
and James Clancey,

Plaintiffs,

vs.

RICHARD D. SNYDER, as Governor of the
STATE OF MICHIGAN, and ANDREW DILLON,
as the TREASURER OF THE STATE OF
MICHIGAN.

Defendants.

Case No. 11-68502
Hon. _____
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Brandon M. Stump (P74418)
GOODMAN & HURWITZ PC on behalf of
the DETROIT & MICHIGAN NATIONAL
LAWYERS GUILD
1394 E Jefferson Ave

unelected official and that this official's orders, appointments, expenditures, and other decisions are not reviewable by local elected officials or local voters.

3. On its face and in practice, the Act violates the rights of local voters by delegating law-making power and the power to adopt local acts to unelected emergency managers, by suspending the rights of local electors to establish charters and to elect local officials, and by imposing substantial new costs and expenses upon local municipalities without providing new revenue.

4. The Act thereby violates Art. I, § 17, Art. I, § 23, Art. III, § 2, Art. IV, §§ 1 & 29, Art. VII, §§ 21, 22, & 34, and Art. IX, § 29 of the Michigan Constitution.

JURISDICTION AND VENUE

5. Jurisdiction is conferred by MCL § 600.601 and § 600.605 and by MCR, Rule 2.605.

6. Venue is proper pursuant to MCL §600.1615, since the offices of the Governor and State Treasurer exercise governmental authority within this county and judicial circuit.

PARTIES

7. Plaintiff Elizabeth Brown is a citizen of the United States and a resident of the City of Jackson, County of Jackson, and State of Michigan.

8. Plaintiff Tameka Ramsey is a citizen of the United States and a resident of the City of Pontiac, County of Oakland, and State of Michigan.

9. Plaintiff Emma Kinnard is a citizen of the United States and a resident of the City of Benton Harbor, County of Berrien, and State of Michigan.

10. Plaintiff Hon. Juanita Henry is a current City Commissioner of the City of Benton Harbor and is a citizen of the United States and a resident of the City of Benton Harbor, County

22. Plaintiff Michael Merriweather is a citizen of the United States and a resident of the City of Ann Arbor, County of Washtenaw, and State of Michigan.
23. Plaintiff Marcia Sikora is a citizen of the United States and a resident of the City of Farmington Hills, County of Oakland, and State of Michigan.
24. Plaintiff Ahmina Maxey is a citizen of the United States and a resident of the City of Ferndale, County of Oakland, and State of Michigan.
25. Plaintiff Maryion Lee is a citizen of the United States and a resident of the City of Flushing, County of Genesee, and State of Michigan.
26. Plaintiff Lisa Oliver-King is a citizen of the United States and a resident of the City of Grand Rapids, County of Kent, and State of Michigan.
27. Plaintiff Kimberly Spring is a citizen of the United States and a resident of the City of Grand Rapids, County of Kent, and State of Michigan.
28. Plaintiff Brenda Reeber is a citizen of the United States and a resident of the City of Ludington, County of Mason, and State of Michigan.
29. Plaintiff George Reeber is a citizen of the United States and a resident of the City of Ludington, County of Mason, and State of Michigan.
30. Plaintiff David Frederick is a citizen of the United States and a resident of the City of Montague, County of Muskegon, and the State of Michigan.
31. Plaintiff John David Ivers is a citizen of the United States and a resident of the City of St. Clair Shores, County of Macomb, and State of Michigan.
32. Plaintiff Lori Christenson is a citizen of the United States and a resident of the City of Southfield, County of Oakland, and State of Michigan.

- d) Suspending the rights of local electors to a republican form of government and to elect the officials of local government through democratic elections; and
- e) Imposing substantial new costs upon local municipal corporations without providing offsets or additional revenue streams to affected communities.

39. Prior to 1988, local government was placed into receivership by the courts, not the state legislature or executive branch. Compensation for court-appointed receivers was derived from property that the courts placed within the care of the receiver. *Fisk v Fisk*, 333 Mich 513 (1952).

40. In 1990, the legislature passed the Local Government Fiscal Responsibility Act, Act No. 72, Public Acts of 1990 (the former Act). This statute authorized state officials to intervene when local governments were facing a financial emergency. Pursuant to the former Act, when a financial emergency was found to exist and there existed no satisfactory plan to resolve the emergency, an emergency financial manager could be appointed by a state board.

41. In February of 2011, the bill for the Local Government and School District Fiscal Accountability Act (the Act) was enrolled and fast-tracked through the Michigan legislature.

42. The Local Government and School District Fiscal Accountability Act bill was presented to the Governor for signature approximately one month after its introduction before the legislature.

43. Governor Richard D. Snyder signed the Local Government and School District Fiscal Accountability Act into law on March 16, 2011.

44. The Local Government and School District Fiscal Accountability Act (the Act) replaced the Local Government Fiscal Responsibility Act (the former Act) and radically revised state law.

51. The provisions of the Local Government and School District Fiscal Accountability Act establish a form of local government that is repugnant to the constitutional liberties of Americans under settled law, as well as the rule of law itself. Under this new form of government, the people become subject to a form of governance where an unelected local official wields absolute power over all aspects of local government and whose decisions are without review by either local elected officials or local voters.

52. Without limiting standards, the Act delegates the state legislature's general legislative powers to emergency managers. The Act delegates such powers through provisions that vest emergency managers with sole discretionary power and authority to:

- a. Contravene, and thereby implicitly repeal, local laws such as city and village charters and ordinances; and
- b. Explicitly repeal, amend, and enact local laws such as city and village ordinances.

53. The Michigan Constitution of 1963, Art. III, § 2, prohibits executive branch officials from exercising general legislative power granted to the state legislature by Art. IV, § 1.

54. The Michigan Constitution of 1963, Art. IV, § 1, vests the state senate and house of representatives with general legislative power.

55. The Act grants emergency managers greater power than the state legislature possesses regarding the adoption and repeal of local acts. The Act grants such power through provisions that seek to vest emergency managers with sole discretionary power and authority to:

- a. Contravene, and thereby implicitly repeal, local laws such as city and village charters and ordinances; and

government and to choose the officials of local government by democratic elections throughout the time that corporate body of local government remains in existence.

61. Under the Michigan Constitution of 1963, Art. VII, §§ 21, 22, and 34, local electors possess an inherent right to a republican form of local government and to choose the officials of local government by democratic elections throughout the time that corporate body of local government remains in existence.

62. Under the Michigan Constitution of 1963, Art. I, § 23, local electors possess a retained right to a republican form of local government and to choose the officials of local government by democratic elections throughout the time that corporate body of local government remains in existence.

63. The Act requires local governments to increase activities and incur necessary expenses by requiring local governments to fund emergency managers, their staffs, auditors, financial review teams, technical advisors, consultants, firms, and other expenses incurred when complying with the mandated activities of the Act.

64. In 1978, the Michigan Constitution was amended to include Art. IX, § 29, which prohibits the state from mandating new activities or services upon units of local government without making a state appropriation of funds to be disbursed to local government to pay for any increased costs.

65. At the time of filing, emergency managers have been appointed over the cities of Benton Harbor, Ecorse, and Pontiac and over the Detroit Public Schools. As such, these emergency managers are currently exercising powers unconstitutionally granted by the Local Government and School District Fiscal Accountability Act.

doctrine through provisions of the statute that, without reasonably precise limiting standards, delegate to emergency managers sole discretionary legislative power and authority to:

- a. Act for and in the place and stead of the local governing body of cities and villages over matters unrelated to the financial emergency and unrelated to the fiscal policies, practices, and circumstances of the local government. See provisions including but not limited to MCL §141.1515(4); §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2);
- b. Contravene, and thereby implicitly repeal, local laws such as city and village charters and ordinances; See provisions including but not limited to MCL §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2); and
- c. Explicitly repeal, amend, and enact local laws such as city and village ordinances. See provisions including but not limited to MCL §141.1519 (1) (dd).

WHEREFORE, Plaintiffs request that this Court order declaratory relief and declare that the Local Government and School District Fiscal Accountability Act, Act No. 4, Public Acts of 2011, MCL § 141.1501 *et seq.*, unconstitutionally delegates legislative power to the emergency manager, and that this Court provide injunctive relief restraining present and future emergency managers appointed under the Act from implementing or exercising authority and powers purportedly conveyed by §141.1514a (9), §141.1515(4), §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2).

MCL §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2);
and

- b. Explicitly repeal, amend, and enact local laws such as city and village ordinances. See provisions including but not limited to MCL §141.1519(1)(dd).

WHEREFORE, Plaintiffs request that this Court order declaratory relief and declare that the Local Government and School District Fiscal Accountability Act, Act No. 4, Public Acts of 2011, MCL § 141.1501 *et seq.*, violates Article IV, §29 of the Michigan Constitution, and that this Court provide injunctive relief restraining present and future emergency managers appointed under the Act from implementing or exercising authority and powers purportedly conveyed by §141.1514a (9), §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2).

COUNT III – Constitutional Violation
1963 Const. Art. VII, § 22
Electors’ Right to Form Charter

77. Plaintiff incorporates by reference paragraphs 1 through 76 above as though fully stated herein.

78. The Michigan Constitution of 1963 at Article VII, §22 vests city and village electors with exclusive power to “frame, adopt and amend its charter, and to amend an existing charter of the city or village heretofore granted or enacted by the legislature for the government of the city or village.”

79. Once a city or village is incorporated and so long as it continues to exist, its charter constitutes local law that is required to be followed by all public officials, the local governing body, and all persons within the local government’s jurisdiction.

COUNT IV – Constitutional Violation
1963 Const. Art. I, §§ 17 & 23 and Art. VII, §§ 21, 22 & 34
Electors Rights to Republican Form of Local Government and
to Elect Local Government Officials

82. Plaintiff incorporates by reference paragraphs 1 through 81 above as though fully stated herein.

83. The Michigan Constitution of 1963 at Article I, § 17 provides that no person shall be deprived of liberty or property without due process of law. The Constitution's due process clause protects the rights of persons to both procedural and substantive due process.

84. Michigan's due process clause requires that local governments observe procedural due process during the repeal of local charter provisions and during the repeal, amendment, and adoption of local ordinances.

85. Michigan's due process clause protects local citizens' substantive due process rights to a republican form of local government and to choose the officials of local government by democratic elections throughout the time that corporate body of local government remains in existence.

86. The Michigan Constitution of 1963 at Article I, § 23 recognizes and protects rights retained by the people of the state of Michigan. The retained rights of the people include a right to a republican form of local government and to choose the officials of local government by democratic elections throughout the time that corporate body of local government remains in existence.

87. The Michigan Constitution of 1963 at Article VII, §§ 21, 22 & 34 establishes the rights of the people of the state of Michigan to local government. Michigan citizens' right to local government inherently vests citizens with a right to a republican form of local government

repeal, amend, and enact local laws such as city and village ordinances. See provisions including but not limited to MCL §141.1515(4); §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2); and

- d. Emergency managers sole discretionary power and authority to overrule and supersede and assume all the powers and authority of the local governing body and of all local elected officials over matters unrelated to the financial emergency and unrelated to the fiscal policies, practices, and circumstances of the local government. See provisions including but not limited to MCL §141.1515(4); §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2).

WHEREFORE, Plaintiffs request that this Court order declaratory relief and declare that the Local Government and School District Fiscal Accountability Act, Act No. 4, Public Acts of 2011, MCL § 141.1501 *et seq.*, violates Article I, § 17 of the Michigan Constitution, and that this Court provide injunctive relief restraining present and future emergency managers appointed under the Act from implementing or exercising authority and powers purportedly conveyed by MCL §141.1514a (9), §141.1515(4), §141.1517(1), §141.1519(1) (dd), (ee), and (ff) and §141.1519(2).

COUNT V – Constitutional Violation
1963 Const. Art. IX, § 29
Headlee Amendment

89. Plaintiff incorporates by reference paragraphs 1 through 88 above as though fully stated herein.

90. In 1978, the Headlee Amendment to the Michigan Constitution of 1963 at Article IX, § 29 was enacted to prohibit the state from:

personnel hired at the discretion of the emergency manager; See MCL§141.1515(6) and §141.1519(1)(o) and (p);

- c. Requiring the local government to pay the costs and expenses of the attorney general to defend in civil lawsuits brought against the emergency manager; See MCL §141.1525(3);
- d. Requiring local government to pay general liability insurance, professional liability insurance, workers compensation insurance, automobile insurance, and other insurance for the benefit of the emergency manager and any employee, agent, appointee, or contractor of the emergency manager; See MCL §141.1525(4); and
- e. Requiring local government to pay for attorney fees and all costs of civil litigation brought against the emergency manager and any employee, agent, appointee, or contractor of the emergency manager if such expenses are not covered by applicable insurance policies; See MCL §141.1525(5);

WHEREFORE, Plaintiffs request that this Court order declaratory relief and declare that the Local Government and School District Fiscal Accountability Act, Act No. 4, Public Acts of 2011, MCL § 141.1501 *et seq.*, violates IX, § 29 of the Michigan Constitution, and that this Court provide injunctive relief restraining present and future emergency managers appointed under the Act from implementing or exercising authority and powers purportedly conveyed by MCL §141.1515(5)(e) and (6), §141.1519(1)(o) and (p), and §141.1525(3), (4) and (5).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Elizabeth Brown, Tameka Ramsey, Emma Kinnard, Hon. Juanita Henry, Barbara Ford, Edith Lee-Payne, Evelyn Forman, Jacqueline Steingold, Leslie

Richard G. Mack, Jr. (P58657)
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Date: June 22, 2011