*If this opinion indicates that it is "FOR PUBLICATION," it is subject to revision until final publication in the Michigan Appeals Reports.*

# STATE OF MICHIGAN

# COURT OF APPEALS

HASSAN M. AHMAD,

Plaintiff-Appellee,

v

UNIVERSITY OF MICHIGAN,

Defendant-Appellant.

UNPUBLISHED
February 12, 2026
10:53 AM

No. 374801
Court of Claims
LC No. 17-000170-MZ

Before: GADOLA, C.J., and CAMERON and RICK, JJ.

GADOLA, C.J. (*concurring*).

I concur in the result of the majority opinion because I agree that we are bound to follow this Court's earlier ruling in *Ahmad v Univ of Mich*, unpublished per curiam opinion of the Court of Appeals, issued June 20, 2019 (Docket No. 341299), 1-2 (*Ahmad I*) under the law of the case doctrine, and because I am unpersuaded by defendant's alternative arguments for reversal of the Court of Claims. I write separately to express my firm belief that *Ahmad I* was incorrectly decided. I agree with Chief Justice McCormack's dissenting statement in *Ahmad v Univ of Mich*, 507 Mich 917 (2021) (*Ahmad II*) that the documents at issue in this case are not public records for purposes of the Michigan Freedom of Information Act (FOIA). Being unable to improve upon Chief Justice McCormack's cogent legal analysis, I will leave the reader to an enjoyment of it and also urge our Supreme Court to adopt that analysis and overrule this Court's decision in *Ahmad I*.

/s/ Michael F. Gadola