Court of Appeals, State of Michigan

ORDER

IN RE BLACK

Docket No. 376289

Michelle M. Rick
Presiding Judge

Sima G. Patel

Philip P. Mariani
Judges

The "Motion to Stay Sanctions Pending Application for Leave to Appeal in the Michigan Supreme Court" is DENIED.

Defendants having moved for sanctions in this Court and plaintiff having responded to that motion, this Court determined that plaintiff filed the complaint in violation of MCR 1.109(E)(5)(b) and (c) and ordered plaintiff to pay defendants' reasonable attorney fees and costs incurred defending this complaint as a sanction. See MCR 1.109(E)(6). This Court provided defendants with the opportunity to brief and submit evidence to establish the amount of their reasonable attorney fees and costs incurred defending the complaint and this Court provided plaintiff with the opportunity to contest the requested amount and the evidence in support. See *Vittiglio v Vittiglio*, 297 Mich App 391, 405-406; 824 NW2d 591 (2012) (noting the requirements of due process before imposing a sanction). In her brief in opposition to the requested fees, plaintiff did not contest the reasonableness of the hourly rate charged by defense counsel or the hours spent defending the matter. Because defendants' documentation is uncontested and adequate for this Court's review, it is unnecessary to hold an evidentiary hearing on the reasonableness of the requested fees. See *Sabbagh v Hamilton Psychological Servs, PLC*, 329 Mich App 324, 359; 941 NW2d 685 (2019). Accordingly, on the undisputed record evidence, we find that defendants incurred $4,372.50 in reasonable attorney fees and $309 in costs defending this action and we ORDER plaintiff to pay defendants the total of $4,681.50 as a sanction for filing the complaint in violation of MCR 1.109(E)(5)(b) and (c). See MCR 1.109(E)(6).

Michelle Rick

Presiding Judge

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

January 7, 2026
Date

Jerome W. Zimmer Jr.
Chief Clerk