Court of Appeals, State of Michigan

ORDER

ANGELA HILAL TOMA V PETER VALENTE JR

Docket No. 380554

LC No. 2023-519398-DM

Christopher M. Trebilcock
Presiding Judge

Stephen L. Borrello

Michael J. Riordan
Judges

The motion to waive fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.

The motion to file a reply to the answer to the motion to stay is GRANTED and the brief filed with the motion is accepted. The motion for stay pending appeal is DENIED.

Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court VACATES the trial court's March 24, 2026 order denying plaintiff's motion to dissolve Teisha Tann's attorney charging lien and the April 3, 2026 order denying reconsideration, and the Court REMANDS to the trial court for a determination of the reasonableness of Tann's fees. Contrary to Tann's timeliness arguments, the lien attached upon entry of the February 9, 2026 divorce judgment, see *George v Sandor M Gelman, PC*, 201 Mich App 474, 477; 506 NW2d 583 (1993), and plaintiff then promptly moved to dissolve the charging lien. While there was a contractual fee agreement between plaintiff and Tann, the attorney fees must nonetheless be reasonable, *Souden v Souden*, 303 Mich App 406, 415; 844 NW2d 151 (2013), and plaintiff did not waive her right to challenge the reasonableness of the fees. The trial court erred by failing to determine the reasonableness of Tann's fees, which included the $277,320.50 charging lien and an additional $115,000 already paid to Tann. See *id*. at 416-417. On remand, the trial court shall conduct proceedings to determine the reasonableness of Tann's fees. See *id*.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

Presiding Judge

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

October 16, 2026
Date

Chief Clerk