STATE OF MICHIGAN

COURT OF CLAIMS

AUDREY WEST and RANDY WEST,

Plaintiffs,

v

Case No. 18-000236-MZ

MICHIGAN DEPARTMENT OF NATURAL RESOURCES,

Hon. Randy J. Wallace

Defendant.
_____ /

ORDER REGARDING TAXABLE COSTS

On August 31, 2026, the Court entered an order of final judgment against defendant and in favor of plaintiffs. Before the Court is plaintiffs' motion to tax costs. After having considered plaintiff's motion and defendant's response, the Court grants the motion in part and denies the motion in part, finding as follows:

1. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Dr. Daniel Lee in the amount of $21,218.75, pursuant to MCL 600.6449(1);

2. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Dr. Gerald Shiener in the amount of $9,900.00, pursuant to MCL 600.6449(1);

3. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Dr. Brad Sewick (Spectrum Rehabilitation) in the amount of $22,327.10, pursuant to MCL 600.6449(1);

4. Plaintiffs' request to tax costs as to Dr. Williiam Dean is denied for lack of proof submitted;

5. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for James Fuller in the amount of $2,287.50, pursuant to MCL 600.6449(1);

6. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Dr. Michael Kapsokavathis in the amount of $9,475.00, pursuant to MCL 600.6449(1);

7. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Dr. Mark Mikula in the amount of $1,000.00, pursuant to MCL 600.6449(1);

8. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Dr. Daniel Park in the amount of $1,500.00, pursuant to MCL 600.6449(1);

9. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for Thomson Econometrics regarding damages pertaining to Audrey West in the amount of $2,975.00, pursuant to MCL 600.6449(1);

10. Plaintiffs' request for the taxation of costs incurred by plaintiffs for Thomson Econometrics regarding wage-loss damages pertaining to Randy West is denied because plaintiffs withdrew the wage-loss claim regarding Randy West;

11. Costs are taxed against defendant for expert witness fees incurred by plaintiffs for The Gingras Firm, LLC in the amount of $6,500.00, pursuant to MCL 600.6449(1);

12. Plaintiffs' request to tax costs for deposition transcripts is denied because MCL 600.6449(1) does not permit the taxation of such costs in the Court of Claims;

13. Plaintiffs' request to tax costs for filing fees is denied because MCL 600.6449(1) does not permit the taxation of such costs in the Court of Claims;

14. Plaintiffs' request to tax costs for fees incurred for service of process is denied because of lack of proof submitted indicating that these costs were incurred for the service of subpoenas as authorized by MCL 600.6449(1).

Pursuant to the above findings of the Court:

IT IS HEREBY ORDERED that taxable costs are awarded to plaintiffs, to be paid by defendant, in the total amount of $77,183.35.

This is a final order.

Date: September 3, 2026.

Hon. Randy J. Wallace
Judge, Court of Claims