STATE OF MICHIGAN

COURT OF CLAIMS

ALPHONSO CLARK,

Plaintiff,

v

Case No. 23-000067-MZ

STATE OF MICHIGAN,

Hon. Randy J. Wallace

Defendant.

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NOTICE OF TRIAL AND PRETRIAL ORDER

IT IS HEREBY ORDERED:

1. A **final pretrial phone conference** shall be held on **Tuesday, September 8, 2026 at 2:00 p.m.** The Court will initiate the call**.** The trial attorneys and persons with settlement authority must be on the call.
2. **Trial** will begin on **Tuesday, September 22, 2026, at 9:00 a.m. until 4:00 p.m., and resume on Wednesday, September 23, 2026, at 9:00 a.m., if needed.** Trial will be held at the Michigan Court of Appeals Courtroom A located at 3020 W. Grand Blvd, Suite 14-300, Detroit, MI 48202.
3. Fourteen days before trial, the parties must jointly prepare and file with the Court a Final Pretrial Statement providing the following:

    a) **Plaintiff's Theory:** Statement of claim or claims, including legal theories.
    b) **Defendant's Theory:** Statement of claim or claims, including legal theories.
    c) **Uncontested Facts:** A stipulation of all uncontested facts (including admissions).
    d) **Contested Facts:** A statement of the contested facts.
    e) **Relevant Law:** A list of the elements for each cause of action (with citation to authority).
    f) **Witnesses:** The names of all witnesses (including experts) intended to be called at trial.
    g) **Depositions:** A list of all depositions to be used at trial.
    h) **Damages:** An itemized statement of specific damages.
4. All **Exhibits** shall be provided to the Court 14 days before trial in the manner indicated below:
    a) The parties will meet and confer to prepare and assemble a joint Exhibit Book which contains all exhibits which will be offered at trial.
    b) Each exhibit and each page of each exhibit will be identified; for example: Plaintiff's Exhibit 1, Page 1 of 10; Plaintiff's Exhibit 1, Page 2 of 10, etc.

c) The parties shall generate and place in the Exhibit Book a joint Exhibit Chart that appears similar to the following:

Plaintiff's Exhibit List					
Exhibit No.	**Description**	**Witness to be Offered Through**	**Date Offered**	**Date Admitted or Rejected**	**Other**
1	Contract between parties	Jane Smith	by stipulation	by stipulation	
2	Expert's Chart of Damages	John Jones	by stipulation	by stipulation	

d) Section 1 of the Exhibit Book shall be plaintiff's stipulated exhibits; Section 2 of the Exhibit Book shall be defendant's stipulated exhibits; Section 3 of the Exhibit Book shall be plaintiff's contested exhibits; and Section 4 of the Exhibit Book shall be defendant's contested exhibits.

e) Absent conditions of a truly exceptional nature and not able to have been anticipated before trial, if a party offers an exhibit at trial that is not in an Exhibit Book as described in (d) above, the exhibit shall not be admitted or allowed for any use at trial, including cross-examination and impeachment.

f) The Exhibit Book shall be prepared in both a physical book as well as a digital version (thumb drive, etc.). The parties shall provide the Court with three copies of the Exhibit Book: one each for the judge, the judge's law clerk, and the Court of Claims Clerk's Office; as well as three digital versions.

5. Any pretrial, nondispositive motions must be filed no later than 28 days before trial.
6. It is the parties' duty to notify the Court of any settlement by noon on the last business day before trial.
7. An adjournment or recess will not be granted because a witness or evidence is not ready or present. Any witness who is not present and ready to testify will be deemed waived.
8. In lieu of trial and on stipulation of all parties, the Court will consider issuing a bench opinion based on written briefs.
9. Following a bench trial, the Court may require the parties to submit proposed findings of fact and conclusions of law.
10. Parties are encouraged to seek mediation in this matter.

Date: June 9, 2026

Hon. Randy J. Wallace
Judge, Court of Claims