STATE OF MICHIGAN

COURT OF CLAIMS

CHARITY STANER,

Plaintiff,

v

Case No. 25-000130-MZ

Hon. Sima G. Patel

MICHIGAN MEDICINE, REGENTS OF THE UNIVERSITY OF MICHIGAN, DIONDRA CHEATHAM, Michigan Medicine Clinic Associate Manager, JAZMIN WHITE, Michigan Medicine Administrative Manager, and KEVIN LINDSEY, Michigan Medicine Human Resources Representative, in their individual and official capacities,

Defendants.
_____ /

OPINION AND ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR RECONSIDERATION

On February 9, 2026, the Court granted in part defendants' motion for summary disposition and dismissed plaintiff's claim under Michigan's Persons with Disabilities Civil Rights Act (PWDCRA). On February 17, 2026, defendants asked this Court to reconsider its denial of plaintiff's claim under the federal Family Medical Leave Act (FMLA) on Eleventh Amendment and sovereign immunity grounds. The Court GRANTS the motion for reconsideration, GRANTS IN PART defendants' motion for summary disposition, and DISMISSES plaintiff's claim for monetary damages under the FMLA. As a result of this decision, the only remaining claim in plaintiff's complaint is for injunctive relief under the FMLA.

I. STANDARD FOR RECONSIDERATION

To support a motion for reconsideration under MCR 2.119(F)(3), "The moving party must demonstrate a palpable error by which the court and the parties have been misled and show that a different disposition of the motion must result from correction of the error." A "palpable error" is one that is "easily perceptible, plain, obvious, readily visible, noticeable, patent, distinct, manifest." *Estate of Luckow v Luckow*, 291 Mich App 417, 426; 805 NW2d 453 (2011) (cleaned up).

II. RELEVANT LAW

In *Coleman v Maryland Court of Appeals*, 566 US 30; 132 S Ct 1327; 182 L Ed 2d 296 (2012), the United States Supreme Court determined that although 29 USC 2612(a)(1) of the FMLA creates a private cause of action against any employer, including a public agency, the Constitution requires further limitation. The Supreme Court distinguished between the family-care and self-care provisions of the FMLA, concluding that only the family-care provisions were enacted to rectify unconstitutional differential treatment between men and women in the workplace. As a result, in relation to lawsuits claiming public employers violated an employee's right to use FMLA for self-care purposes, Congress could not abridge a state's sovereign immunity from a suit for monetary damages. *Coleman* does not apply to claims for injunctive or equitable relief, and it does not apply if a state has abrogated its immunity from FMLA suits for monetary damages.

In *McKenzie v Dep't of Corrections*, 332 Mich App 289; 957 NW2d 341 (2020), the Court of Appeals considered a similar provision in the federal Americans with Disabilities Act (ADA). The Court determined that although the federal act permitted private suits for monetary damages,

Congress could not abrogate state sovereign immunity. While the state was immune from suit for monetary damages arising from a violation of the ADA, the Court of Appeals expressly ruled that claims for injunctive relief were permissible.

III. ANALYSIS

Considering *Coleman* and *McKenzie*, the Court finds that it erred in denying summary disposition of plaintiff's claim for monetary damages under the self-care provisions of the FMLA. However, plaintiff did not just seek compensatory and monetary damages; she also sought injunctive and equitable relief, returning her to her position and preventing defendants from engaging in further acts of discrimination or retaliation when she exercises her rights under the FMLA. That claim is not precluded on Eleventh Amendment or sovereign immunity grounds.

Plaintiff seeks injunctive and equitable relief against her employer as well as three agents of her employer. Citing a case from the United States Court of Appeals for the Sixth Circuit, defendants contend that Administrative Manager Jazmin White and Human Resources Representative Kevin Lindsey are entitled to immunity under the Eleventh Amendment because they are not the officials responsible for correcting any unconstitutional policy of Michigan Medicine. At this early stage of the proceedings, however, the Court cannot determine the accuracy of that statement, precluding summary disposition at this time.

IT IS ORDERED:

1. The Court GRANTS defendants' motion for reconsideration.
2. The Court GRANTS defendants' motion for summary disposition in part.
3. In addition to the dismissal of plaintiff's claim under the PWDCRA, the Court DISMISSES plaintiff's claim for monetary relief under the FMLA.

4. The Court extends the deadline for defendant to answer the remaining counts in the complaint to no later than Monday, March 16, 2026.

Date: March 2, 2026

Sima G. Patel
Judge, Court of Claims