STATE OF MICHIGAN

COURT OF CLAIMS

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY,

Plaintiff/Counterdefendant,

v

Case No. 25-000169-MZ

BLISS CORPORATE, INC., d/b/a Bliss Cannabis and Bliss Farms, and 3227 S. NATIONAL ROAD, LLC,

Hon. James Robert Redford

Defendant/Counterplaintiff.
_____/

OPINION AND ORDER GRANTING DEGLE'S 11/12/25 MOTION FOR SUMMARY DISPOSITION OF COUNTER-CLAIMS

The Michigan Department of Environment, Great Lakes, and Energy (DEGLE) filed suit against Bliss Corporate, Inc. and 3227 National Road, LLC (collectively "Bliss") in Ingham Circuit Court, alleging violations of the Wetlands Protection provisions of the Natural Resources and Environmental Protection Act. Bliss responded and raised affirmative defenses, but also filed counterclaims, which DEGLE had transferred to this Court. Bliss did not provide timely notice of its counterclaims under MCL 600.6431(1) of the Court of Claims Act (COCA). Accordingly, the Court GRANTS DEGLE's motion for summary disposition of Bliss's counterclaims.

On August 7, 2025, DEGLE filed suit against Bliss in Ingham Circuit Court, alleging that Bliss engaged in illegal construction that involved filling in a protected wetlands area on its

property. DEGLE sought an injunction to prevent further environmental violations and an order for restoration of the wetlands, in addition to the imposition of fines.

On September 24, 2025, Bliss filed an answer and affirmative defenses. Bliss also filed counterclaims against EGLE. In Count I, Bliss alleged that DEGLE trespassed on its property and violated its right to be free from unreasonable searches and seizures under the Fourth Amendment. Specifically, Bliss alleged that DEGLE inspectors illegally entered its property on December 9, 2022, and "performed a site inspection." Bliss contended that the inspectors did not have a court order or permission to enter its private property. In Count II, Bliss accused DEGLE of negligence and/or gross negligence for giving Bliss inconsistent information about what activities were permitted and where the alleged wetlands on its property were situated. Bliss sought to exclude the evidence secured through the illegal search as fruit of the poisonous tree and requested damages.

DEGLE transferred Bliss's counterclaims to this Court. DEGLE then moved for summary disposition because Bliss failed to file notice of its counterclaims within one year as required by MCL 600.6431(1). Bliss has not responded to that motion.

MCL 600.6431(1) provides that a plaintiff must file "in the office of the clerk of the court of claims either a written claim or a written notice of intention to file a claim" against a state defendant within one year of the claim's accrual. The alleged trespass occurred on December 9, 2022. The actions underlying Bliss's negligence/gross negligence claim occurred between December 22, 2022 and June 23, 2023. The latest date on which Bliss's claims could have accrued was September 13, 2023, when DEGLE issued an official Enforcement Notice against Bliss. Bliss did not file its counterclaims until September 24, 2025, well beyond the one-year mandatory notice

period of the COCA. The Court must therefore GRANT DEGLE's motion for summary disposition. See *Elia Cos, LLC v Univ of Mich Regents*, 511 Mich 66, 68; 993 NW2d 392 (2023).

The Court notes, however, that there is no temporal notice requirement under the COCA for raising affirmative defenses against DEGLE's complaint in the circuit court. Nothing in this opinion and order precludes Bliss's defense in the circuit court action.

IT IS ORDERED:

1. The Court GRANTS DEGLE's motion for summary disposition of Bliss's counterclaims.
2. The Court DISMISSES Bliss's counterclaims in their entirety but without prejudice to Bliss raising the underlying arguments as affirmative defenses in the circuit court action.
3. This is a final order resolving all issues in this case.

Date: April 27th, 2026

James Robert Redford
Judge, Court of Claims