STATE OF MICHIGAN
IN THE COURT OF CLAIMS

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY,

Plaintiff/Counter-Defendant,

v

DR. FARIDEH BAGNE, and CORY SOUTHWELL; and NORTHERN VISTA LAWN AND LANDSCAPE INC.,

Defendants/Counter-Plaintiffs.

v

BILL OEMING, IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY.

Counter-Defendant.
_____/

Court of Claims No. 25-000196-MB

HON. SIMA G. PATEL

Cheboygan County Circuit Court Case No. 25-9159-CE

HON. AARON J. GAUTHIER

Joshua D. Cianek (P87957)
Assistant Attorney General
Attorney for Plaintiff/Counter-Defendant
P.O. Box 30755
Lansing, MI 48909
(517) 335-7664
Cianekj2@michigan.gov

Daniel P. Bock (P71246)
Fahey Schultz Burzych Rhodes PLC
Attorneys for Defendants/Counter-Plaintiffs
4151 Okemos Road
Okemos, Michigan 48864
(517) 381-0100
dbock@fsbrlaw.com

STIPULATION AND ORDER FOR ADDITIONAL TOLLING OF DISCOVERY FOR RESOLUTION OF ISSUES

PRESENT: HONORABLE SIMA G. PATEL
Court of Claims Judge

Plaintiffs/Counter-Defendants the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") and Mr. Bill Oeming (collectively "Counter-Defendants"), and Defendants/Counter-Plaintiffs Dr. Farideh Bagne, Cory Southwell, and Northern Vista Lawn and Landscape, Inc. (collectively "Counter-Plaintiffs") stipulate as follows:

1. Counter-Defendant EGLE filed a complaint against Counter-Plaintiffs in the Cheboygan County Circuit Court on September 23, 2025. (9/23/25 Compl.)
2. Counter-Plaintiffs answered the complaint and filed counterclaims against EGLE and Mr. Oeming in the Cheboygan County Circuit Court on November 17, 2025. (11/17/25 Answer and Counterclaim.)
3. Counter-Plaintiffs transferred the counterclaims to this Court on December 19, 2025, leaving EGLE's claims against Counter-Plaintiffs still pending in the Cheboygan County Circuit Court. (12/19/25 Notice of Transfer.)
4. In Counter-Plaintiffs' Brief in Response to EGLE's motion for summary disposition filed on or around January 5, 2026, Counter-Plaintiffs requested that this Court remand their multiple counterclaims to the Cheboygan Circuit Court. (01/05/26 Brief in Response to Motion for Summary Disposition).
5. The Cheboygan County Circuit Court entered a discovery scheduling order related to EGLE's claims against Counter-Plaintiffs on January 7, 2026.
6. To date, no discovery order has been entered related to the counterclaims in this Court, which are subject to Counter-Defendants' pending motion for summary disposition.
7. The Cheboygan County Circuit Court dismissed EGLE's claims against Counter-Plaintiffs with prejudice on March 20, 2026.

8. The Parties wish, with the Court's leave, to resolve the issues related to EGLE's pending motion for summary disposition and Counter-Plaintiffs' request to remand counterclaims to the Cheboygan Circuit Court without simultaneously conducting discovery related to those issues.
9. If discovery is initiated before issues relating to summary disposition and remand of counterclaims are resolved, this Court's time and resources will have been wasted in the event that the case is dismissed or claims are remanded.
10. Resolving these issues prior to discovery adequately preserves this Court's time and resources, as well as ensures that discovery for any remanded claims is solely handled by the Circuit Court.
11. The Parties agree that, with the Court's leave, once the Court has ruled on EGLE's pending motion for summary disposition and Counter-Plaintiffs' request for remand of counterclaims to the Cheboygan Circuit Court, the Parties will promptly propose a new discovery schedule for the Court's consideration, if necessary.

Stipulated as to form and content:

Dated: September 17, 2026

/s/Joshua D. Cianek (w/permission)
Joshua D. Cianek (P87957)
Attorney for Plaintiff

Dated: September 17, 2026

/s/Daniel P. Bock
Daniel P. Bock (P71246)
Attorney for Defendants

ORDER

PRESENT: HONORABLE SIMA G. PATEL
Court of Claims Judge

The Court, having reviewed the above stipulation, and being otherwise fully advised in the premises, and in accordance with the above stipulation, Orders as follows:

IT IS HEREBY ORDERED that the discovery deadlines previously established by the Cheboygan County Circuit Court shall be tolled to allow the Court to rule on the issues relating to EGLE's pending motion for summary disposition and Counter-Plaintiffs' request for remand of counterclaims to the Cheboygan Circuit Court.

IT IS SO ORDERED.

This is not a final order and does not close the case.

Dated: September 21, 2026

Honorable Sima G. Patel
Court of Claims Judge

From: Cianek, Joshua (AG)
To: Dan Bock
Cc: Hudecek, Sharon (AG); Jamy Staffeld
Subject: RE: Court of Claims draft stip & order
Date: Thursday, September 17, 2026 2:34:05 PM
Attachments: image004.png
image005.png
image006.png
image007.png

Dan,

Again, thank you for drafting this up. I have no issues with this (besides the signature issue I noted in the previous email) and you have my permission to sign on my behalf and file it at your earliest convenience.

Best,
Joshua D. Cianek
Assistant Attorney General
Michigan Department of Attorney General
Environment, Natural Resources, and Agriculture Division
6th Floor, G. Mennen Williams Building
525 W. Ottawa Street
P.O. Box 30755
Lansing, MI 48909
(517) 582 – 5392 (mobile)
(517) 335 – 7664 (office)
CianekJ2@michigan.gov

From: Dan Bock <dbock@fsbrlaw.com>
Sent: Wednesday, September 16, 2026 3:09 PM
To: Cianek, Joshua (AG) <CianekJ2@michigan.gov>
Cc: Hudecek, Sharon (AG) <HudecekS@michigan.gov>; Jamy Staffeld <jstaffeld@fsbrlaw.com>
Subject: Court of Claims draft stip & order

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Josh,

Following up on our prior discussions related to the counterclaims in EGLE v Bagne, et al.,