STATE OF MICHIGAN

COURT OF CLAIMS

BRYAN BUTZIN,

Plaintiff,

v

Case No. 26-000035-MZ

BOARD OF REGENTS OF UNIVERSITY OF BUSINESS, d/b/a UNIVERSITY OF MICHIGAN HEALTH,

Hon. Sima G. Patel

Defendant.
_____ /

ORDER DIRECTING RESPONSE TO PLAINTIFF'S AUGUST 18, 2026 MOTION AND STAYING DISCOVERY

Pending before the Court are defendant's July 8, 2026 motion for summary disposition, plaintiff's August 18, 2026 motion to file a third amended complaint, and plaintiff's October 15, 2026 motion to compel full and complete answers to his second set of interrogatories. The Court DIRECTS defendant to respond to plaintiff's motion to file a third amended complaint within 21 days of the entry of this order. The Court will reserve its judgment on defendant's motion for summary disposition pending the resolution of plaintiff's motion to file a third amended complaint. Discovery is STAYED until further order of the Court.

On May 28, 2026, the Court granted in part and denied in part defendant's motion to dismiss plaintiff's first amended, verified complaint raising a claim of gross negligence.[1] The Court dismissed plaintiff's claims to the extent they sounded in medical malpractice and directed plaintiff to file a second amended complaint clarifying his ordinary, gross negligence claims. Plaintiff filed a second amended complaint on June 18, 2026. Defendant argued in its July 8, 2026 motion for summary disposition that plaintiff's amendments fell short.

In addition to responding to defendant's motion for summary disposition, plaintiff also sought leave to file a third amended complaint. Plaintiff seeks to add Count II Violation of Const 1963, art 1, § 17-State-Created Danger, Count III Violation of Const 1963, art 1, § 17-Substantive Right to Bodily Integrity, and Count IV Violation of Const 1963, art 1, § 16 or alternatively § 17-Cruel or Unusual Punishment and the Right to Safe Conditions of Confinement. Plaintiff also adds significant allegations in the statement of facts.

Defendant did not respond to plaintiff's motion to amend. The Court DIRECTS defendant to respond to the motion and address whether plaintiff's proposed amendment would be futile. The Court will consider defendant's motion for summary disposition along with its response to the motion to amend. In the meantime, the Court STAYS discovery until these motions are fully resolved.

This is not a final order.





[1] Plaintiff filed his first amended, verified complaint in response to the Court's Order to Show Cause.

Date: November 2, 2026

Sima G. Patel
Judge, Court of Claims