STATE OF MICHIGAN
COURT OF CLAIMS

STONE DEPOT LANDSCAPE SUPPLIES, INC.,

Plaintiff,

v

MICHIGAN DEPARTMENT OF TREASURY,

Defendant.
/

Docket No. 26-000169-MT

Honorable Michael F. Gadola

Ross K. Bower, II (P70574)
Eric P. Conn (P64500)
Hannah Stocker (P82847)
Fahey Schultz Burzych Rhodes PLC
Attorneys for Plaintiff
4151 Okemos Road
Okemos, Michigan 48864
(517) 381-0100
rbower@fsbrlaw.com
econn@fsbrlaw.com
hstocker@fsbrlaw.com

Justin R. Call (P80892)
Brian K. McLaughlin (P74958)
Assistant Attorneys General
Michigan Dep't of Attorney General
Revenue and Tax Division
Attorneys for Defendant
P.O. Box 30754
Lansing, MI 48909
(517) 335-7584
CallJ1@michigan.gov
McLaughlinB2@michigan.gov

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STIPULATION AND ORDER TO WITHDRAW DEFENDANT'S 09/11/2026 MOTION FOR SUMMARY DISPOSITION AND TO SET DEADLINE FOR FILING AN ANSWER

The parties, through their counsel, hereby stipulate to the entry of an order withdrawing Defendant, Department of Treasury, State of Michigan's pending Motion for Summary Disposition under MCR 2.116(C)(6) without prejudice and to set Defendant's deadline to file its Answer to Plaintiff's complaint to 7 days after entry of the Court's order granting this stipulation. In support, the parties state as follows:

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1. Defendant filed a Motion for Summary Disposition pursuant to MCR 2.116(C)(6) in lieu of an answer on September 11, 2026.

2. Defendant's motion was based on the pendency of a proceeding before the Michigan Tax Tribunal.

3. After Defendant filed its motion, the Tax Tribunal has entered an order once again placing the Tribunal proceeding in abeyance.

4. In light of this change in the procedural posture of the Tax Tribunal matter, the parties stipulate that Defendant may withdraw its pending motion for Summary Disposition without prejudice.

5. The parties further stipulate that Defendant shall file its Answer to Plaintiff's complaint within 7 days after entry of the Court's order granting this stipulation.

Stipulated:

STONE DEPOT LANDSCAPE SUPPLIES, INC.,

By:*/s/ Eric Conn (w/permission)*

Eric Conn (P64500)
Fahey Schultz Burzych Rhodes PLC
Attorney for Plaintiff

Dated: 09/17/2026

MICHIGAN DEPARTMENT OF TREASURY

By:*/s/ Justin R. Call*

Justin R. Call (P80892)
Revenue and Tax Division
Attorney for Defendant

Dated: 09/17/2026

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/

STIPULATED ORDER WITHDRAWING DEFENDANT'S MOTION FOR SUMMARY DISPOSITION AND SETTING DEADLINE TO FILE ANSWER

At a session of said Court, held in the
City of Lansing, County of Ingham,
State of Michigan, on

Hon. Michael F. Gadola

Present: Honorable Michael F. Gadola

Pursuant to the stipulation of the parties, and the Court being otherwise fully informed in the premises;

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IT IS HEREBY ORDERED that:

1. Defendant's Motion for Summary Disposition filed on September 11, 2026 is withdrawn without prejudice.

2. Defendant shall file its Answer to Plaintiff's Complaint within 7 days after entry of this Order.

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

IT IS SO ORDERED.

Date: September 18, 2026

Honorable Michael F. Gadola
Court of Claims Judge

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