STATE OF MICHIGAN

COURT OF CLAIMS

MICHELLE MCQUEER, individually and in her official capacity as Clerk of the Township of Bridgewater,

Plaintiff,

v

Case No. 26-000172-MZ

JOCELYN BENSON, in her official capacity as Michigan Secretary of State, JONATHAN BRATER, in his official capacity as Director of Elections, and MICHIGAN DEPARTMENT OF STATE,

Hon. Michael J. Riordan

Defendants.
_____ /

ORDER SETTING HEARING AND DIRECTING SUPPLEMENTAL BRIEFING

The parties are directed to appear for oral argument on defendants' motion for summary disposition on **Wednesday, September 16, 2026**, at **1:00 p.m.** at the Michigan Court of Appeals Courtroom B located at One Cadillac Place, 3020 W. Grand Blvd., Suite 14-300, Detroit, Michigan.

The parties are directed to provide supplemental briefing by noon on Monday, September 14, 2026, on topics including 1) the application of Director Brater's August 31, 2026 final decision to this case; 2) the proper level of deference to be given to the August 31, 2026 final decision, taking into consideration *Loper Bright Enterprises v Raimondo*, 603 US 369; 144 S Ct 2244; 219 L Ed 2d 832 (2024); *In re Complaint of Rovas*, 482 Mich 90; 754 NW2d 259 (2008), and similar cases; 3) whether the Supremacy Clause of US Const, art VI, cl 2, impacts this case; 4) whether

this challenge should be brought in federal court; and 5) what would be the harm or cost to any parties of retaining or storing the electronic pollbook software and data. Amicus is also invited to file a supplemental brief.

The temporary restraining order requiring plaintiff to retain the electronic pollbook software and data pending the resolution of this matter remains in place until further order of the Court.

Date: September 2, 2026

Michael J. Riordan
Judge, Court of Claims