STATE OF MICHIGAN

COURT OF CLAIMS

ROBERT DAVIS,

Plaintiff,

v

Case No. 26-000187-MB

JOCELYN BENSON, in her official capacity as the duly elected Secretary of State,

Hon. Michael F. Gadola

Defendant.
_____ /

EMERGENCY SCHEDULING ORDER

Plaintiff filed a complaint and an emergency motion for an ex parte temporary restraining order or, in the alternative, preliminary injunction and order to show cause, against defendant Jocelyn Benson, in her capacity as Secretary of State (SOS), in this election-related case at 10:43 a.m. on September 1, 2026. Plaintiff did not file a motion for expedited consideration but seeks expedited consideration of the motion on the basis that September 4, 2026, is the deadline for the SOS to certify to counties the slate of candidates to appear on the November 3, 2026 general election ballot. Plaintiff filed proof that defendant was personally served with process on September 1, 2026. The Court will consider this matter on an expedited basis.

Plaintiffs are directed to serve the complaint, motion for temporary restraining order or preliminary injunction, and this order on the challenged candidates by **noon on Wednesday, September 2, 2026**, and promptly file proof of service with the Court.

Defendants are directed to respond to the complaint and emergency motion in a combined pleading by **4:00 on Wednesday, September 2, 2026**. No reply to defendant's response is permitted.

If defendant responds to the complaint with a motion for summary disposition, plaintiff must file a response by **noon on Thursday, September 3, 2026**. No reply is permitted.

Because time is of the essence, the parties are directed, in addition to filing all pleadings with the Court, to e-mail all pleadings to Court of Claims Commissioner Vicki Malacina at Vmalacina@courts.mi.gov. Any questions may be directed to Ms. Malacina as well.

Date: September 2, 2026

Hon. Michael F. Gadola
Chief Judge, Court of Claims