Order

Michigan Supreme Court
Lansing, Michigan

October 23, 2026

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

SC: 170385
COA: 369632
Oakland CC: 2023-200422-CZ

JEFFREY EISENBERG, and all others similarly situated,
Plaintiff-Appellee,

v

GEORGE W. KUHN DRAINAGE DISTRICT,
Defendant-Appellant,

and

CITY OF ROYAL OAK,
Defendant.

On order of the Court, the application for leave to appeal the June 5, 2026 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 23, 2026

Clerk