



**THIRD JUDICIAL CIRCUIT
OF MICHIGAN**

PATRICIA PEREZ FRESARD
CHIEF JUDGE

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DOCKET DIRECTIVE 2023 - 22

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: I-94 MODERNIZATION PROJECT CONDEMNATION PROCEEDINGS

This Docket Directive is issued pursuant to MCR 8.110(C)(3)(b) and 8.111(B) and is necessary for purposes of administrative efficiency and judicial economy and to avoid the potential for conflicting decisions on the same issue by judges of the same court.

IT IS ORDERED THAT:

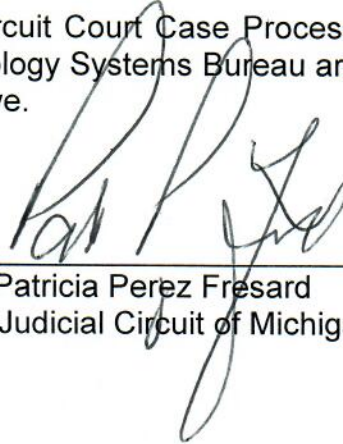
Effective: March 23, 2023

This Docket Directive applies to all civil proceedings filed in the Third Circuit Court that relate to or arise out of the Michigan Department of Transportation's ("MDOT") attempts to acquire property for purposes of the I-94 Modernization Project through condemnation proceedings, including, but not limited to, complaints for an order permitting entry pursuant to MCL 213.54(4), complaints to compel production of financial information pursuant to MCL 213.55(2), and complaints for the acquisition of property filed pursuant to MCL 213.55(1). As the plaintiff, MDOT will clearly identify on the face of the complaint all actions subject to this Docket Directive at case initiation.

1. All cases subject to this Docket Directive shall be initially assigned to the Chief Judge, who will conduct all show cause and other proceedings, including but not limited to hearings on the complaint, challenges to jurisdiction or challenges to necessity, prior to entry of an order confirming the transfer of title and possession, if any, to MDOT.
2. Upon the entry of an order confirming the transfer of title and possession, if any, to MDOT in each case, jurisdiction over the case shall be reassigned to a judge in the Court's Civil Division by random assignment.
3. A party may file a motion to change the date of surrender of possession upon a showing of good cause. The motion shall be heard by the assigned judge.

4. If there is an apportionment issue between defendants and there is no dispute over just compensation, the issue of apportionment shall be resolved by the Chief Judge before the case is assigned to a Civil Division judge. If there is an apportionment issue between defendants and there is a dispute over just compensation, the issue of apportionment shall be resolved by the assigned Civil Division judge.

The Wayne County Court Clerk, the Third Circuit Court Case Processing Department, and the Third Circuit Court Information Technology Systems Bureau are directed to take the steps necessary to accomplish this Directive.



Hon. Patricia Perez Fresard
Third Judicial Circuit of Michigan

Dated: March 23, 2023