

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION
ITEM FOR INFORMATION

Subject: Litigation

December 2015

NEW CASES

No new cases to report this month.

CASE UPDATES

The World Leadership Program Institute, a District of Columbia not for profit organization v Mark Tessler, Sherman Jackson, Nancy Burns, and David Howell. Washtenaw County Circuit Court (Judge David Swartz) (Filed June 30, 2015)

Plaintiff, The World Leadership Program, filed a claim in state court alleging that defendants wrongfully obtained, handled, and then terminated a grant from the United Arab Emirates that, it contends, would otherwise have funded its activities. Plaintiff claims breach of contract, fraud, unjust enrichment, and promissory estoppel. Plaintiff seeks damages in excess of \$25,000, punitive damages, costs, interest, and attorney's fees. Plaintiff filed a similar complaint in federal court against these same named defendants as well as The Board of Regents of The University of Michigan, The Center for Political Studies, and The Institute for Social Research. That case was dismissed by the court in April 2015. Defendants filed four motions for summary disposition that were granted by Judge Swartz. In addition, at our request, the court imposed \$5,000 in sanctions on plaintiffs. Plaintiff filed a motion for reconsideration.

In the Matter of the Doris E. Hoffman Revocable Living Trust. Washtenaw County probate Court (Judge Julia Owdziej)

The University filed a joint petition to review and reduce unreasonable Trustee and attorney fees, and to modify the trust. The Co-Petitioner is the Attorney General for the State of Michigan. A one-day bench trial was held on November 23, 2015. The University received an order from the Court, in which the Trustee was removed and ordered to repay the Trust approximately \$173,500 in improper fees and expenses.

CASE RESOLUTIONS

Jing Han v. Jared Shomo. Washtenaw County Circuit Court (Judge David Swartz) (Filed March 4, 2015)
AND Jing Han v Regents of the University of Michigan. Court of Claims (Judge Michael J. Talbot)
(Served June 26, 2015)

Plaintiff, Jing Han, filed a one-count complaint against U-M bus driver, Jared Shomo, and the Regents of the University of Michigan alleging he suffered injuries when the bus struck him causing serious and permanent injuries. Plaintiff's claims included pain and suffering, humiliation and embarrassment, and loss of enjoyment of life. Plaintiff sought in excess of \$25,000, together with interest, costs, and attorney's fees. Settlement has been reached between the parties. Both cases are concluded.

Respectfully submitted,



Timothy G. Lynch
Vice President & General Counsel

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