

**U.S. District Court
Eastern District of Michigan (Ann Arbor)
CIVIL DOCKET FOR CASE #: 5:17-cv-10996-JEL-MKM**

Mays et al v. Synder et al ****CASE CLOSED – ALL ENTRIES
MUST BE MADE IN 16-10444.****

Assigned to: District Judge Judith E. Levy

Referred to: Magistrate Judge Mona K. Majzoub

Case in other court: Genesee County Circuit, 16-106112-CZ

Cause: 28:1332 Diversity–Personal Injury

Date Filed: 03/29/2017

Date Terminated: 08/15/2017

Jury Demand: Plaintiff

Nature of Suit: 360 P.I.: Other

Jurisdiction: Diversity

Plaintiff

Melissa Mays

represented by **Michael L. Pitt**
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Plaintiff

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Plaintiff

Keith John Pemberton

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Plaintiff

Jacqueline Pemberton

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Plaintiff

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Plaintiff

Brandyn Carpenter

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Plaintiff

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Plaintiff

Kimberly Carpenter

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Plaintiff

Adam Murphy

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Plaintiff

Christina Murphy

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Plaintiff

Michael Snyder

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Plaintiff

a minor child KEK

represented by **Paul F. Novak**
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Plaintiff

a minor child CM1

represented by **Paul F. Novak**
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Plaintiff

a minor child CM2

represented by **Paul F. Novak**
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Plaintiff

a minor child CM3

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Plaintiff

a minor child CC

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Plaintiff

a minor child JC

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Plaintiff

a minor child KDCM

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Plaintiff

a minor child SMM

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Plaintiff

a minor child CM

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Plaintiff

a minor child LAM

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Plaintiff

a minor child DMM

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V.

Defendant

Rick Synder

Defendant

Daniel Wyant

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Defendant

Andy Dillon

Defendant

Liane Shekter Smith

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

Howard Croft

Defendant

Michael Glasgow

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

**Rowe Professional Services Company,
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Defendant

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Defendant

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Defendant

Veolia Environnement, S.A.

Defendant

Bradley Wurfel

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Jordan S. Bolton
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Michael J. Pattwell
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/29/2017	<u>1</u>	NOTICE OF REMOVAL by Veolia North America, LLC, Veolia North America, Inc., Veolia Water North America Operating Services, LLC from Genesee County Circuit Court, case number 16-106112-CZ. Receipt No: 0645-6160708 - Fee: \$400 [Previously dismissed case: USDC Eastern District of Michigan, 5:16-cv-11519-JCO, Judge O'Meara] [Possible companion case(s): USDC Eastern District of Michigan, 5:16-cv-11173-MAG, Judge O'Meara] (Bush, Cheryl) (Entered: 03/29/2017)
03/30/2017	<u>2</u>	ATTORNEY APPEARANCE: Jordan S. Bolton appearing on behalf of Daniel Wyant (Bolton, Jordan) (Entered: 03/30/2017)
03/30/2017	<u>3</u>	ATTORNEY APPEARANCE: Jordan S. Bolton appearing on behalf of Bradley Wurfel (Bolton, Jordan) (Entered: 03/30/2017)
03/30/2017	<u>4</u>	NOTICE of Appearance by Michael J. Pattwell on behalf of Daniel Wyant. (Pattwell, Michael) (Entered: 03/30/2017)
03/30/2017	<u>5</u>	NOTICE of Appearance by Michael J. Pattwell on behalf of Bradley Wurfel. (Pattwell, Michael) (Entered: 03/30/2017)
03/30/2017	<u>6</u>	NOTICE of Appearance by Jay M. Berger on behalf of Bradley Wurfel. (Berger, Jay) (Entered: 03/30/2017)
03/30/2017	<u>7</u>	NOTICE of Appearance by Christopher B. Clare on behalf of Bradley Wurfel, Daniel Wyant. (Clare, Christopher) (Entered: 03/30/2017)
03/30/2017	<u>8</u>	NOTICE of Appearance by Jay M. Berger on behalf of Daniel Wyant. (Berger, Jay) (Entered: 03/30/2017)
03/30/2017	<u>9</u>	(WRONG CAPTION) NOTICE of Appearance by Krista A. Jackson on behalf of Stephen Busch. (Jackson, Krista) Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)

03/30/2017	<u>10</u>	(WRONG CAPTION) NOTICE of Appearance by Philip A. Grashoff, Jr on behalf of Stephen Busch. (Grashoff, Philip) Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>11</u>	(WRONG CAPTION) NOTICE of Appearance by Dennis K. Egan on behalf of Stephen Busch. (Egan, Dennis) Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>12</u>	(WRONG CAPTION) NOTICE of Appearance by Courtney B. Ciullo on behalf of Stephen Busch. (Ciullo, Courtney) Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>13</u>	(AMENDED) NOTICE of Appearance by Krista A. Jackson on behalf of Stephen Busch. (Jackson, Krista) Modified on 3/30/2017 (LGra). Modified on 3/30/2017 (LGra). Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>14</u>	(AMENDED) NOTICE of Appearance by Philip A. Grashoff, Jr on behalf of Stephen Busch. (Grashoff, Philip) Modified on 3/30/2017 (LGra). Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>15</u>	(AMENDED) NOTICE of Appearance by Dennis K. Egan on behalf of Stephen Busch. (Egan, Dennis) Modified on 3/30/2017 (LGra). Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>16</u>	(AMENDED) NOTICE of Appearance by Courtney B. Ciullo on behalf of Stephen Busch. (Ciullo, Courtney) Modified on 3/30/2017 (LGra). Modified on 3/30/2017 (LGra). (Entered: 03/30/2017)
03/30/2017	<u>17</u>	NOTICE of Appearance by Allison M. Collins on behalf of Patrick Cook, Michael Prysby, Adam Rosenthal. (Collins, Allison) (Entered: 03/30/2017)
03/30/2017	<u>18</u>	NOTICE of Appearance by Charles E. Barbieri on behalf of Patrick Cook, Michael Prysby, Adam Rosenthal. (Barbieri, Charles) (Entered: 03/30/2017)
03/30/2017	<u>19</u>	NOTICE of Appearance by Michael R. Williams on behalf of Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC. (Williams, Michael) (Entered: 03/30/2017)
03/31/2017	<u>20</u>	NOTICE of Appearance by Gregory M. Meihn on behalf of Jeff Wright. (Meihn, Gregory) (Entered: 03/31/2017)
03/31/2017	<u>21</u>	ATTORNEY APPEARANCE: Deborah A. LaBelle appearing on behalf of All Plaintiffs (LaBelle, Deborah) (Entered: 03/31/2017)
03/31/2017	<u>22</u>	NOTICE of Appearance by Gregory Stamatopoulos on behalf of All Plaintiffs. (Stamatopoulos, Gregory) (Entered: 03/31/2017)
03/31/2017	<u>23</u>	NOTICE of Appearance by Paul F. Novak on behalf of All Plaintiffs. (Novak, Paul) (Entered: 03/31/2017)
04/05/2017	<u>24</u>	WAIVER OF SERVICE Returned Executed. Veolia North America, LLC waiver sent on 4/5/2017, answer due 6/5/2017. (Pitt, Michael) (Entered: 04/05/2017)
04/05/2017	<u>25</u>	WAIVER OF SERVICE Returned Executed. Veolia North America, Inc. waiver sent on 4/5/2017, answer due 6/5/2017. (Pitt, Michael) (Entered: 04/05/2017)
04/05/2017	<u>26</u>	WAIVER OF SERVICE Returned Executed. Veolia Water North America Operating Services, LLC waiver sent on 4/5/2017, answer due 6/5/2017. (Pitt, Michael) (Entered: 04/05/2017)
04/06/2017	<u>27</u>	NOTICE of Appearance by Michael L. Pitt on behalf of All Plaintiffs. (Pitt, Michael) (Entered: 04/06/2017)
04/06/2017	<u>28</u>	NOTICE of Appearance by Beth M. Rivers on behalf of All Plaintiffs. (Rivers, Beth) (Entered: 04/06/2017)
04/06/2017	<u>29</u>	NOTICE of Appearance by Cary S. McGehee on behalf of All Plaintiffs. (McGehee, Cary) (Entered: 04/06/2017)
04/06/2017	<u>30</u>	[STRICKEN] STIPULATION <i>To Extend Deadline for MDEQ Defendants to Answer Amended Complaint</i> by Stephen Busch, Patrick Cook, Michael Prysby, Adam

		Rosenthal, Liane Shekter Smith, Bradley Wurfel, Daniel Wyant (Grashoff, Philip) Modified on 4/6/2017 (DWor). (Entered: 04/06/2017)
04/06/2017	<u>31</u>	ORDER Striking <u>30</u> Stipulation filed by Bradley Wurfel, Stephen Busch, Michael Prysby, Adam Rosenthal, Patrick Cook, Daniel Wyant, Liane Shekter Smith. Signed by District Judge Stephen J. Murphy, III. (DWor) (Entered: 04/06/2017)
04/10/2017	<u>32</u>	NOTICE of Appearance by Philip A. Erickson on behalf of Leo A. Daly Company, Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews and Newnam, Inc.. (Erickson, Philip) (Entered: 04/10/2017)
04/10/2017		NOTICE of Error directed to: Cheryl A. Bush re <u>1</u> Notice of Removal,, Parties listed on the initiating document were omitted. The filing attorney must use the docket event Addition of Parties to correct the error. [No Image Associated with this docket entry] (LGra) (Entered: 04/10/2017)
04/10/2017		Addition of Parties to CM/ECF: Plaintiffs a minor child KEK, a minor child CM1, a minor child CM2, a minor child CM3, a minor child CC, a minor child JC, a minor child KDCM, a minor child SMM, a minor child CM, a minor child LAM, a minor child DMM. Reason: The party was not added to CM/ECF when e-filing <u>1</u> Notice of Removal,, (Bush, Cheryl) (Entered: 04/10/2017)
04/12/2017	<u>33</u>	MOTION to Remand <i>and Brief in Support</i> by All Plaintiffs. (Novak, Paul) (Entered: 04/12/2017)
04/14/2017	<u>34</u>	ORDER REASSIGNING CASE from District Judge Stephen J. Murphy, III and Magistrate Judge Anthony P. Patti in Detroit to District Judge John Corbett O'Meara and Magistrate Judge Mona K. Majzoub in Ann Arbor. (SSch) (Entered: 04/14/2017)
04/14/2017	<u>35</u>	NOTICE of Appearance by David C. Kent on behalf of Leo A. Daly Company, Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews and Newnam, Inc.. (Kent, David) (Entered: 04/14/2017)
04/19/2017	<u>36</u>	STIPULATED ORDER Extending Time for Defendant Jeff Wright to Respond to Amended Complaint; Responsive Pleading due by 5/30/2017, Signed by District Judge John Corbett O'Meara. (WBar) (Entered: 04/19/2017)
04/19/2017	<u>37</u>	STIPULATION AND ORDER Extending Time for Defendants Lockwood, Andrews & Newman, Inc., Lockwood, Andrews & Newman, P.C., and Leo A. Daly Co. to file Responsive Pleading; Responsive Pleading due by 4/21/2017, Signed by District Judge John Corbett O'Meara. (WBar) (Entered: 04/19/2017)
04/19/2017	<u>38</u>	STIPULATION AND ORDER Extending Deadline for MDEQ Defendants to Answer Amended Complaint; Responsive Pleading due by 6/6/2017, Signed by District Judge John Corbett O'Meara. (WBar) (Entered: 04/19/2017)
04/20/2017	<u>39</u>	RESPONSE to <u>33</u> MOTION to Remand <i>and Brief in Support</i> filed by Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC. (Bush, Cheryl) (Entered: 04/20/2017)
04/20/2017	<u>40</u>	NOTICE of Appearance by William Young Kim on behalf of City of Flint, Dayne Walling. (Kim, William) (Entered: 04/20/2017)
04/21/2017	<u>41</u>	STIPULATED ORDER Extending Time for City Defendants to respond to Second Amended Complaint, Signed by District Judge John Corbett O'Meara. (WBar) (Entered: 04/21/2017)
04/21/2017	<u>42</u>	STIPULATION AND ORDER Extending Time for Lockwood Defendants to File Responsive Pleading; Responsive Pleading due by 4/28/2017, Signed by District Judge John Corbett O'Meara. (WBar) (Entered: 04/21/2017)
04/25/2017	<u>43</u>	RESPONSE to <u>33</u> MOTION to Remand <i>and Brief in Support</i> filed by Stephen Busch, Patrick Cook, Michael Prysby, Adam Rosenthal, Liane Shekter Smith, Bradley Wurfel, Daniel Wyant. (Barbieri, Charles) (Entered: 04/25/2017)
04/27/2017	<u>44</u>	STIPULATION AND ORDER Extending Time to File Reply in Support of <u>33</u> MOTION to Remand; Reply due by 5/5/2017, Signed by District Judge John Corbett O'Meara. (WBar) (Entered: 04/27/2017)

04/28/2017	<u>45</u>	ATTORNEY APPEARANCE: Barry A. Wolf appearing on behalf of Gerald Ambrose (Wolf, Barry) (Entered: 04/28/2017)
04/28/2017	<u>46</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), and for Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6)</i> by Leo A. Daly Company. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Unpublished Cases, # <u>3</u> Exhibit B – Affidavit of Ed Benes) (Kamenec, Robert) (Entered: 04/28/2017)
04/28/2017	<u>47</u>	MOTION to Dismiss <i>Second Amended Complaint for Lack of Subject Matter Jurisdiction and Failure to State a Cause of Action</i> by Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews and Newnam, Inc.. (Attachments: # <u>1</u> Exhibit A – Unpublished Cases) (Kamenec, Robert) (Entered: 04/28/2017)
05/02/2017	<u>48</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Veolia North America, Inc. identifying Corporate Parent Veolia Environnement S.A. for Veolia North America, Inc.. (Bush, Cheryl) (Entered: 05/02/2017)
05/02/2017	<u>49</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Veolia North America, LLC identifying Corporate Parent Veolia Environnement S.A. for Veolia North America, LLC. (Bush, Cheryl) (Entered: 05/02/2017)
05/02/2017	<u>50</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Veolia Water North America Operating Services, LLC identifying Corporate Parent Veolia Environnement S.A. for Veolia Water North America Operating Services, LLC. (Bush, Cheryl) (Entered: 05/02/2017)
05/05/2017	<u>51</u>	REPLY to Response re <u>33</u> MOTION to Remand <i>and Brief in Support</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D) (Novak, Paul) (Entered: 05/05/2017)
05/05/2017	<u>52</u>	MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P.12(b)(6) and Brief in Support</i> by Jeff Wright. (Meihn, Gregory) (Entered: 05/05/2017)
05/12/2017	<u>53</u>	ORDER of DISQUALIFICATION and REASSIGNING CASE from District Judge John Corbett O'Meara in Ann Arbor to District Judge Paul D. Borman in Detroit. (SSch) (Entered: 05/12/2017)
05/15/2017	<u>54</u>	ORDERS of RECUSAL. Case Reassigned to District Judge Judith E. Levy. (SSch) (Entered: 05/16/2017)
05/17/2017	<u>55</u>	STIPULATION AND ORDER Permitting Defendants to File a Sur Reply and Plaintiffs to File a Response to Defendants' Sur Reply – Signed by District Judge Judith E. Levy. (FMos) (Entered: 05/17/2017)
05/17/2017	<u>56</u>	SUR-REPLY re <u>33</u> MOTION to Remand <i>and Brief in Support</i> filed by Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC. (Williams, Michael) (Entered: 05/17/2017)
05/22/2017	<u>57</u>	PLAINTIFF'S RESPONSE to Defendants' <u>56</u> Sur-Reply in Opposition to Plaintiffs' Motion to Remand filed by Melissa Mays, et al. (FMos) (Entered: 05/22/2017)
05/30/2017	<u>58</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Leo A. Daly Company identifying Other Affiliate Lockwood Andrews & Newnam Inc for Leo A. Daly Company. (Erickson, Philip) (Entered: 05/30/2017)
05/30/2017	<u>59</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Lockwood, Andrews and Newnam, Inc. identifying Corporate Parent Leo A Daly Company for Lockwood, Andrews and Newnam, Inc.. (Erickson, Philip) (Entered: 05/30/2017)
05/30/2017	<u>60</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Lockwood, Andrews & Newnam, P.C. identifying Other Affiliate Lockwood, Andrews & Newman, Inc. for Lockwood, Andrews & Newnam, P.C.. (Erickson, Philip) (Entered: 05/30/2017)

05/31/2017	<u>61</u>	STIPULATION AND ORDER Extending Deadline for MDEQ Defendants to Answer Amended Complaint – Signed by District Judge Judith E. Levy. (FMos) (Entered: 05/31/2017)
06/02/2017	<u>62</u>	STIPULATION AND ORDER to Hold Motions to Dismiss <u>46</u> , <u>47</u> , <u>52</u> in Abeyance – Signed by District Judge Judith E. Levy. (FMos) (Entered: 06/02/2017)
06/02/2017	<u>63</u>	STIPULATION AND ORDER to Hold Briefing in Abeyance – Signed by District Judge Judith E. Levy. (FMos) (Entered: 06/02/2017)
06/08/2017	<u>64</u>	ORDER Regarding Status Conference in All Flint Water Cases: (In-Person Status Conference set for 7/26/2017 at 1:00 PM in Courtroom 1 before District Judge Judith E. Levy) – Signed by District Judge Judith E. Levy. (FMos) (Entered: 06/08/2017)
06/09/2017	<u>65</u>	NOTICE by All Plaintiffs <i>Notice of Motion to Consolidate</i> (Attachments: # <u>1</u> Exhibit 1) (Levens, Emmy) (Entered: 06/09/2017)
07/14/2017	<u>66</u>	NOTICE of Appearance by Sheldon H. Klein on behalf of Flint, City of. (Klein, Sheldon) (Entered: 07/14/2017)
07/14/2017	<u>67</u>	NOTICE of Appearance by Frederick A. Berg on behalf of Flint, City of. (Berg, Frederick) (Entered: 07/14/2017)
07/14/2017	<u>68</u>	ATTORNEY APPEARANCE: Matthew Wise appearing on behalf of Jeff Wright <i>ONLY</i> (Wise, Matthew) (Entered: 07/14/2017)
07/26/2017		Minute Entry for proceedings before District Judge Judith E. Levy: Status Conference held on 7/26/2017. (Court Reporter: Jeseca Eddington) (SBur) (Entered: 07/27/2017)
07/27/2017	<u>69</u>	ORDER Granting In Part the Waid Motion for Consolidation of the Class Actions, Appointment of Interim Co-Lead Class Counsel, and Appointment of Liaison Counsel for the Individual Actions [Case No. 16-cv-10444, Dkt. 136], Denying the Guertin Motion to Consolidate Cases [Case No. 16-cv-12412, Dkt. 165], Holding in Abeyance Briefing in All Non-Class Action Flint Water Cases, and Setting Dates. (Refer to Order for Dates) Signed by District Judge Judith E. Levy. (SBur) (Entered: 07/27/2017)
08/14/2017	<u>70</u>	ORDER denying <u>33</u> Motion to remand and consolidating cases 16-10444 and 17-10996. Signed by District Judge Judith E. Levy. (DPer) (Entered: 08/15/2017)
08/15/2017	<u>71</u>	Notice to Parties Regarding Consolidated Case: Order of consolidation entered on *08/14/17*. Designated lead case number is *16-10444*. (DPer) (Entered: 08/15/2017)