

STATE OF MICHIGAN

Honorable Paula J.M. Manderfield
Circuit Judge



THIRTIETH JUDICIAL CIRCUIT
Veterans Memorial Courthouse

February 9, 2012

Via Electronic Mail and First Class Mail

Ms. Christine M. Gerdes
Ms. Suellyn Scarnecchia
University of Michigan
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Attorney at Law
2621 Evergreen Rd., Ste. 110
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Re: In the Matter of: University of Michigan
and Graduate Employees Organization/AFT
and Students Against GSRA Unionization
and Michigan Attorney General
Circuit Court File No.: 12-135-AA

Dear Counsel:

Enclosed please find an Order Denying Appellant's Emergency Motion to Stay Administrative Proceedings and Motion for Immediate Consideration.

Sincerely,

Jean M. Smydra
Judicial Assistant to Judge Manderfield

Enclosure

STATE OF MICHIGAN
IN THE INGHAM COUNTY 30th CIRCUIT COURT
GENERAL TRIAL DIVISION

IN THE MATTER OF:

UNIVERSITY OF MICHIGAN,

and

GRADUATE EMPLOYEES
ORGAINIZATION/AFT,

and

STUDENTS AGAINST GSRA
UNIONIZATION

and

MICHIGAN ATTORNEY
GENERAL.

**ORDER DENYING APPELLANT'S
EMERGENCY MOTION TO STAY
ADMINISTRATIVE PROCEEDINGS
AND MOTION FOR IMMEDIATE
CONSIDERATION**

Circuit Court File No.: 12-135-AA

MERC No. R11 D-034

Hon. Paula J.M. Manderfield

At a session of said Court held in ~~the~~ City of Lansing, Ingham
County, Michigan, on the 9 day of February 2012, the
Honorable Paula J.M. Manderfield presiding.

Pursuant to MCL 24.30, *et seq.*, this Court does not have jurisdiction to hear appeals from the Michigan Employment Relations Commission. This statute does not confer jurisdiction on this Court because the current proceeding before the Michigan Employment Relations Commission is not a contested case. MCL 24.301; *University of Michigan v Graduate Employees Organization/AFT*, Order of the Court of Appeals, docket number 307959, issued January 25, 2012.

The Attorney General cites to MCL 600.631 as a basis for invoking this court's jurisdiction. That statute provides for judicial review of any order, decision, or opinion to the circuit court where "judicial review has not otherwise been provided for by law." However, MCL 423.216(e) of the Public Employment Relations Act provides a mechanism for review of Michigan Employment Relations Commission decisions. That statute provides that a party aggrieved by a final order of the Commission may within twenty days of such order as a matter of right obtain review of the order in the **Court of Appeals** by filing a petition.

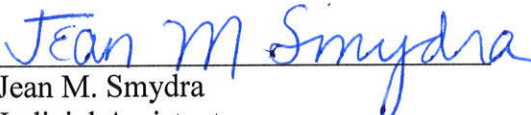
Therefore, for the reasons stated above, this Court does not have jurisdiction to hear this appeal. Accordingly, Appellant's Motion for Immediate Consideration and Motion to Stay are **DENIED**.

This decision resolves the last pending claim and closes the case.


Hon. Paula J.M. Manderfield (P-34319)
Circuit Court Judge

PROOF OF SERVICE

I hereby certify that I served a copy of the Order Denying Appellant's Emergency Motion to Stay Administrative Proceedings and Motion for Immediate Consideration upon Christine M. Gerdes, Suellyn Scarnecchia, Patrick J. Wright, Mark H. Cousens, David H. Fink, Darryl Bressack, Kevin J. Cox, and Dan V. Artaev by placing said order in an envelope and placing same for mailing with the United States Mail at Lansing, Michigan, on February 9, 2012.



Jean M. Smydra
Judicial Assistant