

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

MILFORD HILLS PROPERTIES, INC., a Michigan Corporation, 1042 North Milford Road, Ste. 103, Milford, MI 48381; and RPL of MICHIGAN, INC., a Michigan Corporation, 1042 North Milford Road, Ste. 103, Milford, MI 48381,

Plaintiffs,

vs.

Hon. D. Langford Morris

Case No.: 2017-162642-CZ

CHARTER TOWNSHIP OF MILFORD,
a Michigan charter township,

Defendants.

LAW OFFICE OF PAUL E. BURNS
Paul E. Burns (P31596)
Bradford L. Maynes (P68319)
Attorneys for Plaintiffs
133 West Grand River
Brighton, MI 48116
(810) 227-5000

LUCAS LAW, P.C.
Frederick Lucas (P29074)
Co-Counsel for Plaintiffs
7577 US 12, Ste. A
Onsted, MI 49265
(517) 467-4000

O'CONNOR, DeGRAZIA, TAMM
& O'CONNOR, P.C.
JAMES E. TAMM (P38154)
RICHARD V. STOKAN, JR. (P61997)
Attorneys for Defendant
40701 Woodward Avenue, Ste. 105
Bloomfield Hills, MI 48304
(248) 433-2000

DEFENDANT'S Second AMENDED WITNESS AND EXHIBIT LIST

NOW COMES Defendant, **CHARTER TOWNSHIP OF MILFORD**, by and through its attorneys, **O'CONNOR, DeGRAZIA, TAMM & O'CONNOR, P.C.**, and for its *Amended* Witness and Exhibit List, states as follows:

WITNESSES

1. Ray Laduc

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2. Representatives of Milford Township, including, but not limited to:
 - a. Don Green – Supervisor
 - b. Tim Brandt – Building/Zoning Official
 - c. Holl J. Brandt – Clerk
 - d. Colleen Schwartz – Former Clerk
 - e. George Magro – Planning Commission Chairman
 - f. Vaughn Koshkarian – Planning Commission Vice Chairman
 - g. Gordon Muir – Planning Commission Secretary
 - h. Myles Davis – Planning Commissioner
 - i. David Latka – Planning Commissioner
 - j. Julia Ryszka – Planning Commissioner
 - k. Neill DeVries – Planning Commissioner
 - l. Christopher Winn – Planning Commissioner
 - m. William Mazzara – Township Board
 - n. Terrell Tucker – Planning Commission Recording Secretary
 - o. Randal K. Busick – Township Trustee
 - p. Cindy Dagenhardt – Township Treasurer
 - q. Dale R. Wiltse – Township Trustee
 - r. Brien R. Worrell – Township Trustee
 - s. Richard Huber – Township ZBA Chairman
 - t. Edward Clink – ZBA Vice Chairman
 - u. Keith Cheresko – ZBA Secretary
 - v. Linda Cavanagh – ZBA Board Member

- w. Patti Janette – ZBA Board Member
 - x. Pam Zurek – ZBA Recording Secretary
 - y. Pam Przybyla – Deputy Clerk
 - z. Lori Jacobs – Financial Officer
3. Sandi Hinzmann
4. Representatives of Hubbell Roth and Clark, including, but not limited to:
- a. Stephen Ferns, P.E.
 - b. George E. Hubbell, P.E.
 - c. Jonathan E. Booth, P.E.
 - d. Michael P. Darga, P.E.
 - e. Roland N. Alix, P.E.
 - f. Paul Koppana, P.E.
 - g. Derick J. Stratelak, P.E.
5. Representatives of Boss Engineering, including, but not limited to:
- a. Jon E. Caterino, P.E.
6. Representatives of EGLE (Environment, Great Lakes & Energy) (fka Michigan Department of Environmental Quality), including, but not limited to:
- a. Scott Ross
 - b. Wm. Elgar Brown, P.E.
 - c. James Janiczek
 - d. Phil Agriroff
 - e. Jean-Bernard Beauboeuf – Senior Environmental Engineer
 - f. Hae-Jin Yoon

- g. Geoffrey List
 - h. Jeffrey Warner
 - i. Derrick K. Simmons
 - j. Robert Fields
 - k. Rick D. Rusz
 - l. Dennis Ryan, P.E.
 - m. Jeriesha Bridges
 - n. Terrance Dennis Ryan
 - o. Keto Gyekis
 - p. Andrew Hartz
 - q. Susan Tepatti
 - r. Chelsea Walsh
 - s. Laura Verona
7. Representatives of Highland Treatment, Inc, including but not limited to:
- a. Anthony Dowson
 - b. Mark Dowson
8. Representatives of ABM Facility Services
9. Representatives of PM Technologies
10. Representatives of McDowell and Associates, including, but not limited to:
- a. John H. Lamb, III, P.E.
11. Representatives of the Oakland County Health Department
12. Ruth Tessman
13. Pamela Przypyla

14. Representatives of the Ridge Valley of Milford Master Association, including, but not limited to:

a. Steven Frank

15. Representatives of Republic Bank, including, but not limited to:

a. Thomas Barrett

16. Representatives of Talmer Bank and Trust, including, but not limited to:

a. Katherine M. Plichta

17. Representatives of Seaver Title Agency, LLC

18. Francis C. Frontiera, II

19. Karyl M. Frontiera

20. Marjorie Burstyn

21. Nancy Elman

22. Sandra Adelsberg – Trustee of the Faniadelsberg Revocable Living Trustee

23. William E. Stofer

24. Carol Stofer

25. Elizabeth E. Nevells

26. John Elia Nicholas

27. Beth Markell

28. Sean Conway

29. Marcus DiGiorgio

30. Shaun Kalinowski

31. Sue Stevens Schultz

32. Representatives of ASTI Environmental, including, but not limited to:

- a. Dana Knox – Wetland Ecologist
 - b. Diane C. Martin
 - c. Kyle Hottinger
33. Michael A. Sanders – Michigan State University Extension Office
 34. R. Donald Wortman– Land Use Planning Expert, Carlisle-Wortman Assoc, 605 S. Main Street, #1, Ann Arbor, MI 48104
 35. David Burgoyne, ASA, SR/WA – Expert Appraiser, Burgoyne Appraisal Company, 400 Congdon Street, Chelsea, MI 48118
 36. Craig Fuller – Potential Expert Appraiser, Fuller Appraisal, 4139 W. Walton Blvd, #A, Waterford Township, Michigan
 37. Representatives of Wade Trim Associates, including, but not limited to:
 - a. Nicholas Lomako – Land Use Planning Expert
 38. Mike Labadie, PE – Traffic Engineer Expert, Rowe Professional Services Co., 27260 Haggerty Road, Ste. A-7, Farmington Hills, Michigan
 39. Sue Koss, CPA/ABV/CFF, CVA – Forensic Accountant, O’Keefe, 2 Lone Pine Road, Bloomfield Hills, MI 48304
 40. Vicki Putala, PE, - Potential Engineering Expert, OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150
 41. Jennifer Drinan, PE, - Potential Engineering Expert, OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150
 42. Any and all rebuttal witnesses.
 43. Individuals identified on Plaintiffs’ Witness List.
 44. Individuals identified during depositions.

45. Any and all witnesses identified in answers to interrogatories, requests for production of documents or other discovery requests.

46. Defendant reserves the right to add additional witnesses as they may become known during the course of discovery.

47. Defendant reserves the right to elicit expert testimony from any witness with a professional designation or qualifies to offer expert testimony pursuant to Michigan Rules of Evidence.

EXHIBITS

1. Records from Milford Hills Property, Inc.
2. Records from RPL of Michigan
3. Milford Township Board of Trustees Meeting Minutes
4. Milford Township Planning Commission Meeting Minutes
5. Records from Hubbell Roth and Clark
6. Records from Boss Engineering
7. Records from Michigan Department of Environmental Quality
8. Records from Highland Treatment, Inc.
9. Records from ABM Facility Services
10. Records from PM Technologies
11. Records from McDowell and Associates
12. Records from Oakland County Health Department
13. Records from Ridge Valley of Milford Master Association
14. Records from Republic Bank
15. Records from Wade Trim and Associates

16. Records from Talmer Bank and Trust
17. Records from Seaver Title Agency, LLC
18. Records from ASTI Environmental
19. Records from Milford Township
20. Any and all deposition exhibits, including bates stamped documents
21. Any and all documents disclosed during the course of discovery
22. Any and all appraisals
23. Any and all traffic studies
24. Expert reports
25. Curriculum Vitae of Experts
26. Any and all exhibits identified by Plaintiff's Exhibit List
27. Defendant reserves the right to amend its Exhibit List as discovery becomes known.

Respectfully submitted,

O'CONNOR, DeGRAZIA, TAMM & O'CONNOR, P.C.

By: /s/ Richard V. Stokan, Jr.

JAMES E. TAMM (P38154)
RICHARD V. STOKAN, JR. (P61997)
Attorneys for Defendant
40701 Woodward Avenue, Ste. 105
Bloomfield Hills, MI 48304
(248) 433-2000/(248) 433-2005 DID
jetamm@odtlegal.com
rvstokan@odtlegal.com

DATED: December 2, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2019, I electronically filed the foregoing paper(s) with the Clerk of the Court using the MiFile system which will send notification of such filing to the following: ***Paul Burns, Bradford Maynes and Frederick Lucas*** and I hereby certify that I have mailed by United States Postal Service the Paper(s) to the following non-MiFile participants: None.

/s/ Janet M. Michniak (jmmichniak@odtlegal.com)
40701 Woodward Avenue, Ste. 105
Bloomfield Hills, MI 48304
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