

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PARKER LLEWELLYN and
BILL J. SHERER,

Plaintiffs,

No. 1:16-CV-793

v

HON. PAUL L. MALONEY

KEITH CREAGH, in his official capacity as
Director of the Michigan Department of
Natural Resources,

Defendant.

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CONSENT JUDGMENT

This case is before the Court upon filing of the complaint by Plaintiffs, Parker Llewellyn and Bill J. Sherer, challenging the constitutionality of MCL 324.48714.

Plaintiffs and Defendant Keith Creagh,¹ in his official capacity as the Director of the Michigan Department of Natural Resources (collectively “the Parties”), previously agreed, and the Court entered an Order on August 1, 2016, to hold this matter in abeyance and stay enforcement of MCL 324.48714 while proposed legislation that would repeal MCL 324.48714 in its entirety was being considered. The legislation that would have repealed MCL 324.48714 expired, without enactment, at the end of the 2015-2016 legislative term. The Order staying proceedings [Docket # 6] expired on January 9, 2017.

The Parties now wish to resolve this matter, with finality, and without further litigation.

NOW THEREFORE, upon the consent of the Parties, by their attorneys, it is hereby ORDERED AND ADJUDGED:

1. The Michigan Department of Natural Resources will not enforce MCL 324.48714, in its present form, against the Plaintiffs; and
2. Each party will bear its own costs and attorney fees.

IT IS SO ORDERED.

This Order resolves all pending claims and closes the case.

Dated: February 6, 2017

/s/ Paul L. Maloney
Honorable Paul L. Maloney
District Court Judge

¹ Director William Moritz was succeeded by Keith Creagh as director on August 1, 2016. Pursuant to Fed. R. Civ. P. 25(a)(d), this action may be continued against Mr. Creagh without a formal order of substitution.

IT IS HEREBY STIPULATED:

Dated: February 3, 2017

/s/ James A. Tanford
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Dated: February 3, 2017

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