

STATE OF MICHIGAN
COURT OF APPEALS

CITY OF GRAND RAPIDS,

Plaintiff-Appellee,

v

GRAND RAPIDS EMPLOYEES
INDEPENDENT UNION,

Defendant-Appellant.

UNPUBLISHED
December 6, 2011

No. 300922
Kent Circuit Court
10-007284-CK

Before: WILDER, P.J., and HOEKSTRA and BORRELLO, JJ.

MEMORANDUM.

At oral argument, the parties informed this Court that provisions of the collective bargaining agreement that are relevant to this case, specifically Article 41 have been significantly altered. Because appellant sought relief from this Court based, in part, on Article 41, and Article 41 has been re-written, we conclude that the matter is moot. “It is “universally understood . . . that a moot case is one which seeks to get a judgment on a pretended controversy, when in reality there is none, . . . or a judgment upon some matter which, when rendered, for any reason, cannot have any practical legal effect upon a then existing controversy.”” *Richmond*, 486 Mich at 34-35, quoting *Amway v Grand Rapids R Co*, 211 Mich 592, 610; 179 NW 350 (1920), quoting *Ex parte Steele*, 162 F 694, 701 (ND Ala, 1908). “Accordingly, a case is moot when it presents nothing but abstract questions of law which do not rest upon existing facts or rights.” *Richmond*, 486 Mich at 35 (internal quotation and citation omitted). “The principal duty of this Court is to decide actual cases and controversies. To that end, this Court does not reach moot questions or declare principles or rules of law that have no practical legal effect in the case before us unless the issue is one of public significance that is likely to recur, yet evade judicial review.” *Federated Publications, Inc v City of Lansing*, 467 Mich 98, 112; 649 NW2d 383 (2002), clarified on other grounds in *Herald Co, Inc v Eastern Mich Univ Bd of Regents*, 475 Mich 463, 471-472; 719 NW2d 19 (2006).

Affirmed. No costs are awarded to either party. MCR 7.219.

/s/ Kurtis T. Wilder
/s/ Joel P. Hoekstra
/s/ Stephen L. Borrello