

STATE OF MICHIGAN
WAYNE COUNTY CIRCUIT COURT

AJAX METAL PROCESSING, INC.,
a Michigan corporation, individually
and as representative of a class of
Similarly situated persons and entities,

Case No. 23-015314-CB
Hon. Annette J. Berry

Plaintiff,

v.

CITY OF DETROIT,
a municipal corporation,

Defendant.

Gregory D. Hanley (P51204)
Jamie K. Warrow (P61521)
Edward F. Kickham Jr. (P70332)
Kickham Hanley PLLC
32121 Woodward Ave., Suite 300
Royal Oak, MI 48073
(248) 544-1500

Attorneys for Plaintiff and Putative Class

Sonal Hope Mithani (P51984)
Kimberly L. Scott (P69706)
Erika L. Giroux (P81998)
Miller, Canfield, Paddock and Stone, P.L.C.
101 North Main, Seventh Floor
Ann Arbor, MI 48104
(734) 668-7786 / (734) 747-7147 Fax

Attorney for City of Detroit

ORDER GRANTING PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

At a session of the Court, held in the City of Detroit,
Wayne County, Michigan on: 9/12/2025

Present: Hon. Annette J. Berry

Circuit Court Judge

THIS MATTER having come before the Court upon the motion of the Plaintiff for class certification, the motion having been briefed by the parties, the Court having heard oral argument on August 21, 2025, and being otherwise fully advised in the matter;

IT IS HEREBY ORDERED that the Court finds Plaintiff has satisfied the five requirements for class certification under MCR 3.501(A), as follows:

a) **Numerosity.** Under MCR 3.501(A)(1)(a), for the reasons stated on the record, the Court finds that “the class is so numerous that joinder of all members is impracticable.”

b) **Commonality.** Under MCR 3.501(A)(1)(b), for the reasons stated on the record, the Court finds that “there are questions of law or fact common to the members of the class that predominate over questions affecting only individual members”.

c) **Typicality.** Under MCR 3.501(A)(1)(c), for the reasons stated on the record, the Court finds that the class representative’s claims are typical of the claims of the absent class members.

d) **Adequacy.** Under MCR 3.501(A)(1)(d), for the reasons stated on the record, the Court finds that the class representative and class counsel can fairly and adequately represent the interests of the class as a whole.

e) **Superiority.** Under MCR 3.501(A)(1)(e), for the reasons stated on the record, the Court finds that “the maintenance of the action as a class action will be superior to other available methods of adjudication in promoting the convenient administration of justice.”

IT IS FURTHER ORDERED that Plaintiff’s Motion for Class Certification is granted, for the reasons stated on the record;

IT IS FURTHER ORDERED that this action is certified as a class action with Plaintiff designated as the Class Representative and Kickham Hanley PLLC designated as Class Counsel, for the reasons stated on the record;

IT IS FURTHER ORDERED that the Class is defined to include all persons and entities who/which have used an average of at least 1 MCF per month and paid the City for water service at any time since August 1, 2022 or who/which pay the City for water service during the pendency of this action (the “Class Period”);

IT IS FURTHER ORDERED that the Court reserves the issue of the timing, content, manner and method of the notice to Class members, which will be subject of future orders of the Court;

IT IS FURTHER ORDERED that the parties and their counsel shall appear for an in-person settlement conference on October 1, 2025 at 11:00 am at the Wayne County Circuit Court;

IT IS FURTHER ORDERED that the Court shall hear Defendant's Motion for Summary Disposition by Zoom on September 18, 2025 at 11:00 am;

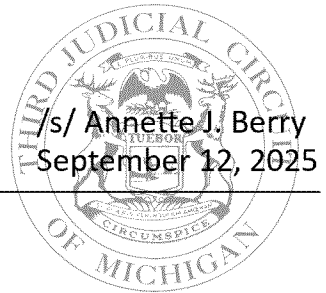
IT IS FURTHER ORDERED that a bench trial in this matter is set for October 27, 2025 in accordance with the Court's March 27, 2025 Order Lifting Stay of Discovery and Setting Case Schedule.

SO ORDERED.

This is not a final order and does not close this case.

Dated: 9/12/2025

Circuit Court Judge



Agreed as to form:

KICKHAM HANLEY PLLC

By: /s/ Gregory D. Hanley
GREGORY D. HANLEY (P51204)
Attorneys for Plaintiffs and the Putative Class

MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.

By: /s/ Sonal Hope Mithani (with permission)
SONAL HOPE MITHANI (P51984)
Attorneys for Defendant