

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

UNITED HOUSE OF PRAYER, a District of
Columbia non-profit corporation, individually
and as representative of a class of similarly-
situated persons and entities,

Case No. 20-014218-CZ
Hon. Annette J. Berry

Plaintiffs,

v.

CITY OF DETROIT, a municipal corporation,

Defendant.

KICKHAM HANLEY PLLC
Gregory D. Hanley (P51204)
Edward F. Kickham, Jr. (P70332)
32121 Woodward Avenue, Suite 300
Royal Oak, MI, 48073
(248) 544-1500
ghanley@kickhamhanley.com
edkickhamjr@kickhamhanley.com
Attorneys for Plaintiff and the Class

MILLER, CANFIELD, PADDOCK
and STONE, P.L.C.
Sonal Hope Mithani (P51984)
Caroline Giordano (P76658)
101 North Main, Seventh Floor
Ann Arbor, MI 48104
p: (734) 668-7786 | f: (734) 747-7147
mithani@millercanfield.com
giordano@millercanfield.com
Attorneys for Defendant

**ORDER GRANTING PLAINTIFF'S UNOPPOSED
MOTION FOR CLASS CERTIFICATION**

At a session of the Wayne County Circuit Court
held in the City of Detroit, State of Michigan
on this 17th day of May, 2021

PRESENT: HONORABLE ANNETTE J. BERRY
Circuit Court Judge

The Court having reviewed Plaintiff's unopposed motion for class certification, and the brief
in support, and being otherwise informed of the premises, **THE COURT FINDS:**

- a. that the prerequisites for class certification under MCR 3.501 are satisfied in
this case for the reasons set forth in Plaintiffs' motion for class certification and brief in support and
the Court therefore certifies the Class under MCR 3.501.

b. pursuant to MCR 3.501, that the Class as defined as all persons or entities who/which have incurred or paid Private Fire Line Charges (hereafter “PFL Charges”) imposed by the City of Detroit (the “City”) at any time since July 1, 2020 and/or who/which incur or pay the PFL Charges during the pendency of this action is appropriate because (a) the class consisting of hundreds of property owners in the City is so numerous that joinder of all members is impracticable; (b) there are questions of law or fact common to the members of this Class that predominate over questions affecting only individual members, including whether the PFL Charges constitute “taxes” which violate MCR 141.91 and whether the PFL Charges are reasonable; (c) the claims or defenses of the representative party are typical of the claims or defenses of the class because the representative's claims arise from the same events or practices or course of conduct that gives rise to the claims of the other class members and are based on the same legal theories; (d) the representative party will fairly and adequately assert and protect the interests of the class because there are no conflicts of interest with the Class, and the Class is represented by experienced, competent counsel; and (e) the maintenance of this action as a class action will be superior to other available methods of adjudication in promoting the convenient administration of justice.

IT IS HEREBY ORDERED:

A. That this action is certified as a proper class action with Plaintiff certified as Class Representative and Kickham Hanley PLLC designated as Class Counsel.

B. With respect to all counts of the Complaint, the Class is defined to include all persons or entities who/which have incurred or paid PFL Charges at any time since July 1, 2020 and/or who/which incur or pay the PFL Charges during the pendency of this action.

Dated: 5/17/2021

/s/ Annette J. Berry 5/17/2021

Hon. Annette J. Berry
Wayne County Circuit Court Judge

APPROVED AS TO FORM:

/s/ Gregory D. Hanley

Gregory D. Hanley (P51204)
Edward F. Kickham, Jr. (P70332)
KICKHAM HANLEY PLLC
32121 Woodward Avenue, Suite 300
Royal Oak, MI, 48073
(248) 544-1500

/s/ Caroline B. Giordano (with consent)

Sonal Hope Mithani (P51984)
Caroline B. Giordano (P76658)
MILLER,CANFIELD, PADDOCK
AND STONE, P.L.C.
Attorneys for Defendant
101 North Main, Seventh Floor
Ann Arbor, Michigan 48104
p: (734) 668-7786 | f: (734) 747-7147

KH168354