

ATTORNEYS AND COUNSELORS AT LAW
310 W. FRONT STREET, SUITE 221 TRAVERSE CITY, MICHIGAN 49684 PHONE: (231) 922-1888 FACSIMILE: (231) 922-9888

Haider A. Kazim hkazim@cmda-law.com

December 4, 2023

33rd Circuit Court Clerk Charlevoix County Building 301 State Street # 1 Charlevoix, MI 49720

Re:

Halsey Wolff v Health Dept. of NW Michigan, et al.

33rd Circuit Court County of Charlevoix Case No.: 23-0328-28CZ

Dear Court Clerk:

Regarding the above-referenced matter, enclosed for filing are:

- 1. A Notice of Entry of Order Under Seven (7) Day Rule;
- 2. Proposed Order Striking Plaintiff's Original Complaint and Amended Complaint and Requiring Plaintiff to Provide a More Definite Statement of Claims Against Defendants;
- 3. Proof of Service; and
- 4. Judge's Copy.

Upon signing and entry with the court, please return the additional date stamped "True Copy" of the Order in the return-addressed postage prepaid envelope provided for your convenience.

If you have any questions regarding this matter, please feel free to contact us.

Very truly yours,

Haider A. Kazim

HAK/kjm

cc: Halsey Wolff (w/enc.) - Via First Class Mail and Email Only

Chuck Isley, Esq. (w/enc.) – Via Email Only Daniel Thorell (w/enc.) – Via Email Only

Jeremy Fruk (w/enc.) - Via Email Only

STATE OF MICHIGAN IN THE 33RD CIRCUIT COURT COUNTY OF CHARLEVOIX

HALSEY WOLFF, Plaintiff,

HON. ROY C. HAYES III CIRCUIT COURT JUDGE

V

CASE NO. 23-0328-28-CZ

HEALTH DEPARTMENT OF NORTHWEST MICHIGAN, and JEREMY FRUK, in their individual and official capacities, Defendants.

Halsey Wolff, Plaintiff, In Pro Per 2045 McKinley Avenue Ypsilanti, MI 48197 runlikehal@yahoo.com Haider A. Kazim (P66146)
Cummings, McClorey, Davis & Acho, P.L.C
Attorneys for Defs. Health Department of
Northwest Michigan, and Jeremy Fruk
310 W. Front Street, Ste. 221
Traverse City, MI 49684
(231) 922-1888
hkazim@cmda-law.com

NOTICE OF ENTRY OF ORDER UNDER SEVEN (7) DAY RULE

PLEASE TAKE NOTICE that the attached Order Striking Plaintiff's Original Complaint and Amended Complaint and Requiring Plaintiff to Provide a More Definite Statement f Claims Against Defendants, is being submitted to HON. ROY C. HAYES III for entry pursuant to MCR 2.602(B)(3). If no written objections are filed within seven (7) days, this Order will be entered.

Respectfully Submitted,

Dated: December 4, 2023

CUMMINGS, McCLOREY, DAVIS

& ACHO, P.L.C.

Haider A. Kazim (P66146)

Attorney for Defendants
310 West Front Street, Suite 221

Traverse City, MI 49684

(231) 922-1888

hkazim@cmda-law.com

STATE OF MICHIGAN IN THE 33RD CIRCUIT COURT COUNTY OF CHARLEVOIX

HALSEY WOLFF, Plaintiff,

HON. ROY C. HAYES III CIRCUIT COURT JUDGE

v

CASE NO. 23-0328-28-CZ

HEALTH DEPARTMENT OF NORTHWEST MICHIGAN, and JEREMY FRUK, in their individual and official capacities, Defendants.

Halsey Wolff, Plaintiff, In Pro Per 2045 McKinley Avenue Ypsilanti, MI 48197 runlikehal@yahoo.com Haider A. Kazim (P66146)
Cummings, McClorey, Davis & Acho, P.L.C
Attorneys for Defs. Health Department of
Northwest Michigan, and Jeremy Fruk
310 W. Front Street, Ste. 221
Traverse City, MI 49684
(231) 922-1888
hkazim@cmda-law.com

ORDER STRIKING PLAINTIFF'S ORIGINAL COMPLAINT AND AMENDED COMPLAINT AND REQUIRING PLAINTIFF TO PROVIDE A MORE DEFINITE STATEMENT OF CLAIMS AGAINST DEFENDANTS

At a session of said Court, held in the City of Charlevoix, County of Charlevoix, State of Michigan,

Present: Hon. Roy C. Hayes III
Circuit Court Judge

The Court having read Defendants' Motion for a More Definite Statement and to Strike All or Part of Plaintiff's Complaint Under MCR 2.115, having heard oral argument, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that Defendants' Motion for a More Definite Statement and to Strike All or Part of Plaintiff's Complaint Under MCR 2.115 is GRANTED for the reason that Plaintiff's Original Complaint and Amended Complaint fail to reasonably inform Defendants of the claims against them, and are not drawn in conformity with the Michigan Court Rules.

IT IS FURTHER ORDERED that pursuant to MCR 2.115(A), within fourteen (14) days from the date of this Order, Plaintiff shall file a Complaint that complies with MCR 2.111(A) and (B), and MCR 2.113(B).

IT IS FURTHER ORDERED that pursuant to MCR 2.115(B), Plaintiff's Original Complaint and Amended Complaint are stricken in their entirety for failure to conform with Michigan Court Rules.

IT IS SO ORDERED.

This Order does not resolve the case and does not close the case.

Dated:		
	Hon. Roy C. Hayes III	
	Circuit Court Judge	

STATE OF MICHIGAN IN THE 33RD CIRCUIT COURT COUNTY OF CHARLEVOIX

HALSEY WOLFF, Plaintiff.

HON. ROY C. HAYES III CIRCUIT COURT JUDGE

V

CASE NO. 23-0328-28-CZ

HEALTH DEPARTMENT OF NORTHWEST MICHIGAN, and JEREMY FRUK, in their individual and official capacities,

Defendants.

Halsey Wolff, Plaintiff, In Pro Per 2045 McKinley Avenue Ypsilanti, MI 48197 runlikehal@yahoo.com Haider A. Kazim (P66146)
Cummings, McClorey, Davis & Acho, P.L.C
Attorneys for Defs. Health Department of
Northwest Michigan, and Jeremy Fruk
310 W. Front Street, Ste. 221
Traverse City, MI 49684
(231) 922-1888
hkazim@cmda-law.com

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss
COUNTY OF GRAND TRAVERSE	Ś

On December 4, 2023, Kathy Morey, being duly sworn, deposes and says that she served the Notice of Entry of Order Under Seven (7) Day Rule; Proposed Order Striking Plaintiff's Original Complaint and Amended Complaint and Requiring Plaintiff to Provide a More Definite Statement of Claims Against Defendants; and this Proof of Service, to the following, via the methods specified below:

VIA FIRST CLASS MAIL AND EMAIL TO:

Halsey Wolff, 2045 McKinley Avenue Ypsilanti, MI 48197 runlikehal@yahoo.com

33rd Circuit Court Clerk
Charlevoix County Building
301 State Street # 1
Charlevoix, MI 49720
circuitcourt@charlevoixcounty.org
(with Judge's Courtesy Copy)

(01946164-1)2