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**Via E-mail Transmission (MSC\_clerk@courts.mi.gov)**

Clerk's Office  
Michigan Supreme Court  
P.O. Box 30052  
Lansing, Michigan 48909

**Re: ADM File No. 2012-30**

Dear Clerk of the Court:

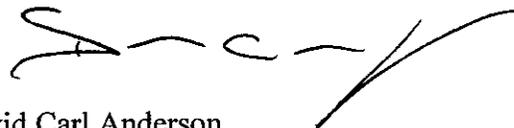
I am writing in opposition to the proposed *MCR 2.622(C)(1)* which, except upon a showing of good cause, would obligate a court to "defer" to the moving party's self-selected receiver. My concern is, if adopted, proposed *MCR 2.622(C)(1)* will adversely impact the receiver's role as an independent officer of the court because, in many instances, parties will select receivers whom they believe will favor their interests over those of other litigants and the receivership estate itself.

In my practice, I have first-hand experience with the indispensable role an independent receiver, appointed by the court, can play when it comes to resolving contentious probate issues. Specifically, in a highly-charged case involving multiple parties, a receiver appointed **by the court** brought the parties together and used his objective understanding of the issues to facilitate a prompt, efficient and just resolution. Such an outcome would not have been possible if the receiver had been nominated by the first litigant to file a motion for appointment of a receiver as the parties did not trust one another and, certainly, would have viewed the actions of a party-appointed receiver with suspicion.

I urge this Court to maintain the absolute independence of the receiver by declining to adopt proposed *MCR 2.622(C)(1)*. Courts, not interested parties, are in the best position to nominate qualified receivers to serve as fiduciaries for the benefit of all those involved.

Very truly yours,

LAW OFFICE OF DAVID C. ANDERSON, P.C.



David Carl Anderson

DCA/sl