

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SHELBY PRECISION MACHINING, LLC,

Plaintiff,

v

Case No. 2013-137071-CZ
Hon. Wendy Potts

STEEL MASTER, LLC,

Defendant.

OPINION AND ORDER RE: PLAINTIFF'S MOTION FOR SUMMARY DISPOSITION
PURSUANT TO MCR 2.116(C)(10)

At a session of Court
Held in Pontiac, Michigan

On
JUL 23 2014

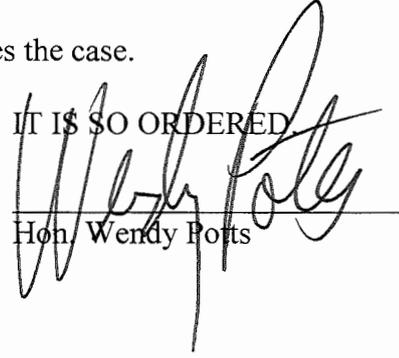
Plaintiff Shelby Precision Machining, LLC moves the Court for summary disposition and a judgment in its favor under MCR 2.116(C)(10), which tests the factual support for the claims. *Maiden v Rozwood*, 461 Mich 109, 119-120; 597 NW2d 817 (1999). The Court is exercising its discretion to decide the motion without a hearing. MCR 2.119(E)(3).

Shelby asserts that there is no question of fact that Defendant Steel Master, LLC owes Shelby \$80,307.50 for machining auto parts. Steel Master contends it made payments toward the debt after Shelby filed this action, although it presented no evidence to support this claim. In its reply, Shelby concedes that Steel Master paid \$3,343 in May 2014, and supports this claim with the affidavit of its Vice President Alan Pike. According to Mr. Pike, the adjusted account balance for Steel Master is now \$76,864.50.

Because Steel Master presents no affidavits or other admissible evidence showing a question of fact, Shelby is entitled to summary disposition. The Court enters judgment in Shelby's favor and against Steel Master in the amount of \$76,864.50 plus interest and taxable costs.

This order resolves the last pending claim and closes the case.

IT IS SO ORDERED



Hon. Wendy Potts

Dated:

JUL 23 2014