

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

INDEPENDENT BANK,

Plaintiff,

v.

BAY SQUARE CENTER, LLC, et al,

Defendants.

Case No: 2015-149969-CB

Hon. Wendy Potts

OPINION AND ORDER RE: PLAINTIFF'S MOTION FOR THE APPOINTMENT OF A RECEIVER

At a session of Court
Held in Pontiac, Michigan

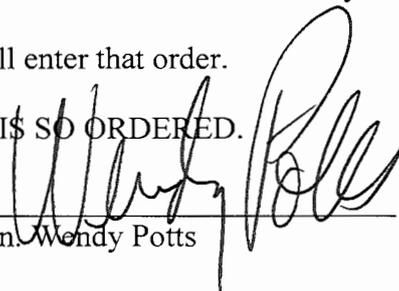
On

DEC 03 2015

Plaintiff Independent Bank moves the Court to appoint a receiver over various properties owned by Defendants. At a November 25th hearing, the Court granted the request for a receiver, but allowed Defendants 7 days to file objections to Plaintiff's proposed receiver, M. Shapiro Development Company, LLC. Defendants object to Shapiro as Receiver because they question whether there is a conflict of interest under MCR 2.622(B)(6). However, Defendants cite no evidence of any conflict. Moreover, Plaintiff met its burden of explaining how Shapiro has sufficient competence, qualifications, and experience to administer the receivership estate. MCR 2.622(B). After considering the factors of MCR 2.622(B)(5), the Court will appoint Shapiro as the receiver. MCR 2.622(B)(1). Further, because Defendants have not raised any objections to the language of Plaintiff's proposed order, the Court will enter that order.

IT IS SO ORDERED.

Dated: **DEC 03 2015**



Hon. Wendy Potts