

STATE OF MICHIGAN
COURT OF CLAIMS

CASSANDRA ANDERSON, GARRETT
DEWYSE, RYAN DURUSSEL, MELISSA
DURUSSEL, ERIC OSTERGREN, PATRICK
KIESSEL, and THOMAS ROY,

Plaintiffs,

v

Case No. 25-000131-MZ

GRETCHEN WHITMER, in her official capacity
as Governor of the State of Michigan,

Hon. JAMES ROBERT REDFORD

Defendant.

**ORDER DENYING PLAINTIFFS' 8/11/2025 ORDER TO SHOW CAUSE;
GRANTING PLAINTIFFS' REQUEST FOR EXPEDITED CONSIDERATION; AND
SETTING DEADLINES**

On August 11, 2025, plaintiffs moved for an Order to Show Cause and expedited proceedings with respect to their August 10, 2025 complaint. In this complaint, plaintiffs request a writ of mandamus as well as declaratory and injunctive relief compelling Governor Whitmer to issue a writ of election to fill a vacancy in the 35th State Senate District that has been vacant since January 3, 2025, when former State Senator Kristen McDonald Rivet resigned and assumed a seat in the United States House of Representatives. It is plaintiffs' position that Article 5, § 13 of Michigan's 1963 Constitution requires the writ of election.

Having reviewed plaintiffs' complaint, their motion and the cited constitutional provision, the Court finds no legal authority to issue an order to show cause. However, expedited consideration is warranted given that plaintiffs allege they are being denied elected representation in the Senate in derivation of the Michigan Constitution. Accordingly, the Court orders as follows:

1. Plaintiffs are directed to serve all pleadings and summons as well as this order on defendant by 4:00 p.m. Tuesday, August 12, 2025.
2. Plaintiffs' motion for an order to show cause is DENIED.

3. Plaintiffs' motion for expedited consideration is GRANTED.
4. Defendant is directed to respond to the August 10, 2025 complaint and August 11, 2025 motion by 12:00 noon, Friday, August 22, 2025.
5. If defendant files a motion for summary disposition in lieu of an answer, plaintiffs will have until 12:00 noon, Friday, August 29, 2025, to file a response brief, and defendant shall have until 12:00 noon, Friday, September 5, 2025, to file a reply brief. No brief filed may be more than twenty-five (25) pages, including plaintiffs' response. Defendant's reply, if any, must be no more than ten (10) pages.
6. Unless otherwise cancelled by the Court on its own initiative beforehand, a hearing to conduct oral argument on any pending motions or as a status conference in this matter shall take place Friday, September 12, 2025, at 10:00 am in the Court of Appeals Courtroom, in the State of Michigan Building, 350 Ottawa NW, Grand Rapids, Michigan 49503-2349. Counsel are required to attend this hearing in-person.

IT IS SO ORDERED.



Date: August 12, 2025

James Robert Redford
Judge, Court of Claims

