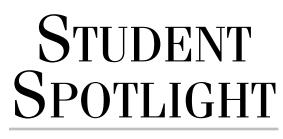
# Detroit Legal Rews.

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75 Cents



**By Sheila Pursglove** Legal News

### Isra Khuja All Business



ences with cases and clients. "There can be so much injustice in the world and a lawyer can help right those injustices through passing the mic to

Isra Khuja was

fascinated from an

early age by her

attorney brother's

stories of experi-

those whose voices have been systemically silenced or historically ignored,"

she says.

Aiming to follow in her brother's legal footsteps, Khuja earned her undergrad degree in political science and English from Wayne State Uni-— and remained a Wayne Warrior for law versity school.

"I thought political science would give me a preview of what to expect in law school and English would help me improve my writing skills," she says. "I've since learned nothing can truly prepare you for law school, but I still think those majors were beneficial."

Interning during undergrad for Judge Charlene Elder in the Third Judicial Circuit Court allowed Khuja to observe the ins and outs of the courtroom, an invaluable experience before attending law school.

"This opportunity allowed me to understand the routine of the courtroom and see some skillful attorneys at practice," she says. "I was fortunate enough to be mentored by Judge Elder from very early on in my forage into the legal field and what I learned in her chambers was incredibly enriching."

# Chief justice and AG among officials celebrating start of expungement expansion in Michigan

# Event showcased new free, low-cost legal resources for expungements

ney General Dana Nessel, Supreme Court legal services sector who are committed to Chief Justice Bridget McCormack and Michigan House Judiciary Committee Chairman state Rep. Graham Filler (R-DeWitt) joined criminal justice reform advocates including the national Clean Slate Initiative Managing Director Sheena Meade who acted as emcee, City of Detroit Project Clean Slate Lead Attorney Stephani Labelle, Michigan Advocacy Program Manager of Legal Services Delivery Shannon Lucas and Safe & Just Michigan Executive Director John S. Cooper at an online event Monday to mark the start of expanded access to expungements in Michigan.

Expungements, also known as set-asides, shield old criminal records from view after a person has lived several years crime-free, and they have been shown in studies to pave the way to higher employment rates, greater earning potential and lower recidivism rates. The event was sponsored by Safe & Just Michigan, a Lansing-based nonprofit that works to advance policies that end Michigan's over-use of incarceration and promote community safety and healing.

"We are so excited that the first set of Clean Slate bills are effective," Safe & Just Michigan's Cooper said. "These reforms are the culmination of years of hard work by many people, and they offer hundreds of thousands of people in Michigan new access to opportunity at a time of great need. We are also very happy to be joined today by political leaders who helped pass this legislation and are now turning

Michigan Lt. Gov. Garlin Gilchrist II, Attor- to its implementation, and by leaders from our helping people realize access the opportunities made possible by these reforms."

The Clean Slate legislative package, signed into law on Oct. 12, 2020, is comprised of seven laws, six of which took effect on Sunday, April 11. The laws now in effect concern the process of getting an expungement by petitioning a judge. Changes include allowing traffic offenses to be expunged for the first time ever in Michigan, increased opportunities for the expungement of marijuana offenses, allowing people to receive a greater number of expungements and reducing the time people must wait before petitioning for an expungement, among others. The final new law, automating the petition process in many cases, won't come into effect until late 2022 at the earliest.

Lt. Gov. Gilchrist supported the Clean Slate legislation in its journey through the legislature, testifying on its behalf before the Senate Judiciary and Public Safety Committee in 2020.

"Clean Slate — and especially the automated part — is an example of the government working for the people," Lt. Gov. Gilchrist said. He noted that automatic expungement is expected to help half a million Michiganders once it goes into effect next year by lowering barriers between people and basic needs. "That's 500,000 more people who will have access to jobs, who will have access to housing."

See **EXPUNGEMENT**, Page 11

**THE CONVERSATION** 

#### How the Supreme Court Found its Faith

### New AG webpage devoted to informing the public on new expungement laws

Michigan Attorney General Dana Nessel on Monday announced a new Department of Attorney General webpage devoted to inform-Michigan residents ing the state's new expungement laws, when they go into effect, the eligibility requirements, forms, and downloadable checklists.

"The new law brings about overdue change for so many residents who would otherwise have to carry around the burden of a public criminal record well past the point of having paid their debt to society," said Nessel. "Our new expungement webpage is a resource for residents to assess eligibility and better understand the process for applying to have their records expunged."

While there are a number of steps involved in requesting an expungement, residents should not be deterred. For this reason, the Department of Attorney General expungement webpage provides resources to explain the details of the law, clarify eligibility, and provide checklists for necessary application steps and materials.

As of April 11, a person convicted of one or more misdemeanor or local ordinance marijuana crimes may petition the convicting court to set aside the convictions if they were based on activity that would not have been a crime after December 6, 2018 - when a 2018 voter-

See WEBPAGE, Page 11

By STEVEN K. GREEN

Willamette University

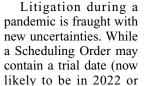
# **Local Voice**

**JAMES ALEXANDER** AND WENDY POTTS

# The benefits of early mediation

Michigan is experiencing some of the highest spikes in new coronavirus cases. This has negatively impacted the ability of courts to reopen. The civil case backlog will continue to grow. Since trials of incarcerated criminal

priority once the Courts reopen for Jury Trials, it becomes imperative that counsel and clients work towards alternatives to litigation.



2023), no court can give a date certain. Discovery could be negatively affected should a witness, counsel, or, even, a court reporter, be infected, or just exposed, to the virus. Travel has been severely impacted. There can be numerous issues just in dealing with the Internet and dropped calls.

One way to alleviate the concerns about pandemic affected litigation is to engage in early mediation. While this concept sounds unremarkable, it requires a rethinking of the mindset of clients, litigation and drafting counsel.

As litigators know all too well, litigation in the 21st century has become a discovery battle. While Michigan recently began to adopt and follow much of the Federal Court Discovery concepts, discovery disputes continue to increase costs and delays. Earlier consideration of the benefits of ADR processes benefit counsel and clients.



defendants will receive

Khuja has thoroughly enjoyed her three years of law school that will culminate in her upcoming graduation.

"Not only has Wayne Law allowed me to foster relationships with my classmates who will go on to become my colleagues in law, Wayne Law also has some of the most knowledgeable and insightful professors who truly value the growth of their students and root for their success," she says. "There's definitely a sense of community and diversity within the halls of Wayne Law which I'll always cherish."

And attending Wayne State for undergrad and law school has made Detroit her "home away from home.'

"The city is filled with opportunities and there's always the chance to meet new people and explore different parts of Detroit," she says.

Clerking at Vahdat Weisman in Dearborn after her 1L year was Khuja's first experience at a law firm.

"It was here I was finally able to see what a complaint and all the documents we discussed in Civil Procedure actually looked like," she says. "The skills I acquired have assisted me in each endeavor since clerking there."

Since joining Moot Court her 2L year, Khuja has dedicated as much time and effort as possible to improving her oral advocacy skills in order to become a good litigator for future clients. She

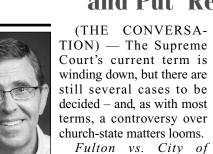
See STUDENT, Page 11



# INSIDE DLN

Business News	2
City Request for Bids	
Classified Ads	4
Court Digest	
Court News	
Legal Affairs	12
Legal Notices	
National News	
Ordinance	





*Philadelphia* is among the cases still to be decided. It

centers on a requirement that private agencies that receive city funding - in this case an adoption agency – do not discriminate against any community they serve, including members of the LGBTQ community. This nondiscrimination requirement applies to both religious and nonreligious organizations. But the adoption service at the heart of the case - Catholic Social Services - refused to comply, asserting that not being allowed to discriminate against gay couples infringed upon its religious beliefs.

It would appear on first glance that the city's position is strong – after all, it provides the money and has a legitimate interest in ensuring that funding does not perpetuate discrimination based on sexual orientation.

# and Put 'Religious Liberty' on a Winning Streak

Yet, Catholic Social Services and its counsel, Becket Fund for Religious Liberty, believe that they have the wind at their back regarding their claim. From my perspective as a professor of law who has closely monitored such religious liberty cases, they could be right. Religious claimants have been on a winning streak before the Supreme Court in recent years. They notched up their latest victory on April 9 when justices ruled that California could not impose COVID-19 restrictions on religious gatherings at private homes.

#### A noticeable shift

The Supreme Court has become increasingconservative over the past two decades, with five of the last seven justices appointed by Republicans. As a result, it has become increasingly sympathetic to claims by religious conservatives that mandatory nondiscrimination laws violate their ability to practice their beliefs, as protected by the Constitution and federal law.

Two recent studies have confirmed this trend. One found that since the George W. Bush-appointed John Roberts assumed the role of chief justice in 2005, the Supreme Court has

-🛞-

ruled in favor of religious claimants 81% of the time. This compares with a rate of about 50% for the 20th century.

Some of the recent cases are familiar; others, less so. In 2014, the justices relieved the craft store chain Hobby Lobby from having to provide employees with health insurance that covers contraception, as mandated by the Affordable Care Act. Hobby Lobby had objected to the requirement on religious grounds.

And in 2020, the Supreme Court ruled that teachers employed by religious schools were not entitled to protection against age and disability discrimination as a result of the "ministerial exception" - which allows religious entities to ignore anti-bias legislation if they can assert that staff perform even minimal religious duties.

Meanwhile, in 2018, a majority of justices suggested that a small business - here, a baker - could refuse to serve gay customers because of the owner's religious objections to same-sex marriage. The court has also held that states have to give the same grants and tax breaks to churches and religious schools that they do to nonreligious entities.

See **GREEN**, Page 2

These benefits of early (or even pre-litigation) mediation are readily apparent. Costs and delay are diminished. In an ongoing business relationship, the parties, who can develop their own mutually acceptable resolution, can continue their relationship. This also allows the matter to be resolved before positions harden and resolution becomes that much harder.

Early prelitigation mediation is a concept that drafters might consider including in business agreements, including LLC agreements. The clauses could contain some of the following:

1. The types of disputes that would go to mediation.

2. Timing of the mediation (within X days of submission) and timing to complete (within X days of appointment of the mediator).

3. Name of the mediation tribunal (JAMS).

4. Specific qualifications of the mediator (a retired jurist; an accountant; someone skilled in the business).

5. Location of the hearing.

6. Limits on Discovery.

7. A provision that those in attendance must be final decision makers (those people

See **MEDIATION**, Page 12

# DAILY BRIEFS

### U.S. attorney's office in Detroit nominates NY lawyer to monitor **United Auto Workers union**

DETROIT (AP) — The U.S. attorney's office in Detroit is recommending that a federal judge name New York lawyer Neil Barofsky to monitor the United Auto Workers union's behavior after a corruption scandal

Appointing an independent monitor is part of a settlement the union agreed to with federal prosecutors in December. He'll stay in place for six years unless both sides agree to a shorter term.

Barofsky leads the law firm Jenner & Block's monitorship practice. He monitored two units of Credit Suisse following multibillion-dollar settlements. He also was an assistant U.S. Attorney in Manhattan and served as Special Inspector General for the Troubled Asset Relief Program, which bailed out banks and two auto companies after the 2009 financial crisis.

After a monitor is appointed, the union has six months to hold a secret-ballot election to decide whether members will vote directly to pick the union's future leaders. Barofsky would monitor the election, as well as compliance with the settlement. Currently union leaders are picked by delegates to a national convention.

The monitor will administer the election, will have the power to approve hiring or discharges of union employees, and can end or approve contracts, the settlement agreement says.

Acting U.S. Attorney Saima S. Mohsin made the motion to hire

Barofsky on Monday, according to court records. The union submitted the names of three candidates, and the appointment still must be approved by Judge David Lawson.

The agreement came in the wake of a wide-ranging federal probe into corruption that reached into the upper ranks of the 400,000-member UAW. It held off a possible federal takeover of the union due to the bribery and embezzlement investigation that has lasted more than five years.

The probe has led to 11 convictions of union members, including two former presidents. The U.S. Attorney's office said it uncovered embezzlement of over \$1.5 million in dues money, kickbacks to union officials from vendors, and \$3.5 million in illegal payments from executives at Fiat Chrysler who wanted to corruptly influence contract talks.

UAW President Rory Gamble, who was not charged in the probe, has said the union is now clean and will have safeguards in place to prevent the scandal from happening again.

### 'Past Presidents Presentation' planned by ADTC for May 11

The Association of Defense Trial Counsel will host an online "Past Presidents Presentation" on Tuesday, May 11, beginning at p.m.

The videoconference will welcome in the new ADTC board including President Amhed Hassouna. For additional information on the "Past Presidents Presentation,' email ADTC Executive Director Jessica Dzieszkowski at adtc.detroit@gmail.com.

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#### Money Matters

Planning for changes to the federal estate and gift tax Page 2

#### ■ Legal View

The importance of following good corporate governance Page 3

#### ■ Legal Affairs

The law and science behind the CDC's eviction ban **Back page** 

WEDNESDAY, APRIL 14, 2021

# **The Conversation**

#### WILLIAM PETRI, UNIVERSITY OF VIRGINIA

# Johnson & Johnson vaccine suspension – what this means for you

(THE CONVERSATION) — The Centers for Disease rence, even though it has not Control and Prevention and the been shown to be due to the Food and Drug Administration vaccine, the CDC and FDA on April 13, 2021 halted use of the one-dose Johnson & Johnson COVID-19 vaccine that has been given to 6.8 million people in the U.S. The pause is due to reports of blood clotting in six people who have received the vaccine. One woman died, and another has been hospitalized in critical condition. Dr. William Petri, an infectious disease physician and immunologist at the University of Virginia School of Medicine, answers questions to help put this development in context.

#### What is this potential side effect of the J&J vaccine for COVID-19?

The potential side effect is a blood clot in the veins that drain blood from the brain. This is called central venous sinus thrombosis. In the vaccine-associated cases of this, platelets in blood, which are important for making clots, have been lower than normal. While researchers do not know for certain why this is so, platelet counts could be lower perhaps because they have been used up making these clots.

#### experienced this possible reaction?

About one in a million: Six cases out of the 6.8 million administered in the U.S. These six cases all occurred in women ages 18-48, and from 6 to 13 days after vaccination. That's about half as likely as getting struck by lightning in a year. What is being determined now is what is the normal background number of cases we might see in the general cine in Europe in response to population without the vaccine the U.S. review. as a factor. This will make it What is the take-home possible to determine if the message? clotting problem is a vaccine side effect or not.

Because of this rare occurhave recommended a pause in use of the J&J vaccine until these cases can be further reviewed

#### What are the next steps?

The CDC will convene a meeting of the Advisory Committee on Immunization Practices on April 14, 2021. The ACIP is an independent board of 15 scientific and medical experts selected by the health and human services secretary that advises the CDC on vaccines for children and adults. People with ties to vaccine manufacturers are excluded from the ACIP membership because of potential conflict of interest.

The ACIP will review the available evidence and make recommendations to the CDC, based to a great extent on the likelihood that the complication is vaccine related.

#### Is this similar to what happened with the AstraZeneca vaccine in Europe?

A similar rare problem of blood clotting with low platelets in the cerebral venous sinus and also in the abdominal veins and arteries has been seen in connection with the use How many people have of theAstraZeneca COVID-19 vaccine used in Europe. There, 182 cases were reported in 190 million doses - again, roughly 1 in 1 million people vaccinatdoses of the J&J vaccine ed. The European Medicines Agency investigated this and concluded that central venous sinus thrombosis with low platelets should be listed as a possible "very rare side effect" of the AstraZeneca vaccine.

On April 13, 2021, Johnson & Johnson announced it is delaying the rollout of its vac-



## **EXPLAINER** The law and science behind the CDC's eviction ban

#### **By Drew Costley** AP Science Writer

When the U.S. government enacted a ban on evictions, it did so through an unlikely agency: the Centers for Disease Control and

Prevention. The CDC has said the policy, first enacted in September and recently extended through the end of June, helps stop the spread of the coronavirus by limiting the number of people who lose their housing and have to live in shared housing, homeless shelters or on the streets.

The ban has been praised by advocates for those at risk of being thrown out of their homes, but it has been met with stiff resistance from some property owners who say it is a constitutional overreach. Last month, a federal judge in Ohio concluded the agency lacked the authority to issue such a ban, the second such ruling.

Here's a look at the moratorium, its rationale and what the research says about evictions and health. WHAT DOES THE MORA-

TORIUM DO? The eviction moratorium is supposed to stop landlords and

property owners from evicting renters who meets certain requirements, like making \$99,000 or less in 2020 if you're an individual, or experiencing substantial loss of income. It's meant to miti-

gate the spread of the coronavirus through shared housing and unsheltered homelessness, the

spread of the virus from one state to another, and support coronavirus response efforts.

But eviction ban isn't stopping all evictions. They are continuing in some places, because of misinformation and legal loopholes.

WHAT GIVES THE CDC THE ABILITY TO BAN EVIC-TIONS?

The agency has said its authority comes from the Public Health Service Act, a nearly 80-year-old federal law that gives the federal government tools to stop the spread of communicable diseases.

The act is clear about some measures the agency can take, such as isolation and quarantine of people who have or may have the virus. But it's less clear on other measures, like the eviction moratorium, according to some legal scholars.

Larry Gostin, a public health law expert at Georgetown University, said he believes the CDC has the legal authority to stop evictions, but acknowledges: "This is definitely a stretch because the Public Health Service Act doesn't specifically mention evictions and traditionally CDC's power doesn't extend to housing."

WHAT DO OPPONENTS SAY?

Those who have opposed the move in court have said the CDC doesn't have the legal authority to in Chicago. They found that Black renters," Benfer said.

#### impose the measure, because the and Hispanic women had higher act doesn't explicitly mention evictions or housing.

"Our core argument ... was that the CDC lacks the statutory and regulatory authorization for the eviction moratorium," said Steve Simpson, outside counsel for the National Association of Home Builders, one of the groups suing the CDC.

IS THERE A CONNECTION BETWEEN EVICTIONS AND HEALTH?

Public health experts say there is an association between evictions and health problems, but it's hasn't been proven that losing a home causes them.

Researchers have studied the relationship between housing insecurity — a term that captures evictions, threats of eviction, inability to pay rents or mortgages, and homelessness — and a range of health problems. They found that housing insecurity is associated with preterm birth and low birth weight, psychiatric hospitalizations and death.

In a September study, researchers examined eviction case filings and infant health data in the United States and found that even the threat of evictions during a pregnancy is associated with higher rates of preterm birth and low birth weight.

In a separate study, published a month later, researchers looked at eviction and pediatric health data

#### rates of very low birth weight, infant mortality, eviction filings and evictions than white women. They also found that neighborhoods with high rates of eviction also experience high rates of very low birth weight and infant mortality, though they couldn't prove that evictions cause these health outcomes

"The health impacts of housing instability are extensive and severe," said Emily Benfer, a law professor at Wake Forest University. "Housing instability also has a nexus with barriers to accessing opportunity and to livelihood and well-being generally."

WHAT ABOUT EVICTIONS AND DISEASE?

There isn't much academic research on how evictions influence infectious disease.

Benfer was the lead author on a paper published in February that examined the relationship between evictions, health inequity and the coronavirus. Benfer and her colleagues argued that modeling suggested that evictions and homelessness would exacerbate coronavirus spread and that halting evictions is an effective tool at

slowing it. "What we found was eviction during a pandemic increases the rates of COVID-19 transmission, infection and mortality, and is also resulting in health inequity among Black and Hispanic

Police shocked by convicted murderer's release **By ED WHITE** Associated Press

Submit news & views to bcox@legalnews.com

DETROIT (AP) — A Detroit-area man who was convicted of killing his first wife and whose second wife died under suspicious circumstances was granted an early release from prison after he argued that the risk of catching COVID-19 behind bars endangered his life.

Federal prosecutors fought to keep Roger Sweet locked up and were surprised by U.S. District Judge Victoria Roberts' decision Friday. Police said Sweet is considered a "person of interest" in the death of his second wife, whose remains were found in 2013, years after she disappeared.

"All along we believed we were looking at the right person here. ... We're going to assign this to a new staff of detectives to get a fresh set of eyes on the case," Brownstown Township Chief Jeff Watson said Tuesday, referring to the death of Lizzie Mae Collier-Sweet.

Roberts ordered Sweet's release even though he's received a COVID-19 vaccine dose and survived a virus infection last year. She acknowledged that his crimes were "abhorrent" but said chronic health conditions, especially kidney disease, make him vulnerable.

"Without a single disciplinary action in 14 years of incarceration, Sweet's behavior demonstrates a respect for the law and indicates how he may perform on supervised release," Roberts said.

In 2008, Sweet was convicted in two Detroit-area courts and federal court. Those crimes included second-degree murder

**ATTORNEY GENERAL'S OFFICE** 

# Nessel announces settlement with propane supplier over alleged violations of consumer protection laws

Dana Nessel announced Tuesday supplier – that resolves the attor-

Michigan Attorney General secure expedited fills to resolve situations where homes were that the Department of Attorney without heat in January or Febru-General has entered into a settle- ary—including when Michigan LP – a Missouri-based propane emergency due to extreme cold process. Michigan Ferrellgas contemperatures and heavy snowfall.

• A \$49,500 payment to the return propane upon termination Attorney General's Office, of service, and that it will contin-\$45,000 of which will be used to ue doing so for Michiganders compensate affected Michigan who terminate service in the ment agreement with Ferrellgas, was under a declared state of customers through a claims future.

• Assurance that Ferrellgas will sumers who were left without vaive all fees and costs for emer

J&J shot?

The CDC and FDA are recommending that people who the other two vaccines, develhave received the J&J vaccine within the last 3 weeks who develop severe headache, abdominal pain, leg pain or shortness of breath should contact their health care provider.

Fortunately this type of blood clot is treatable with the use of blood thinners or anticoagulants. If a patient has low platelets, however, a doctor would not prescribe the widely used anticoagulant heparin but instead another kind of blood thinner. Untreated, these blood clots can be fatal.

What are the CDC and FDA specifically recommending for the J&J vaccine?

vaccines authorized under cine.

I believe it is a testament to the emphasis by the CDC and FDA on vaccine safety that J&J vaccinations have been paused while this is studied by independent scientists and medical experts.

# The U.S. has a total of three

What do I do if I got the emergency use authorization for COVID-19, and this side effect has not been observed in oped by Moderna and Pfizer. The Moderna and Pfizer vaccines do not use the same technology used in the J&J and AstraZeneca vaccines. So vaccination against COVID-19 can continue, while efforts are made to determine if the clotting disorder is related by chance or a true, but extremely rare, side effect of the J&J vac-

# **MEDIATION:** Pick a skilled neutral mediator

#### From Page 1

who can make a decision without having to consult with others).

Early mediation requires the parties to have an understanding of their respective positions. Counsel needs to give the client an honest appraisal of the strengths and weaknesses of their positions. Counsel and client need to understand the end result they are seeking (money damages; limits on competition; continuing production; etc). They also need to maintain what we call the "Godfather Ethic"...it's strictly business

An additional benefit of early mediation is a narrowing of the issues. Even if resolution of the total case isn't accomplished, this is an excellent opportunity to resolve many of the "minor" issues so that focus can be maintained on the real issue(s). This leads to a quicker, and less expensive, resolution.

In order for there to be an effective early mediation, it is imperative that the parties pick a Services (JAMS) office in Detroit.

skilled neutral mediator. These skills require more than just an understanding of the mediation process, but also an understanding of the court system that will hear the dispute. The mediator should also have an understanding of the jurists who might hear the matter in order to help the parties weigh the possibilities in litigation. Additionally, the mediator should be someone with a reputation of honestly evaluating the parties respective positions; and not be afraid to give that honest assessment in order to help the parties evaluate their

positions. In these unique times it is essential that clients, counsel and neutral mediators understand the new realities and work together to resolve disputes earlier; efficiently and expeditiously.

James Alexander and Wendy Potts are both retired judges of the Oakland County Circuit Court and are mediators with the Judicial Arbitration and Mediation

ney general's potential claims against Ferrellgas under the Michigan Consumer Protection Act (MCPA).

Earlier this year, the Department opened an informal investigation into Ferrellgas after receiving numerous complaints from Ferrellgas customers in Michigan regarding delivery of propane used for home heating. The complaints, filed with the Attorney General's Office and the Better Business Bureau, detailed various issues, such as difficulties in contacting Ferrellgas representatives by telephone, protracted delivery periods following the placement of orders, and an inability to

"Being without heat for even a

day during a Michigan winter is emotionally devastating and can be dangerous," Nessel said. "Ferrellgas and other propane providers are now on notice that this office will not tolerate any company that breaks its commitments to consumers and leaves them sitting in the cold."

The Attorney General's Office issued a Notice of Intended Action on February 12 outlining the alleged violations of the MCPA. To resolve these alleged violations, Ferrellgas agreed to enter into an Assurance of Voluntary Compliance and Discontinuance, the terms of which include:

heat this winter and believe it was due to a mistake or failure by Ferrellgas may qualify for a distribution under this settlement. Any consumer wishing to be considered must file a consumer complaint online by May 7, 2021, and include with the complaint any documents supporting the claim. The amount of money paid to each customer may depend on the number of claims made.

• Assurance that Ferrellgas will implement a number of marketing and customer service reforms.

• Assurance that Ferrellgas will reimburse Michigan customers for unused propane who

gency or expedited delivery service, leak checks, and for changing propane services for all Michigan consumers who file or filed a substantiated claim with the Better Business Bureau or Attorney General's Office, and will refund any such fees already paid.

 Assurance that Ferrellgas will refund any payments made for propane that was ultimately not delivered because the consumer(s) switched to a provider that was able to make delivery sooner, or because of communication difficulties with Ferrellgas.

To file a consumer complaint, visit the attorney general's website at www.michigan.gov/ag.

Nessel charges man for running an adult foster care facility without a license

An Ypsilanti man was charged with continuing to run an Adult Foster Care (AFC) facility for years in violation of a revocation of his license and a Permanent Injunction to operate any such facility, Attorney General Dana

Nessel announced Tuesday. Jameson Onyebuchi, 66, was arraigned in the 14-B District Court in Washtenaw County on one count of Former Licensee Violations of an Adult Foster Care Facility, a five-year felony. "Individuals who disregard

licensing laws must be held

accountable." said Nessel. "Over- buchi's license was previously sight and enforcement are especially important in situations where failure to abide by the law puts vulnerable people at even greater risk.'

The Michigan Department of Licensing and Regulatory Affairs (LARA) referred the Onyebuchi case to the Department of Attorney General after investigating an allegation that the owner was continuing to operate an AFC facility in violation of a Permanent Injunction issued by the 30th Circuit

Court on April 5, 2017. Onye-

revoked in 2010 by the Department of Health and Human Services and he was prohibited from operating AFC facilities.

On February 20, 2020, an investigation took place at 1269 East Michigan Avenue in Ypsilanti, Michigan, where it was discovered that adults were living in an unlicensed AFC home run by Onyebuchi in violation of the injunction and revocation of his license.

The resulting criminal charges are based on the collaboration between LARA and the Depart-

ment of Attorney General, Health Care Fraud Division. The Health Care Fraud Division receives 75 percent of its funding from the U.S. Department of Health and Human Services under a grant award totaling \$5,025,536 for Federal fiscal year 2021. The remaining 25 percent, totaling

of Michigan. Onyebuchi is order to appear for formal arraignment and a probable cause conference on May 20 before Judge J. Cedric Simpson of the 14A District Court.

\$1,675,177, is funded by the State

in the 1990 death of his first wife, the sexual assault of a 16year-old girl and the sexual exploitation of children.

His federal prison sentence -21 years — was the longest and still had seven years remaining, prosecutors said.

In 2007, Sweet's second wife disappeared after a fire at their Brownstown Township home, south of Detroit, a blaze that triggered the criminal investigations

While Sweet was in prison, Collier-Sweet's remains were found in 2013 in a secluded area less than a mile away from their former home. Her cause of death was listed as "indeterminate," but police believe it was a homicide, Watson said. No one has been charged.

Investigators said Collier-Sweet wrote in a diary that she feared her husband and slept on a couch with a hammer and shotgun, Assistant U.S. Attorney Kevin Mulcahy said in a court filing, citing news reports.

"Nothing about Sweet's history and characteristics, which include rape, murder and the suspicious circumstances surrounding Lizzie Mae's death, support releasing him early," Mulcahy said.

Sweet will be confined to his home on electronic tether for 12 months with exceptions for work, religious services, medical appointments and courtordered obligations, the judge said.

America didn't NOTICE?

# Man sentenced after embezzling more than 100K from elderly victim

which was suspended by the court, two years' probation and ordered to pay restitution for embezzling more than \$100,000 from a vulnerable adult, Michigan Attorney General Dana Nessel announced Tuesday.

Calium Turnage, 59, appeared Monday before Judge Patrick Conlin in Washtenaw County Circuit Court. His sentencing follows a plea deal he entered in March in which he pleaded guilty to one count of embezzlement from a

20-year felony.

Conlin sentenced Turnage to six months in jail-which is held in abeyance during the probation period – and two years' probation. Turnage is also responsible for paying restitution of about \$140,000 to the estate of the victim, who is now deceased. Turnage is also not to work in care of the elderly or disabled, nor is he allowed to have access to funds belonging to someone else.

"The defendant clearly took advantage of the victim's vulnera-

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of financial exploitation is an example of why we established the Elder Abuse Task Force," said Nessel. "We must protect the most vulnerable people in our state by taking steps that not only hold bad actors accountable for their actions, but also deter this behav-

ior from taking place at all." This case was handled by the Attorney General's Elder Abuse Unit. Nessel has made addressing elder abuse a top initiative during her term as Attorney General and helped establish the Michigan

Elder Abuse Task Force in 2019. To view more about the task force, the attorney general's initiative and how to report suspected elder abuse, visit the Department of Attorney General's website at www.michigan.gov/ag.



What if

# An Ypsilanti man has been vulnerable adult over \$100,000, a bility and this unconscionable act

sentenced to six months in jail