

STATE OF MICHIGAN

IN THE 22ND JUDICIAL CIRCUIT COURT

TAA PUBLISHING  
INCORPORATED,  
Plaintiff,

**Case No.**

Hon.

v

DOMESTIC VIOLENCE PROJECT,  
INC.,  
Defendant.

**COMPLAINT**

GUY T. CONTI P68889 ContiLegal Attorneys for Plaintiff 28475 Greenfield Road Suite 113 #7372 Southfield, MI 48076 (888) 489-3232; fax (888) 848-8228	
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Plaintiff, for her complaint, avers:

1. Plaintiff is a domestic corporation in the City of Ann Arbor, Washtenaw County, Michigan, doing business as The Ann Arbor Independent, an on-line news service.
2. Defendant is a domestic non-profit corporation whose headquarters is in Washtenaw County, MI.
3. This case is commenced pursuant to the Michigan Freedom of Information Act and the Michigan Open Meetings Act.

**COUNT I – VIOLATION OF THE MICHIGAN FREEDOM OF INFORMATION ACT**

4. On November 17, 2021, Plaintiff, by and through its Editor, Patricia Lesko, sent Kim Montgomery, the Interim Executive Director of Defendant, a request under the Michigan Freedom of Information Act. See Exhibit 1.
5. On December 11, 2021, Plaintiff, by and through their counsel, submitted a second request to Defendant under the Michigan Freedom of Information Act. See Exhibit 2.
6. Defendant is primarily funded by or through state or local authority. See Exhibit 3.
7. Defendant has willfully and intentionally declined to provide the requested documents, evidently believing it is not a public body under the Michigan Freedom of Information Act. See Exhibit 4.
8. More than five business days have passed for both requests.
9. Defendant has not extended the response period.

#### Count II – VIOLATION OF THE MICHIGAN OPEN MEETINGS ACT

10. Plaintiff incorporates all previous paragraphs in this Complaint.
11. Defendant is a lessee of Washtenaw County. See Exhibit 5.
12. As a term of the lease, Defendant is obligated to provide a domestic violence shelter, an essential government service as demonstrated by the People of Washtenaw County, in passing a millage in or about 1992, specifically for the purpose of constructing a facility to provide shelter and other services to survivors of domestic assault, including children.

13. Defendant, as a non-profit corporation, formed as a directorship organization, has a Board of Directors.

14. Said Board of Directors meets periodically.

15. Notices of Board of Directors meetings are not, and have never been, posted at the principal office (and never made available to the public).

16. A schedule of regular meetings of the Board of Directors has never been posted within 10 days after the first meeting of the Board of Directors in each calendar or fiscal year a public notice stating the dates, times, and places of its regular meetings.

17. Public comment is not, and has never been, provided for at Board of Directors meetings.

18. Meetings of the Board of Directors are not, and have never been, held in a place available to the public.

Wherefore, Plaintiff requests this Court enter judgment in her favor and order

Defendant to:

A. Pay Plaintiff reasonable attorney fees and costs,

B. Pay over any actual damages under the Michigan Freedom of Information Act, to be determined by this Court,

C. Pay over, under the Michigan Freedom of Information Act, \$1,000.00 in punitive damages,

D. Concerning Plaintiff's requests under the Michigan Freedom of Information Act, to provide the requested documents as provided for in law.

E. Comply with the requirements of the Michigan Open Meetings Act, and

F. Award any other relief available to Plaintiff at law or in equity.

Dated: 01/21/2022

/s/Guy T. Conti  
Guy T. Conti P68889  
Attorney for Plaintiff