

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

SABRINA PRITCHETT-EVANS and  
KIMBERLY HARRIS

Case No. 2023-0169-CZ

Plaintiffs

v.

HON. CURTIS J. BELL

REPUBLICAN PARTY OF KALAMAZOO  
COUNTY, STATE OF MICHIGAN (KGOP);  
KALAMAZOO GRAND OLD PARTY  
EXECUTIVE COMMITTEE (KGOPEC); and  
(AKA) KALAMAZOO COUNTY  
REPUBLICAN COMMITTEE (KGOPEC),  
and KELLY SACKETT

Defendants.

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James A. Thomas (P80931)  
JAMES A. THOMAS LAW OFFICES  
Attorney for Plaintiffs  
1925 Breton Rd., Suite 250  
Grand Rapids, MI 49506  
(616) 747-1188

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Matthew S. DePerno (P52622)  
DEPERNO LAW OFFICE, PLLC  
Attorney for Defendant Sackett  
Attorney for Defendants KGOP and KGOPEC  
*per limited appearance*  
951 W. Milham Avenue, PO Box 1595  
Portage, MI 49081  
(269) 321-5064

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**DEFENDANTS' UNOPPOSED MOTION TO FILE BRIEF IN EXCESS OF  
PAGE LIMIT**

Defendants REPUBLICAN PARTY OF KALAMAZOO COUNTY, STATE OF  
MICHIGAN, KALAMAZOO GRAND OLD PARTY EXECUTIVE COMMITTEE  
("KGOPEC"), and (AKA) KALAMAZOO COUNTY REPUBLICAN COMMITTEE  
(KGOPEC), and KELLY SACKETT ("Sackett"), by and through their attorneys, DePERNO

LAW OFFICE, PLLC,<sup>1</sup> moves this Honorable Court for an order granting Defendants permission to file a brief in support to their motion for summary disposition in excess of the 20-page limit set forth in MCR 2.119(A)(2)(a). In support of such motion, Plaintiff states as follows:

1. Defendants have filed a motion for summary disposition that is 35 pages in length.
2. The legal issues in this case requires an extended discussion of the facts and the law, along with an application of the law to the facts.
3. Plaintiff's attorney has agreed to allow Defendants to file an enlarged brief through a prior stipulation filed with the Court.
4. It is necessary to file a brief of this length because Plaintiff's attorney must respond comprehensively to each of Plaintiffs' allegations in their Amended Complaint. The research into this brief has been extensive and detailed.

WHEREFORE, for the reasons stated herein, Defendants respectfully requests that this Honorable Court grant this motion.

Respectfully submitted

DePERNO LAW OFFICE, PLLC

*/s/ Matthew S. DePerno*

Matthew S. DePerno (P52622)

Attorney for Defendant Kelly Sackett

Attorney for KGOPEC (KGOP) *on limited appearance*

Dated: June 9, 2023

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<sup>1</sup> Attorney Matthew DePerno remains on a limited appearance as to Defendants KGOP and KGOPEC based on their motion for summary disposition pursuant to (in part) MCR 2.116(C)(1), (2), (3), and (4).

# **Exhibit 1**

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Case No. 2023-0169-CZ

Plaintiffs

v.

HON. CURTIS J. BELL

REPUBLICAN PARTY OF KALAMAZOO  
COUNTY, STATE OF MICHIGAN, (AKA)  
KALAMAZOO COUNTY REPUBLICAN  
COMMITTEE, and KELLY SACKETT

Defendants.

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**STIPULATED ORDER**

At a session of said Court held in the Circuit Court for the  
County of Kalamazoo, State of Michigan, on  
\_\_\_\_\_, 2023

PRESENT: HONORABLE CURTIS J. BELL  
Circuit Court Judge

This matter having been heard by the Court on Defendant's Motion to Adjourn Evidentiary Hearing set for Monday, May 22, 2023; and the Court having reviewed Plaintiff's Response and considered the arguments presented by the parties, and the Court being otherwise fully advised in the premises; and the Court having delivered its opinion from the bench at the conclusion of the hearing;

**IT IS HEREBY ORDERED** for the reasons set forth by the Court in its opinion from the bench and established on the record that Plaintiff could either go forward with the evidentiary hearing on May 22, 2023 or continue the hearing to July 3, 2023 upon Plaintiff's Counsel right to timely file an

amended complaint. Plaintiff's counsel opted to continue the evidentiary hearing until July 3, 2023. The evidentiary hearing will follow Defendant's summary disposition motion scheduled at the same time should any of the Plaintiff's Counts survive the summary disposition motion. Upon Plaintiff's filing a timely amended complaint, defendant's counsel may file a summary disposition motion pursuant to the rules of MCR 2.116 or answer the amended complaint. It is further stipulated by the parties that Defendant's Counsel may file a brief for summary disposition in excess pages if so needed and cancel the hearing set for June 14, 2023 for that purpose.

**IT IS FURTHER ORDERED** that discovery in this action will begin immediately starting on May 15, 2023 with the Court to set a scheduling calendar order at a later date. Plaintiff's Counsel shall file its witness list by June 12, 2023 for the evidentiary hearing and Defendant's Counsel shall file its witness list by June 19, 2023 for the evidentiary hearing. Both counsels may work together to coordinate their exhibits for presentation for the evidentiary hearing for the efficiency of this matter.

**IT IS SO ORDERED.**

**This is not a final order and does not resolve all claims in this Court.**

Dated: \_\_\_\_\_  
At Kalamazoo, Michigan

\_\_\_\_\_  
Honorable Curtis J. Bell  
Circuit Court Judge

ATTEST: A True Copy

\_\_\_\_\_  
Deputy Clerk

**I HEREBY STIPULATE AND AGREE TO ENTRY OF THE ABOVE ORDER**

*James Thomas w/ permission*  
\_\_\_\_\_  
James A. Thomas (P80931)  
Attorney for Plaintiff

*[Signature]*  
\_\_\_\_\_  
Matthew S. DePerno (P52622)  
Attorneys for Defendant

Dated: May 22, 2023

Dated: May 22, 2023