

STATE OF MICHIGAN
IN THE SUPREME COURT

CREDIT ACCEPTANCE CORPORATION,

Plaintiff-Appellee,

Supreme Court No: 133292

vs.

Court of Appeals No. 262404

46th DISTRICT COURT,

Oakland County Circuit Court
Case No. 05-063349 AS

Defendant-Appellant.

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**CREDIT ACCEPTANCE CORPORATION'S CONCURRENCE WITH THE 46TH
DISTRICT COURT'S APPLICATION FOR LEAVE TO APPEAL**

Plaintiff-Appellee Credit Acceptance Corporation ("Credit Acceptance Corporation") concurs in the Application For Leave To Appeal filed by Defendant-Appellant 46th District Court (the "46th District Court"), as follows:

1. On January 3, 2005, Credit Acceptance Corporation filed a Complaint in the Oakland County Circuit Court seeking a writ for superintending control to address whether the 46th District Court had authority to adopt additional procedural requirements to file for writs of garnishment than are stated in the Michigan Court Rules.

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CLERK
MICHIGAN SUPREME COURT

2. The Oakland County Circuit Court conducted a hearing on an order to show cause, and dismissed the Complaint without prejudice.

3. Credit Acceptance Corporation filed a timely appeal as of right to the Court of Appeals, which on January 16, 2007 reversed the dismissal by the Oakland County Circuit Court, holding in essence that MCR 3.101(D) contained all the requirements that a District Court could impose upon the filing of a writ of garnishment.

4. On February 27, 2007, the 46th District Court filed the pending Application for Leave to Appeal with this Court.

5. The 46th District Court proposed a Pilot Project, pending before the Supreme Court as Administrative File No. 2005-32, whereby the 46th District Court would use revised provisions of Rules 2.112, 2.113, 3.101, and 8.119 of the Michigan Court Rules (the “Proposed Pilot Project”).

6. Credit Acceptance Corporation concurs with the request of the 46th District Court that the Supreme Court adopt the Proposed Pilot Project at least as a pilot program in the 46th District Court.

7. Credit Acceptance Corporation does not object, and has informed the 46th District Court that Credit Acceptance does not object to uniform judicial scrutiny that identifies errors related to the filing for writs of garnishment, even if this uniform judicial scrutiny to identify errors is not expressly stated in the Michigan Court Rules.

8. The Proposed Pilot Project would resolve the concerns of Credit Acceptance Corporation that were raised by its original Complaint.

9. Credit Acceptance Corporation is informed and believes that the pendency of the 46th District Court’s application for leave to appeal in the instant case may be causing the

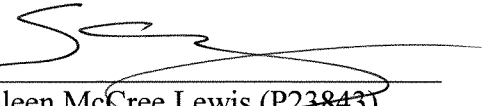
Supreme Court to hold in abeyance the Supreme Court's consideration of the Proposed Pilot Project.

10. Credit Acceptance Corporation respectfully respects that the Supreme Court's consideration of the Proposed Pilot Project proceed despite pendency of the 46th District Court's Application for Leave to Appeal in the instant case.

11. Irrespective of the Supreme Court's decision regarding the Proposed Pilot Project, Credit Acceptance Corporation concurs with the Relief Requested by the 46th District Court's Application for Leave to Appeal.

WHEREFORE, Plaintiff-Appellee Credit Acceptance Corporation respectfully requests that the Supreme Court grant the pending Application for Leave to Appeal, along with such other relief as may be just.

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Dated: April 19, 2007

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