

STATE OF MICHIGAN  
IN THE SUPREME COURT

CREDIT ACCEPTANCE CORPORATION,

Plaintiff-Appellee,

Supreme Court No: 133292

vs.

Court of Appeals No. 262404

46<sup>th</sup> DISTRICT COURT,

Oakland County Circuit Court  
Case No. 05-063349 AS

Defendant-Appellant.

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133292  
8-002  
**CREDIT ACCEPTANCE CORPORATION'S SUPPLEMENTAL BRIEF IN SUPPORT  
OF APPLICATION FOR LEAVE TO APPEAL**

Plaintiff-Appellee Credit Acceptance Corporation states as follows for its Supplemental Brief In Support of the Application for Leave to Appeal filed by Defendant-Appellee 46<sup>th</sup> District Court.

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 Defendant-Appellant 46<sup>th</sup> District Court had authority to adopt additional procedural requirements to file for writs of garnishment than are stated in the Michigan Court Rules. The Oakland County Circuit Court conducted a hearing on an order to show cause, and dismissed the Complaint without prejudice.

**FILED**

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CORBIN R. DAVIS  
CLERK  
MICHIGAN SUPREME COURT

Credit Acceptance Corporation filed a timely appeal as of right to the Court of Appeals. On January 16, 2007, the Court of Appeals 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.

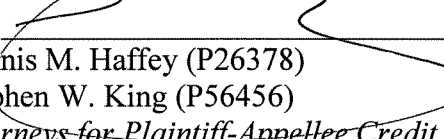
On February 27, 2007, the 46<sup>th</sup> District Court filed an Application for Leave to Appeal with this Court. The 46<sup>th</sup> District Court proposed, *inter alia*, a Pilot Project, pending before the Michigan Supreme Court as Administrative File No. 2005-32, whereby the 46<sup>th</sup> District Court would use revised provisions of Rules 2.112, 2.113, 3.101, and 8.119 of the Michigan Court Rules (hereinafter the "Proposed Pilot Project").

On April 19, 2007, Credit Acceptance Corporation filed Credit Acceptance Corporation's Concurrence With The 46<sup>th</sup> District Court's Application For Leave To Appeal. Five days later, the Supreme Court denied the 46<sup>th</sup> District Court's Application for Leave to Appeal. On May 15, 2007, the 46<sup>th</sup> District Court filed its Motion for Reconsideration, which the Supreme Court granted on October 26, 2007.

As a Proposed Pilot Project may resolve certain concerns of Credit Acceptance Corporation that were raised in the Complaint, Credit Acceptance Corporation now reiterates its request that the Supreme Court adopt a Proposed Pilot Project at least as a pilot program in the 46<sup>th</sup> District Court.

Furthermore, Credit Acceptance Corporation reiterates that it does not object to uniform judicial scrutiny, which 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.

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November 21, 2007

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