

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

J & J REAL ESTATE, a Michigan  
Co-Partnership,

Plaintiff,

Case No. 13-3564-CK  
16-1250-VJ

vs

**AMENDED  
FINDINGS OF FACT AND  
CONCLUSIONS OF LAW**

GALLANT INDUSTRIAL SERVICES, INC.,  
A Michigan corporation, and GALLANT  
TRANSPORT, INC., a Michigan corporation,

Defendants,

\_\_\_\_\_ /

At a session of said Court held in the City of Jackson,  
County of Jackson, State of Michigan, on the 11<sup>th</sup> day of  
August, 2016

PRESENT: Honorable Joyce Draganchuk  
Jackson County Circuit Judge,  
by assignment

On August 2, 2016, this Court issued Findings of Fact and Conclusions of Law in the above matter. This amendment is made by the Court on its own initiative pursuant to MCR 2.612(A) as it arises out of an oversight or omission.

The pertinent background and facts of this case are fully stated in the Findings of Fact and Conclusions of Law. At trial, John Schultz, CPA, testified that there was an arrearage in rent for 2013 in the amount of \$26,500. The amount represents 12 months rent at the rate of \$2,700 per month.

The Court adopted the amount that Mr. Schultz gave and applied a pro rata credit in the amount of \$1,620 because the premises were vacated on September 12, 2013. However, since the premises were vacated in September, 2013, there was no rent due for the months of October, November, and December. The amount of arrearage for 2013 that Mr. Schultz testified to should have been reduced by those three months' rent in the amount of \$2,700 per month.

Judgment should enter for Plaintiff for unpaid rent in the amount of \$44,480, representing a \$1,620 credit for September, 2013, and \$8,100 credit for October, November, and December, 2013.

/s/

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Hon. Joyce Draganchuk  
Circuit Judge

### **PROOF OF SERVICE**

I hereby certify that I served a copy of the above Findings of Fact and Conclusions of Law upon the attorneys of record by placing said document in sealed envelopes addressed to each and depositing same for mailing with the United States Mail at Lansing, Michigan, on August 11, 2016.

/s/

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Ann Baird  
Judicial Assistant