

STATE OF MICHIGAN

MACOMB COUNTY CIRCUIT COURT

SUMMIT MECHANICAL, INC., a Michigan
corporation,

Plaintiff,

vs.

Case No. 2013-3370-CZ

LINDA LEWIS, an individual,

Defendant,

vs.

JEFFREY ROBINSON, WILLIAM QUINN, and
PHILLIP SITARSKI,

Third-Party Defendants.

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OPINION AND ORDER

Plaintiff and Third-Party Defendants (“Movants”) have filed a joint motion for reconsideration of the Court’s November 18, 2013 Opinion and Order granting Defendant Linda Lewis’ motion for change of venue.

On August 20, 2013, Plaintiff filed its complaint against Defendant. Plaintiff’s complaint contains claims against Defendant for: Breach of Fiduciary Duty by Director or Officer (Count I), Fraud/Misrepresentation (Count II), Breach of Fiduciary Duty (Count III), Common Law and Statutory Conversion (Count IV), Embezzlement (Count V), and Unjust Enrichment/Quantum Meruit (Count VI).

On November 18, 2013, the Court issued its Opinion and Order granting Defendant’s motion to change venue to St. Clair County. On December 2, 2013, Movants filed their instant motion for reconsideration. However, once a motion to transfer venue has been granted, the

transferor court is divested of jurisdiction to take any further substantive actions in the case, including action on motions to reconsider the transfer of venue. *Frankfurth v Detroit Med Ctr*, 297 Mich App 654, 825 NW2d 353 (2012). Accordingly, the Court does not have jurisdiction to address the instant motion. Consequently, the motion must be denied.

Conclusion

Based upon the reasons set forth above, Defendant's motion for reconsideration is DENIED as the Court no longer has jurisdiction over this matter. This matter remains CLOSED. See MCR 2.602(A)(3).

IT IS SO ORDERED.

/s/ John C. Foster
JOHN C. FOSTER, Circuit Judge

Dated: December 18, 2013

JCF/sr

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