

STATE OF MICHIGAN

SUPREME COURT

TAMARA FILAS,

Plaintiff-Appellant,

-vs-

KEVIN THOMAS CULPERT, AND
EFFICIENT DESIGN, INC., A Michigan
Corporation.

Defendants-Appellees.

Supreme Court No. 151463

Court of Appeals No: 317972

Circuit Court No: 13-000652-NI

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**PLAINTIFF-APPELLANT'S MOTION TO WAIVE 10-PAGE LIMIT ON
PL-AT'S REPLY TO DF-AE CULPERT'S ANSWER
TO PL-AT'S 4-21-15 APPLICATION FOR LEAVE TO APPEAL TO THE MSC**

Now comes Plaintiff-Appellant (“PL-AT”), Tamara Filas, requesting a waiver of the 10-page limit on her Reply Brief e-filed with the Supreme Court on 6-9-15.

1. PL-AT is filing *pro se*.
2. On 6-9-15, PL-AT e-filed “PLAINTIFF-APPELLANT’S REPLY TO DEFENDANT-APPELLEE KEVIN THOMAS CULPERT’S ANSWER TO PLAINTIFF-APPELLANT’S APPLICATION FOR LEAVE TO APPEAL” with the Michigan Supreme Court.
3. PL-AT is unable to reduce her filing down to 10 pages without compromising her ability to properly address the arguments in DF-AE’s 4-28-15 Answer to PL-AT’s 4-21-15 Application for Leave to the MSC.
4. As required by MCR 7.212(G), PL-AT did confine her arguments to rebuttal of the arguments in DF-AE’s brief.
5. DF-AE’s 4-28-15 Answer to PL-AT’s Application for Leave to the MSC was over 18 pages, and contained numerous false statements in regard to the history of the case, and the events occurring at the 3-3-15 hearing on oral arguments.
6. DF-AE’s 4-28-15 Answer to PL-AT’s Application for Leave to the MSC also contained arguments from DF-AE’s first Motion to Affirm dated 12-30-13 that were already ruled upon by the COA by its denial of this Motion on 2-11-14.
7. To fail to rebut the statements and cite evidence for justification would indicate that PL-AT agreed with them. Because of the inaccurate history presented by the DF-AE and the associated arguments, to adequately reply required comprehensive responses from PL-AT, even though in regard to some arguments, she merely cited pages to reference in other filings, i.e. those already presented by DF-AE in the 12-30-13

- Motion, which were rejected by the COA on 2-11-14; and numerous arguments that were only relevant to PL-AT's Application for Leave to Appeal the COA's 11-25-14 Order in MSC Case no 151198, not the instant appeal of the COA's 3-10-15 Opinion.
8. Thereby, PL-AT's Reply required more than 10 pages to properly address the history, issues, and arguments presented by DF-AE.
 9. Even if PL-AT's leave of appeal to the MSC is not granted, all filings in this case, including those in DF-AE's brief in opposition to her application for leave to appeal to the MSC that have erroneous information or statements made by the Defendants that will remain available in the public record for a considerable length of time, if they are not rebutted by PL-AT in her Reply Brief to DF-AE Culpert's Answer to PL-AT's Application for Leave to Appeal to the MSC. These erroneous statements or information could cause harm to Plaintiff and/or others who consider them as fact, if not addressed as untrue or rebutted in PL-AT's Reply Brief.
 10. PL-AT did her best to limit the number of pages without compromising the integrity of her brief. Reducing the number of pages will result in the elimination of important information and arguments from being taken into consideration that will clearly compromise her ability to have fair chance of having her leave of appeal to the Michigan Supreme Court granted.
 11. PL-AT has no legal training or education which may have facilitated the reduction of pages in this filing. Preparing a brief is a more difficult and arduous task for anyone who is not an attorney who does not have the staff assistance or the experience of an attorney to prepare unfamiliar legal filings, but for Ms. Filas it is even more difficult

due to the extent and volume of the numerous other legal issues she has to attend to as a result of being in an auto accident in which she suffered personal injuries.

12. PL-AT's resources are limited and PL-AT has other lawsuits that require attention. To devote more time to the 6-9-15 Reply Brief would compromise the amount of time available to re-do her 5-11-15 Reply to DF-AE Efficient Design's 3-30-15 Answer in MSC Case No. 151198, to write her Reply to DF-AE Efficient Design's 5-12-15 Answer in MSC Case No 151463, to write her Reply to Dearborn Heights School District 7's Answer in MSC Case No. 151429, write a Motion for Reconsideration of PL-AT's MEEMIC Case MSC Case No. 150510, and deal with other legal and employment matters.
13. All of the legal issues PL-AT has had to deal with take an extensive amount of research and reading. Reducing pages in her replies to answers from DF-AE's in a case such as this case, that has gone on for so long and has had so many filings, is very difficult, and, due to the fact that DF-AE's answers contain numerous pages in which DF-AEs continuously, relentlessly and repeatedly fill their answers with irrelevant, erroneous and false information from previous filings, already answered and rebutted by PL-AT, which PL-AT now has a right to rebut again, takes up so many pages that it is literally impossible to stay within the restricted page limit. These lengthy answers submitted by the DF-AE's are designed to confuse the court and make it more difficult for PL-AT to respond to this and other in kind filings by the DF-AEs. Reducing the pages in this reply and another reply in the case, has been especially difficult for Plaintiff and has created vision issues due to severe eye strain

which had made it even more difficult for PL-AT to reduce the pages down any further in this reply.

Wherefore, PL-AT prays her Motion to Waive the 10-page limitation on her Reply to DF-AE's Response to PL-AT's Application for Leave to Appeal to the MSC is granted, and her 19-page brief filed 6-9-15 is accepted as "effective."

Thank you for your consideration of this Motion.

Respectfully submitted on 6-9-15,

signature redacted

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