

Summary Judgement Hrg TR RE63⁵⁷⁷

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF MICHIGAN

3 MARILYN MCGEE,

4 Plaintiff,

5 vs.

02-CV-74164

6 SCHOOLCRAFT C.C., et al,

HON. GEORGE CARAM STEEH

7 Defendant,

8 -----/

9 Proceedings had before the HONORABLE GEORGE CARAM STEEH,
10 United States District Judge, on the 3rd day of June 2004.

11 APPEARANCES: JAMES S. BANKS
12 Attorney at Law
13 Appearing on behalf of Plaintiff

14 EILEEN HUSBAND
15 ROBERT MARZANO
16 TERRY LLOYD
17 Attorneys at Law
18 Appearing on behalf of the Defendants

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10:45 A.M.

June 3, 2004

THE COURT: McGee versus Schoolcraft, 02-74164.
We have Defendant's motions for summary judgment and/or
dismissal. Who will go first?

MS. HUSBAND: I will, your Honor. Eileen Husband
representing Schoolcraft.

THE COURT: All right. Good morning.

MS. HUSBAND: This is Schoolcraft's motion for
Summary, pursuant to 12B56 and 56, your Honor.

Would the Court like a brief recitation of
the facts?

THE COURT: I think I have the facts pretty well.
Thank you.

MS. HUSBAND: With respect to the arguments, your
Honor, are there any items you would like me to focus on?

THE COURT: Well, you gave pretty cursory
treatment to the 11th amendment government immunity
argument. I'm wondering whether you wanted to expand on
that at all?

MS. HUSBAND: I can focus briefly, your Honor.

The 11th amendment grants immunity to state
agencies, and that immunity has been extended by not, your
Honor, but this court in particular to community colleges in
the Deop case, Judge Rosen did that, and in his analysis he