

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

INDEPENDENT MANAGEMENT SERVICES,
an assumed name for THE CARSWELL GROUP, INC.
and PETERBORO PARTNERS GP, LLC,

Plaintiffs,

Case No.26-006117-CK

v

Hon. Melissa A. Cox

CITY OF DETROIT, acting through its
DETROIT WATER & SEWERAGE DEPARTMENT,

Defendant.

MARK K. WASVARY, P.C.

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**DETROIT WATER AND SEWERAGE
DEPARTMENT**

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ORDER PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT

AT A SESSION OF SAID COURT, HELD IN THE
CITY OF DETROIT, COUNTY OF WAYNE,
STATE OF MICHIGAN;
ON: 8/21/2026
PRESENT: JUDGE MELISSA COX
CIRCUIT COURT JUDGE

This matter coming before the Court on the parties' Agreed Motion for Preliminary Approval of Class Action Settlement and Notice to the Class" (the "Joint Motion"), after review and consideration of the Settlement Agreement, and after hearing statements of the parties' attorneys in open court on August 20, 2026, and having been fully advised in the premises, IT IS HEREBY ORDERED as follows:

1. Pursuant to MCR 3.501 of the Michigan Court Rules, the settlement of this action, as embodied in the terms of the Settlement Agreement attached to the Joint Motion, is hereby preliminarily approved as a fair, reasonable, and adequate settlement of this case in the best interests of the Settlement Class in light of the factual, legal, practical, and procedural considerations raised by this case. The Settlement Agreement is incorporated by reference into this Order (with capitalized terms as set forth in the Settlement Agreement).

2. Pursuant to MCR 3.501(A) of the Michigan Court Rules, by stipulation of the parties, and for the purpose of settlement, the Court hereby certifies the following Class:

Class: All persons or entities who or which are water customers within the City of Detroit and are exempt from the Industrial Waste Control Charge (IWC) yet were assessed the IWC from April 13, 2020 through May 1, 2026. Excluded from the class are the State of Michigan, the County of Wayne, Michigan, Defendant and any entities controlled by Defendant.

3. The Court finds that certification for purposes of settlement is appropriate because (a) the class is so numerous that joinder of all members is impractical; (b) there are questions of law and fact common to the Class and they predominate over any questions affecting only individual Class Members; (c) Plaintiffs' claims are typical of the claims of the Class; (d) Plaintiffs and their attorneys will fairly and adequately protect the interests of the Class; and (e) a class action is the superior means of resolving this controversy.

4. The Court appoints Plaintiffs, Independent Management Services, an assumed name for The Carswell Group, Inc. and Peterboro Partners GP, LLC as the representatives of the Settlement Class pursuant to MCR 3.501(A), and appoints their attorneys Mark K. Wasvary and Aaron D. Cox as Class Counsel.

5. The Court finds that the Settlement Agreement's plan for Class Notice is the best notice practicable under the circumstances and satisfies the requirements of due process and MCR 3.501(C)(4). That plan is approved and adopted. This Court further finds that the Class Notice (attached to the Settlement Agreement as Exhibit B), complies with Rules MCR 3.501(C)(4) and (5) and 23(c)(2)(B) of the Michigan Court Rules. The Class Notice is approved and adopted. The Court orders that the parties provide the notice to the Class as proposed.

6. By this Order, the Court hereby orders that the Class Notice shall be sent by Plaintiffs' counsel to the Class by first class mail. Defendant shall provide Plaintiffs' counsel with a current mailing address for each Class member's account based upon Defendant's most current records. The Settlement Agreement and Class Notice shall also be made available on the Class Counsel's website. The Court finds and orders that no other notice is necessary.

7. The Court hereby sets deadlines and dates for the acts and events set forth in the Settlement Agreement and directs the Parties to incorporate the deadlines and dates in the Class Notice:

(a) Objections and motions to intervene shall be filed in this Court and postmarked and served on Class Counsel and Defendant's counsel on or before October 5, 2026, or be forever barred;

(b) Requests by any Class Member to opt out of the settlement must be mailed to Class Counsel and Defendant's Counsel on or before October 5, 2026, or be forever

barred;

(c) Class Counsel must file a motion for final approval of class action settlement on or before October 26, 2026. That motion must address any objections that were filed.;

(d) Class Counsel must file a motion for attorney fees and expenses on or before October 26, 2026;

(f) The Fairness Hearing, set forth in the Class Notice, is hereby scheduled for November 19, 2026, at 11:00 a.m.

BY ORDER OF THE COURT

/s/ Melissa Cox
August 21, 2026

Honorable Melissa A. Cox

Dated: 8/21/2026

