

**STATE OF MICHIGAN**  
**52nd DISTRICT COURT – DIVISION 4**  
**OAKLAND COUNTY**

1-800-HANSONS, LLC,  
Plaintiff,

v. Case No. 25-00555-GC

Hon. Kirsten Nielsen Hartig

Susie Weiss, and  
The Steven Lee Nakash Trust,  
Defendants.

**DEFENDANT’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

**Introduction**

Defendant respectfully moves this Court for Partial Summary Judgment pursuant to MCR 2.116(C)(10). No genuine issue of material fact remains: Plaintiff’s failure to answer Defendant’s counterclaim and Plaintiff’s failure to respond to Defendant’s discovery requests have, by operation of law, resulted in admissions that resolve the core issues of this case.

This case is no longer a matter of factual dispute; it is a matter of law. Plaintiff cannot revive what the Rules have already closed. Defendant is entitled to judgment as a matter of right.

**A. Counterclaims Are Deemed Admitted by Default**

Defendant’s counterclaim was timely filed and incorporated into Defendant’s Extended Answers. Plaintiff has never filed a response. Under MCR 2.108(A)(6), Plaintiff had 21 days to answer. Under MCR 2.111(F)(2), unanswered allegations are deemed admitted.

Accordingly, Defendant’s counterclaims are admitted by default. This result is automatic and not subject to judicial discretion. Whether Plaintiff’s ghostwriters or this Court acknowledge it is irrelevant; the status of these allegations as admitted is fixed by rule.

At the time Plaintiff’s 21-day deadline to answer expired, the case was before another judge. That judge received the counterclaim but took no action, allowing the default to occur by operation of law under MCR 2.111(F)(2). Once admitted, those allegations are fixed and cannot be undone. The supplemental filing simply amplified damages, which now exceed the statutory jurisdiction of this Court under MCL 600.8305. By the time Judge Hartig assumed the matter in June, the counterclaim was already admitted, and its damages were

already beyond this Court's authority. Judge Hartig cannot erase a default that predates her involvement; to attempt otherwise would be void for want of jurisdiction.

### **B. Discovery Requests Are Deemed Admitted by Default**

Defendant duly served discovery requests. Plaintiff has failed to respond. Under Michigan law, unanswered discovery requests are deemed admitted. These admissions are binding and conclusive, and they establish facts that Plaintiff cannot now dispute.

Defendant's voluntary withdrawal of the expired discovery set does not erase Plaintiff's default. Plaintiff's silence fixed those requests as admitted by law. The new discovery set, served as Defendant's Discovery No. 1, now occupies its proper position under MCR 2.302(A)(2). Thus, Defendant's rights remain intact: the first set stands admitted, and the current set is validly pending.

Finally, because Defendant's counterclaim as supplemented exceeds the statutory jurisdiction of this Court under MCL 600.8305, this case properly belongs in the Circuit Court. Plaintiff's defaults on discovery only reinforce that no factual dispute remains for District Court adjudication. The admitted discovery is binding, and the case must proceed in Circuit Court where jurisdiction lies.

### **C. No Genuine Issue of Material Fact Remains**

Taken together, these admissions eliminate any factual controversy. Plaintiff has admitted Defendant's counterclaims by default, and Plaintiff has admitted discovery requests by default. With no disputed facts remaining, summary judgment is not optional but mandatory under MCR 2.116(C)(10). Plaintiff cannot manufacture a "dispute" through unsupported denials; the Rules require evidence, and Plaintiff has provided none.

### **D. This Case Is Already Resolved by Law**

These admissions are not speculative or contingent; they are present facts fixed by operation of law. Defendant's counterclaims have long since been admitted, and Plaintiff's failure to answer discovery has now compounded that result. The case was extinguished when those deadlines expired. What remains is not a live controversy, but a refusal by this Court to recognize what the Rules already resolved.

If this Court chooses to suppress or ignore these admissions, the responsibility for reversal will rest solely with the Court. To proceed further in spite of defaults already fixed by law would not be adjudication but abuse of process, and it will stand in the record as undeniable proof of bad faith.

### **E. Pattern of Abuse and Judicial Endorsement**

This case did not reach its current posture by accident. Defendant repeatedly brought the illegitimacy of Plaintiff's claims to the Court's attention:

- Defendant moved for nullification of Plaintiff's amended claim, which was ignored;
- Defendant filed a counterclaim, which Plaintiff never answered;
- Defendant sought dismissal, which was rejected;
- Defendant presented an affidavit showing illegitimacy, which was disregarded;

- Defendant submitted a contract with twenty-two violations, which was dismissed without consideration.

At each turn, the Court refused to address the substance of these filings. Meanwhile, it permitted ghostwriters—unauthorized individuals—to commit the criminal act of filing false accusations under the guise of pleadings.

Plaintiff's claims are baseless and should never have survived in this Court. This has become not litigation, but abuse. And if the Court insists on continuing this charade despite the case being closed by operation of law, it invites not only reversal but sanctions. Defendant has already requested that all individuals involved in these abuses lose their licenses, and that those without licenses never obtain them.

This case is closed. There is nothing left to litigate. To continue it is to perpetuate an abuse of process that this Court has knowingly facilitated.

This selective suppression of Defendant's motions while granting Plaintiff every procedural indulgence is not impartiality but bias. It confirms that this Court has abandoned neutrality and aligned itself with Plaintiff's ghostwriters.

#### **F. Admissions Cannot Be Ignored or Undone**

The record leaves no room for debate. Plaintiff's silence has already resolved this case, and no argument can undo that result.

- The counterclaim was timely filed and unanswered. Under MCR 2.111(F)(2), allegations not answered are admitted. The form of the filing is irrelevant once the deadline under MCR 2.108(A)(6) has passed without response.

- Discovery requests were duly served. Plaintiff never objected or moved to quash. Silence is deemed admission. The Rules do not permit a party to ignore discovery and later invent defects to avoid their binding effect.

- Judicial discretion does not extend to erasing rights fixed by statute and rule. Once admissions occur by operation of law, they are binding. A court cannot rewrite the Rules to rescue one party from its defaults.

- To delay or refuse ruling is itself denial of due process. A refusal to apply admissions already fixed by law is not discretion; it is obstruction.

Deadlines are binding on Plaintiff, whose silence and inaction fixed these matters as admitted by default. Defendant's rights, however, are not extinguished by Plaintiff's misconduct or this Court's obstruction. Defendant remains entitled to pursue discovery and enforcement of admissions. Plaintiff's defaults have closed the case; Defendant's filings preserve the record. The distinction is clear: Plaintiff's opportunity has expired, while Defendant's rights remain.

To deny Defendant the benefit of Plaintiff's defaults while excusing Plaintiff's silence would

invert the Rules of procedure, creating two systems of law: one for Plaintiff and another for Defendant. Such inequality cannot stand.

### **G. Plaintiff Has Not Proven a Single Allegation**

Even apart from the defaults, Plaintiff's case collapses on its own weight. Plaintiff has not provided a single admissible fact to support its allegations. Not one claim has been substantiated with evidence.

The Michigan Court Rules do not allow parties to proceed on bare accusations, much less accusations prepared by ghostwriters with no license. Under MCR 2.116(C)(10), summary judgment is appropriate when there is no genuine issue of material fact. Here, Plaintiff has offered no facts at all—only unproven allegations.

Plaintiff may attempt to deny these points or claim they are "false," but unsupported denials are not evidence. Assertions without proof carry no weight in law. The burden rests on Plaintiff to substantiate its claims, and Plaintiff has utterly failed to do so.

In fact, Plaintiff's ghostwriters always resort to the same hollow tactic: attacking without proof, accusing without evidence, as though repetition could substitute for substance. These boilerplate denials have no impact in law and serve only to highlight Plaintiff's failure. They are not persuasive; they are laughable. What remains is still the same: no proof, no case.

A court that entertains allegations without proof ceases to administer justice and becomes an instrument of abuse.

### **H. Supplemental Counterclaim and Jurisdiction**

Defendant's counterclaim was not hidden, nor was it an afterthought. It has been part of this case from the beginning. It appeared in the original claim, in Defendant's amended claim, and again in the Co-Defendant's pleadings. In each instance, Plaintiff failed to answer. Under MCR 2.111(F)(2), every unanswered allegation stands admitted.

The recent filing does not create a new claim but simply identified the counterclaim by name and amplified it with updated damages. It is the same counterclaim, already admitted by law, now presented more explicitly.

At the time Plaintiff's 21-day deadline to answer expired, the case was before another judge. That judge received the counterclaim but took no action, allowing the default to occur by operation of law under MCR 2.111(F)(2). Once admitted, those allegations are fixed and cannot be undone. The supplemental filing simply amplified damages, which now exceed the statutory jurisdiction of this Court under MCL 600.8305.

By the time Judge Hartig assumed this case in June, the counterclaim was already admitted, and its damages were already beyond this Court's authority. Judge Hartig cannot erase a default that predates her involvement; to attempt otherwise would be void for want of jurisdiction. Jurisdiction is not a costume a judge may put on after the fact; it is fixed by law, and here it belongs only to the Circuit Court.

## Conclusion

Because Plaintiff's counterclaims and discovery are already admitted by default, no factual dispute remains for trial. Defendant is therefore entitled to Partial Summary Judgment as a matter of law under MCR 2.116(C)(10).

Defendant respectfully requests that this Court:

1. Grant Partial Summary Judgment in favor of Defendant;
2. Recognize as admitted the allegations of Defendant's counterclaims and discovery requests;
3. Enter judgment consistent with those admissions; and
4. Consider sanctions for the continued abuse of process sustained in this litigation.

To disregard these admitted facts and jurisdictional limits would not be an exercise of judicial discretion but an irrational act that confirms this Court's departure from the rule of law. This case is over, and any attempt to pretend otherwise is fraud upon the Court.

Respectfully submitted,

/s/ Susie Weiss

Defendant, in pro per

[Date]

La jurisprudencia es clara: las admisiones por falta de respuesta se consideran vinculantes. En *Michigan Nat'l Bank v Metro Institutional Food Service, Inc.*, 198 Mich App 462 (1993), la Corte sostuvo que: "Las admisiones realizadas por omisión en respuesta a solicitudes de admisión bajo las reglas de procedimiento son vinculantes y deben ser tratadas como hechos establecidos en el expediente." Por lo tanto, cualquier intento de eludir estas admisiones constituye una desviación inadmisibles del procedimiento judicial.

### **I. Systematic Denial of Due Process**

Cada vez que esta Corte ha ignorado una moción debidamente presentada, ha privado al demandado de un derecho fundamental garantizado por la Constitución. El debido proceso no es opcional ni sujeto al capricho judicial. El silencio judicial frente a violaciones procesales evidentes equivale a una participación tácita en esas violaciones. La Corte está obligada a aplicar la ley de forma imparcial. Su negativa a hacerlo convierte este tribunal en un escenario de persecución, no de justicia.

### **J. Formal Petition for Transfer to Circuit Court**

Conforme a MCL 600.8301 y MCL 600.8305, esta Corte carece de jurisdicción sobre casos que excedan los \$25,000 en daños. Dado que los daños admitidos superan dicho umbral y la controversia factual ha sido eliminada, el tribunal debe remitir inmediatamente este caso al tribunal con jurisdicción apropiada: el Circuit Court del Condado de Oakland.

### **K. Request for Ethical Investigation**

Solicito que esta Corte remita una queja formal al State Bar of Michigan y a la Attorney Grievance Commission con respecto a la participación de individuos no autorizados (ghostwriters) en la redacción y presentación de documentos legales en este caso. Suplantar la identidad de un abogado o presentar documentos en su nombre sin licencia constituye práctica legal no autorizada, un delito penal bajo MCL 600.916.

#### **N. Specific Relief Requested**

En consecuencia, y por las razones expuestas en esta moción, el Demandado solicita lo siguiente:

1. Que se dicte Sentencia Sumaria Parcial bajo MCR 2.116(C)(10);
2. Que se reconozca la admisión por defecto de los contrademandas y descubrimientos;
3. Que se remita el caso al Circuit Court por falta de jurisdicción;
4. Que se inicie una investigación sobre los ghostwriters que han cometido fraude procesal;
5. Que se sancione a la parte demandante por abuso de proceso.

#### **M. August 26 Violation: Unauthorized Counsel Substitution Without Notice**

On August 26, 2025, the Plaintiff's named attorney failed to appear at the hearing and instead sent a substitute attorney in his place. However, no substitution of counsel was filed, nor was any notice provided to Defendant through MiFILE or any other channel. This is a direct violation of MCR 2.117(B), which requires written notice of any change in representation.

This pattern—of ignoring the rules, avoiding written notice, and receiving procedural protection from the Court—reinforces Defendant's central argument: that Plaintiff is permitted to violate procedure with impunity, while Defendant is held to a different, stricter standard. The lack of notice deprived Defendant of the opportunity to prepare and respond meaningfully, and it rendered the hearing procedurally defective.

To allow such unauthorized substitutions without objection or consequence only deepens the bias already evident in these proceedings. The Court's continued tolerance of Plaintiff's disregard for procedure further undermines its neutrality and erodes confidence in due process.