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FOR IMMEDIATE RELEASE

Don't Drill the Hills to Appeal Judge's Ruling - Vows to Continue Fight for Voting Rights

November 19, 2014

Rochester Hills, MI

Don't Drill the Hills, Inc (DDHI) will appeal the decision issued on November 4 by Judge James Alexander of the Oakland County Circuit Court. Ironically, the decision on the lawsuit, which asserts that the law requires a vote of the people for agreements affecting City parks, was delivered on Election Day. DDHI is very disappointed, but not surprised, by the Judge's decision which appears to be based on politics rather than the law. The Judge's brief written opinion lacks legal explanations, and instead simply contains unsupported conclusions

Most shockingly, the Judge's opinion concludes:

- Citizens have no right to vote on the issue and no right to legally challenge the City's interpretation of Charter or state law. He states DDHI could not even ask to have the law analyzed and interpreted.
- That State law and the City Charter language, "no buying, selling or leasing of park land property without a vote", does not apply either to the park "lease" or easement agreement which states "sale".
- Citizens have no right to vote on the park lease and easement concluding that such issues don't affect us.
- That despite well-established real estate principles, "only the surface of the land may constitute a park."

The ruling by Judge Alexander means citizens are denied access to the courts to challenge government overreach. It is absurd to think that citizens cannot ask the court to have the law analyzed and interpreted. DDHI maintains we have the right to sue, and citizens have the right to vote on these issues. Additionally, the citizen taxpayers of Rochester Hills purchased and own their City parks, from top to bottom.

DDHI members and other concerned area residents feel confident in an appeals win. DDHI is appealing in part to defend the right of its members, but also all citizens, who need access to the courts to enforce their rights and hold their elected officials accountable under the law.

A more detailed analysis, as well as the full opinion and pleadings in the case, is available on the DDHI website:

<http://dontdrillthehills.org/lawsuit/>

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Don't Drill the Hills, Inc. is a non-partisan grassroots nonprofit corporation that is building awareness of the risks of horizontal drilling in high-density residential and K-12 School areas. Concerns include: property rights, property values, mortgage and insurance complications, as well as potential environmental and health risks.