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RICHARD A. WENDT
RWendt@dickinsonwright.com
(616) 336-1013

March 30, 2016

VIA FIRST CLASS DELIVERY

Dean G. Greenblatt
Dean G. Greenblatt, PLC
4190 Telegraph Road, Suite 3500
Bloomfield Hills, Michigan 48302

Re: Freedom of Information Act Request

Dear Mr. Greenblatt:

As general counsel for the Grand Rapids-Kent County Convention/Arena Authority (the "CAA"), we are responding to the Michigan Freedom of Information Act ("FOIA") request included in your letter of March 25, 2016, to Mr. Steven Heacock, Chairperson of the CAA Board, and Ms. Susan Waddell, the CAA's Administrative Manager. Specifically, you requested (i) "inspection copies of any and all documents reflecting implementation of a no-firearms rule at facilities under control of the CAA" and (ii) "copies of any and all documents that reflect correspondence by CAA and/or SMG, or between CAA and SMG, that refer to or mention in any way either the implementation of a no-firearms rule at facilities under the control of CAA, or the specific incident that occurred on March 11, 2016 referenced herein."

We are uncertain what is meant by the term "inspection copies" and note it is used only in reference to your first request. Nevertheless, enclosed are printed copies of e-mail correspondence involving the CAA which is all that is responsive to your requests. We have redacted from one of those e-mails information related to advice given by this firm or by the Grand Rapids City Attorney, legal counsel for one of the public bodies that is a member of the CAA. As noted in more detail below, such communications, subject to the attorney-client privilege, are exempt from disclosure under FOIA.

As you may know, SMG is not a public body and is not subject to requirements of FOIA. If SMG has engaged in internal communications, those communications are not "public records" as defined in FOIA, are not within the CAA's purview, and not available to the CAA in responding to your request for information. The CAA is therefore declining your request to the extent it includes SMG's internal communications.

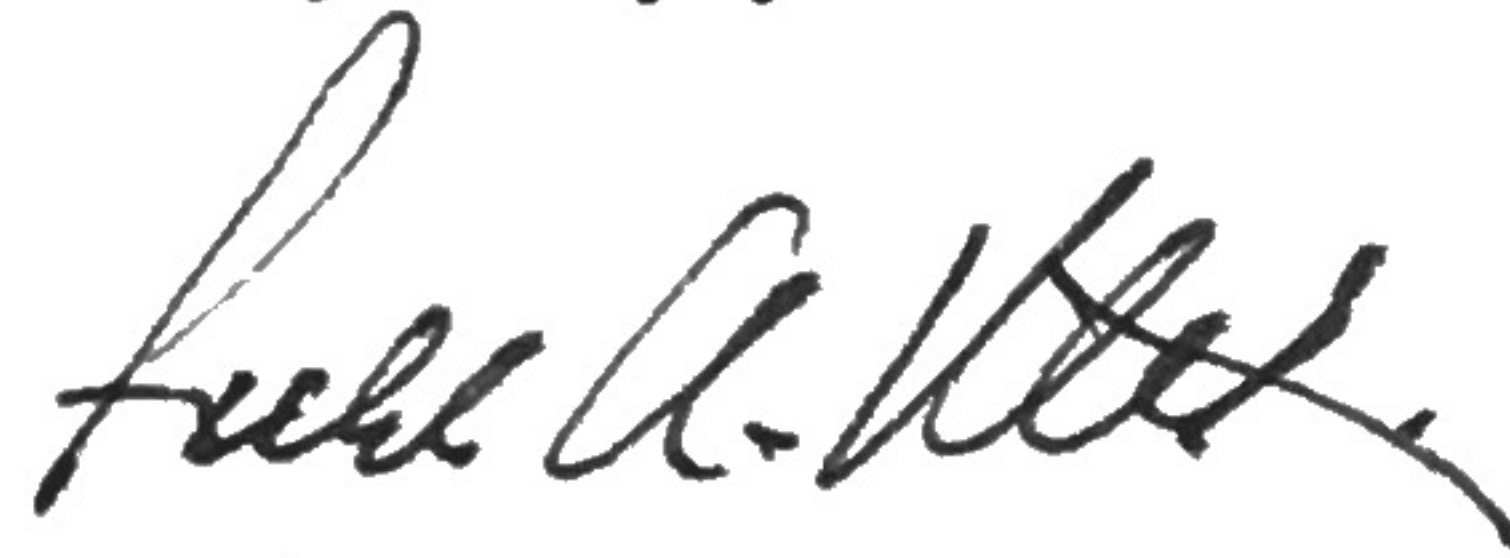
In addition, communications, including e-mail communications, have occurred between agents of the CAA and this firm in this firm's capacity as its general legal counsel. Those communications are exempt from disclosure pursuant to subsection 13(1)(g) of FOIA, MCL

Dean G. Greenblatt
March 30, 2016
Page 2

15.243(1)(g), because they are subject to the attorney-client privilege. The Authority is therefore declining your request to the extent it includes such privileged information.

Pursuant to Section 10 of FOIA, MCL 15.240, you have two courses of action available to you to appeal. You may file an appeal with Mr. Heacock as the head of the CAA, that "specifically states the word 'appeal' and identifies the reason or reasons for reversal of the denial" of a portion of the documents you requested and Mr. Heacock will respond to that appeal following the next regularly scheduled meeting of the CAA Board. Alternatively, you may "commence a civil action in the circuit court . . . to compel . . . disclosure of the public records within 180 days after" the date of this letter. If you are successful in a circuit court action, the court can order disclosure, can award attorneys' fees and costs incurred to bring the action and, under some circumstances, can award actual damages and \$1,000 of punitive damages.

Very truly yours,



Richard A. Wendt

RXW:ajk

cc: Susan Waddell
Rich MacKeigan

Enclosures

Richard A. Wendt

From: Rich MacKeigan <RMackeigan@smggr.com>
Sent: Tuesday, March 29, 2016 11:20 AM
To: Richard A. Wendt
Subject: FW: Incident of March 11, 2016; The DeVos Place
Attachments: CAA AS 25MAR2016.pdf; ATT00001..htm

From: Sue Waddell
Sent: Friday, March 25, 2016 1:42 PM
To: Rich MacKeigan
Subject: Fwd: Incident of March 11, 2016; The DeVos Place

Good afternoon, Rich:

FYI.

Sent from my iPhone

Begin forwarded message:

From: "Dean G. Greenblatt" <dgg@mnsi.net>
Date: March 25, 2016 at 1:10:24 PM EDT
To: Sue Waddell <SWaddell@smggr.com>
Cc: "steven.sundeen@gmail.com" <steven.sundeen@gmail.com>
Subject: Incident of March 11, 2016; The DeVos Place

Mr. Steven R. Heacock, Chairman, Grand Rapids-Kent County Convention/Arena Authority; and,
Ms. Susan M. Waddell, Administrative Manager, The DeVos Place

Please see the attached communication from counsel for Michigan Gun Owners, Inc. and
Michigan Open Carry, Inc.

Regards,

Dean G. Greenblatt
Attorney and Counselor
Dean G. Greenblatt, PLC
4190 Telegraph Road
Suite 3500
Bloomfield Hills, MI 48302
248/644-7520
dgg@mnsi.net
AVIATION LAW - BUSINESS LITIGATION

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DEAN G. GREENBLATT, PLC
ATTORNEY AND COUNSELOR AT LAW

4190 TELEGRAPH ROAD
SUITE 3500
BLOOMFIELD HILLS, MICHIGAN 48302

TELEPHONE: (248) 644-7520
EMAIL: DBG@MNSI.NET

DEAN G. GREENBLATT
ADMITTED IN FLORIDA AND MICHIGAN

BLOOMFIELD HILLS, MICHIGAN
ORLANDO, FLORIDA

March 25, 2016

**VIA FIRST CLASS MAIL
AND EMAIL TRANSMISSION**
(swaddell@smggr.com)

Grand Rapids-Kent County Convention Area Authority
Mr. Steven R. Heacock, Chairman
Ms. Susan M. Waddell, Administrative Manager
303 Monroe, NW
Grand Rapids, MI 49503

Re: "No-Firearms" policy / The DeVos Place;
Act 442 of 1976; M.C.L. 15.231, et. seq. request.

On Friday March 11th, 2016, the 2016 West Michigan Women's Expo was hosted by the DeVos Place. Attending the Expo were representatives from Michigan Gun Owners, Inc. ("MGO") and Michigan Open Carry, Inc. ("MOC"). MGO and MOC reserved and leased an exhibitor's table through Kohler Expos, Inc. who charged a fee and granted a license for MGO and MOC to exhibit during the event.

Since the purpose of the exhibit by MGO and MOC was to inform and present options for personal defense to the attendees of the event, the MGO and MOC presenters were demonstrably armed with holstered pistols.

After manning the table for half of the first day of the event, a representative of SMG Holdings, Inc., ("SMG"), a public facility management corporation, notified the presenters that they were in violation of a policy that forbids possession of all firearms on the premises and that they must be removed from the facility. The presenters were threatened with charges of criminal trespass if they didn't remove their pistols or otherwise immediately leave the premises.

A recently published news report covering the incident quoted statements given by both Rich MacKeigan, SMG regional general manager, and Eddie Tadlock, assistant general manager of DeVos Place. Both statements indicate that DeVos Place, as well as other facilities under the control of CAA, have self-declared a rule that would prohibit the lawful possession of firearms and that only on-duty police officers are allowed to carry weapons. Mr. Tadlock is quoted as saying that if concealed weapons are discovered on patrons, they are asked to remove them from the building.

SMG manages DeVos Place, DeVos Performance Hall and Van Andel Arena; which are publicly-owned and administered by the Grand Rapids-Kent County Convention/Arena Authority ("CAA"). The CAA was established on March 29, 2000 by the City of Grand Rapids and County of Kent under the Convention Facility Authority Act, Act 203 of the Public Acts of Michigan of 1999. As such, both the CAA and the facilities administered by the CAA are

subject to the laws and regulations of the State of Michigan. Michigan Law prohibits the CAA (or any other State-created "Authority") from "enact[ing] or enforce[ing] any ordinance or regulation pertaining to, or regulat[ing] in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms, except as otherwise provided by federal law or a law of this state." See M.C.L. § 123.1102; Mich Coalition for Responsible Gun Owners v Ferndale, 256 Mich App 401, (2003); Capital Area Dist. Lib. v. Mich Open Carry, Inc. 298 Mich App 220 (2012).

MGO and MOC are considering their options in response to a clear violation of the rights of the organizations and their respective presenters who were threatened with arrest for violating an impermissible and preempted rule of the CAA or its agent, SMG, with the apparent capacity to "declare" rules on behalf of the CAA. At this time MGO and MOC would like to receive clarification from the CAA as to the exact date and form in which it has enacted its "no-firearms" rule. If CAA has not implemented such a rule, then MGO and MOC would appreciate an explanation of under what authority SMG has implemented such a rule. MGO and MOC invite an explanation for the events of March 11th, and seek clarification if the no-firearms rule is still in-place and whether SMG will pursue enforcement of the rule as reported.

MGO and MOC specifically request that you produce for inspection copies of any and all documents reflecting implementation of a no-firearms rule at facilities under the control of CAA. Further, MGO and MOC specifically request copies of any and all documents that reflect correspondence by CAA and/or SMG, or between CAA and SMG, that refer to or mention in any way either the implementation of a no-firearms rule at facilities under the control of CAA, or the specific incident that occurred on March 11, 2016 referenced herein. You may interpret this letter as a request for information pursuant to Act 442 of 1976; M.C.L. 15.231, et. seq. Should the expected search and copying costs for these documents exceed \$100.00, please contact one of the undersigned with an estimate for same and authorization to proceed.

Please respond to this request prior to April 1, 2016.

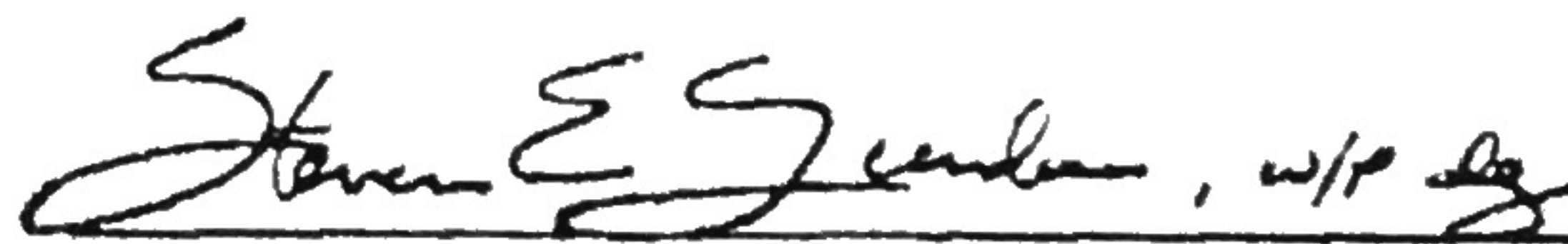
Sincerely,

Dean G. Greenblatt, PLC



Dean G. Greenblatt,
Counsel for Michigan Open Carry, Inc.

Steven E. Sundeen, Attorney at Law



Steven Sundeen,
Counsel for Michigan Gun Owners, Inc.

Richard A. Wendt

From: Rich MacKeigan <RMackeigan@smggr.com>
Sent: Tuesday, March 29, 2016 11:21 AM
To: Richard A. Wendt
Subject: FW: CAA - Guns

From: Charlie Secchia [mailto:charlie@secchia.com]
Sent: Wednesday, March 16, 2016 3:11 PM
To: Rich MacKeigan
Subject: Re: CAA - Guns

Thanks for the follow up info. The open carry folks scare me.

From: Rich MacKeigan <RMackeigan@smggr.com>
Date: Wednesday, March 16, 2016 at 7:46 AM
To: Charlie Secchia <charlie@secchia.com>
Cc: Steve Heacock <Steve.Heacock@spectrumhealth.org>
Subject: RE: CAA - Guns

Charlie,

Had a meeting late yesterday afternoon with city attorney as well as GRPD [REDACTED]

Will be communicating to board today

Have also spoken with Dick Wendt a couple of times

I think our legal options are limited, and it still may take some time for us to sort through, but am working on it
Unique thing is we have our hunting/fishing/sport show this weekend at DVP...so it is possible we will allow open carry for this event as Showspan doesn't have an issue with it...expect to see/hear more on this from me and others

And thank you for the note of support

From: Charlie Secchia [mailto:charlie@secchia.com]
Sent: Tuesday, March 15, 2016 12:30 PM
To: Rich MacKeigan
Cc: Steve Heacock
Subject: CAA - Guns

Rich-

I agree with this position 100%. And I think Mr. Lambert is completely off target (pun intended). I have your back and support the decision.

"If Mr. MacKeigan wishes to double down on this blatantly illegal regulation, then he should be arrested and charged accordingly, as well as anyone else who assists him," Lambert said.

From: http://www.mlive.com/business/west-michigan/index.ssf/2016/03/open_carry_group_considering_l.html#incart_2box_news_grand-rapids

Richard A. Wendt

From: Rich MacKeigan <RMackeigan@smggr.com>
Sent: Tuesday, March 29, 2016 11:21 AM
To: Richard A. Wendt
Subject: FW: Convention/Arean Authority, Reasonable Local Control of Firearms under Michigan Constitution of 1963
Attachments: image001.jpg; image002.jpg; image003.jpg

From: Steve.Heacock@spectrumhealth.org [mailto:Steve.Heacock@spectrumhealth.org]
Sent: Friday, March 18, 2016 11:18 AM
To: Rich MacKeigan
Subject: Fwd: Convention/Arean Authority, Reasonable Local Control of Firearms under Michigan Constitution of 1963

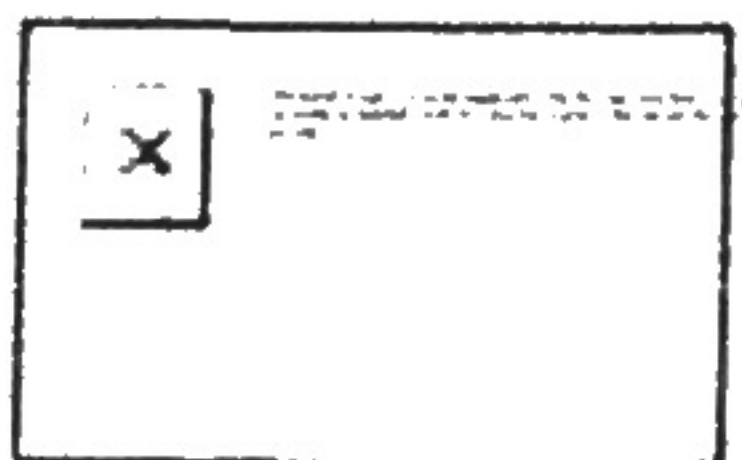
Sent from my iPhone


Begin forwarded message:

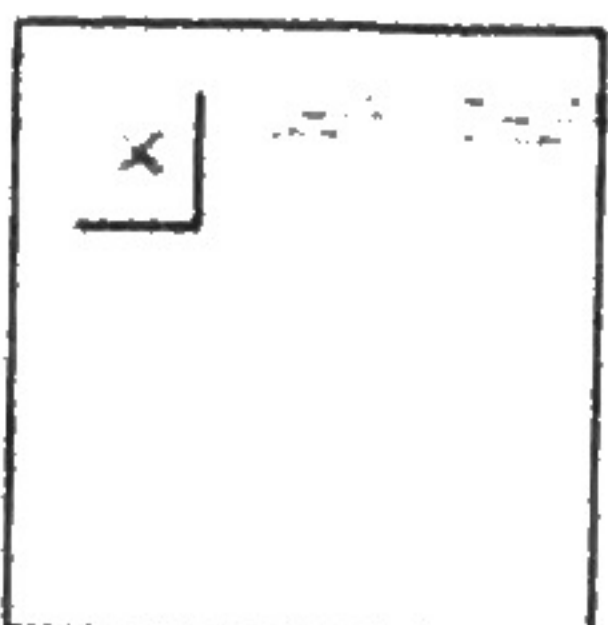
From: Jack Hoffman <Hoffman@kolaw.com>
Date: March 18, 2016 at 11:16:58 AM EDT
To: "Steve.Heacock@spectrumhealth.org" <Steve.Heacock@spectrumhealth.org>
Cc: "mayor@grcity.us" <mayor@grcity.us>
Subject: RE: Convention/Arean Authority, Reasonable Local Control of Firearms under Michigan Constitution of 1963

Sure thing Steve. We are hopeful that the Authority will accept this challenge.

Jack L. Hoffman




130 Monroe Ave, Suite 400
Grand Rapids, MI 49503
Phone: 616.154.3700
Fax: 616.154.0141
hoffman@kolaw.com
www.kolaw.com



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From: Steve.Heacock@spectrumhealth.org [<mailto:Steve.Heacock@spectrumhealth.org>]

Sent: Friday, March 18, 2016 11:05 AM

To: Jack Hoffman

Cc: mayor@grcity.us

Subject: Re: Convention/Arean Authority, Reasonable Local Control of Firearms under Michigan Constitution of 1963

Thanks Jack - appreciate the information.

Best,
Steve

Sent from my iPhone

On Mar 18, 2016, at 9:35 AM, Jack Hoffman <Hoffman@kolaw.com> wrote:

Chairman Heacock and Mayor Bliss:

In connection with the rights of local government to reasonable local control of firearms in their streets and public places, on November 15, 2015 the Michigan Court of Claims ruled that the State Constitution grants to the University of Michigan autonomy to promulgate its own firearms regulations. *Wade v University of Michigan*, unpublished opinion of the Michigan Court of Claims, issued November 15, 2015 (Docket No. 15-000129- MZ, slip op at 8-9, copy attached.

I am also attaching a memorandum of law prepared on behalf of Safe Places Alliance to the Michigan Municipal League arguing that a similar principle applies to Michigan cities and counties under Const 1963, Article 7, Section 29 which provides in relevant part: "The right of all counties, townships, cities and villages to the reasonable control of their highways, streets, alleys and public places is hereby reserved to such local units of government." Safe Places Alliance is the gun policy task force originally convened by Mayor Heartwell. Mayor Heartwell remains an active member as does Grand Rapids City Commissioner Ruth Kelly.

Mayor Bliss is scheduled to meet with Safe Places Alliance on April 13, 2016. The intent was to ask Mayor Bliss to present the attached legal memorandum to the Michigan Municipal League and to propose that the MML sponsor a declaratory judgment action by Michigan cities against the State of Michigan, seeking a declaratory judgment that Michigan local governments retain the right of reasonable local control of firearms in their streets and public places.

Safe Places Alliance is in total support of the Convention/Arena Authority exercising reasonable control of firearms on its premises. Safe Places Alliance believes that Const 1963, Article 7, Section 29 provides a firm legal basis on which to exercise such control.

Please let us know whether we can be of any assistance to the Authority in this matter.

Jack L. Hoffman

<image001.jpg>

<image002.jpg>

180 Monroe Ave, Suite 400
Grand Rapids, MI 49503
Phone: 616.454.3700
Fax: 616.454.0441
hoffman@kolaw.com
www.kolaw.com

<image003.jpg>

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<Ex A Wade v UM .pdf.secure>

<memorandum of law to mml.docx.secure>

Richard A. Wendt

From: Sue Waddell <SWaddell@smggr.com>
Sent: Tuesday, March 29, 2016 12:32 PM
To: Rich MacKeigan; Richard A. Wendt; (rwinn@amwaygrand.com); Birgit Klohs [KlohsB@RightPlace.org]; Charlie Secchia; Floyd.wilson@metrogr.org; Lew Chamberlin [lchamberlin@whitecapsbaseball.com]; Rosalynn Bliss (rbliss@grcity.us); Steven.Heacock@spectrumhealth.org
Subject: FW: Letter to the Board
Attachments: Concealed Weapons Ban on Local Arenas.pdf

Good Afternoon:

Please see attached letter I received from the County.

Sue

From: Vankeuren, Pamela [<mailto:pam.vankeuren@kentcountymi.gov>]
Sent: Tuesday, March 29, 2016 11:36 AM
To: Sue Waddell
Subject: Letter to the Board

Hi Sue,

Would you please share this letter with the members of the CAA? I have sent it to the Board of Commissioners as well.

Thanks,

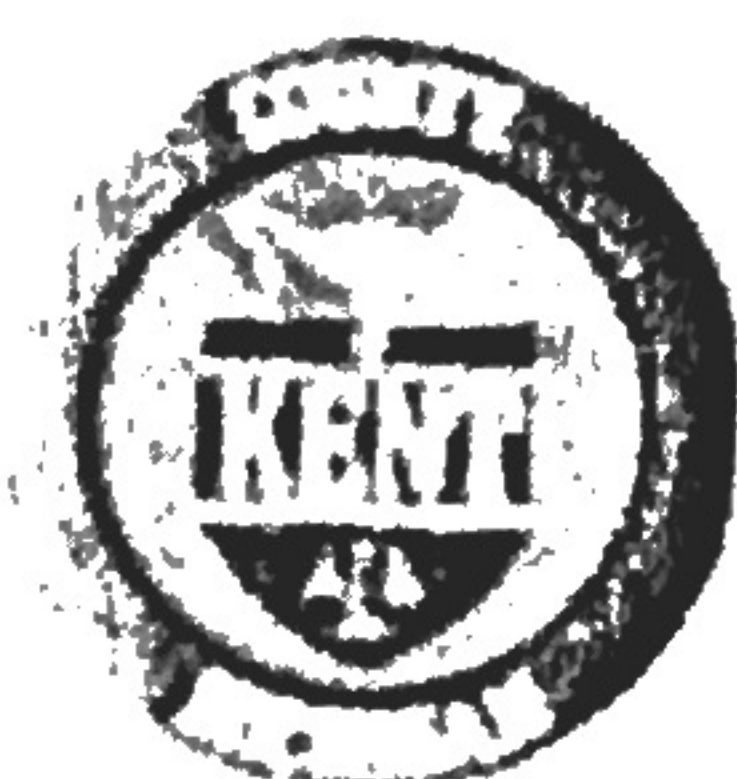
Pam VanKeuren

Executive Assistant to the Board
of Commissioners

Phone: (616) 632-7582

www.accessKent.com

pam.vankeuren@kentcountymi.gov



Kent County...Where Diversity & Inclusion Matter

RECEIVED

MAR 24 2016

BOARD OF COMMISSIONERS

Cal Lamoreaux

3 Market St
Middleville MI 49333
Phone: (269) 720-6983
Email: cal.mi.mpc@gmail.com

March 22, 2016

Board of Commissioners
County Administration Building
300 Monroe Avenue NW
Grand Rapids MI 49503

attn: Grand Rapids-Kent County Convention/Arena Authority

Gentlemen,

I am shocked and disappointed to read in the GR Press of the Authority's insane decision to enforce a weapons ban on the local arenas. You thereby establish what are often called "free fire zones" where only criminals have guns. Apparently you do not realize that almost all recent US mass murders have been committed in similar free fire zones.

Apparently you also do not realize that legally licensed concealed weapons carriers **commit fewer crimes than even policemen do.**

If you could enact some rule that would help deter criminals from shooting citizens, I am sure most citizens would support it. But rules that merely hassle and endanger law-abiding citizens are not rational.

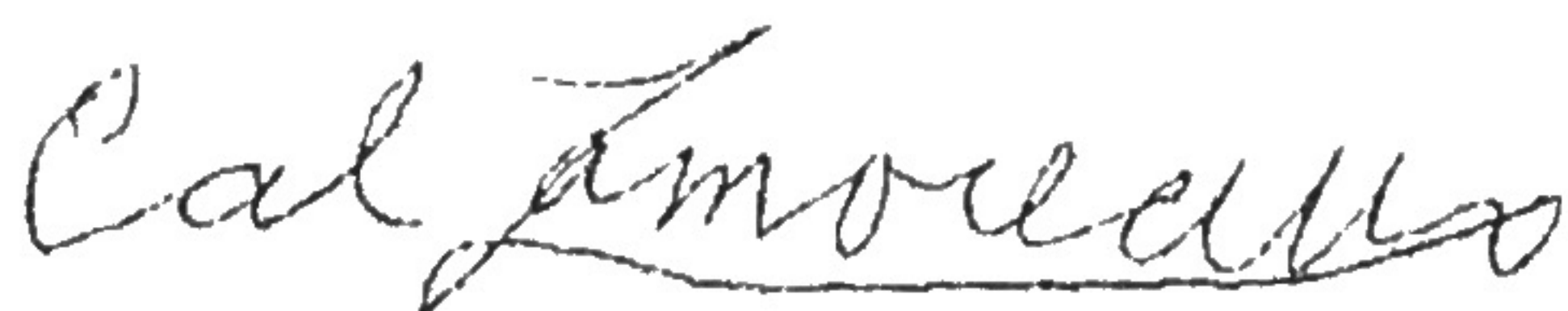
Logically, you need to post one of two signs on the doors of the arenas. Either one that requests licensed concealed carriers to keep their weapons concealed, similar to the signs that Cabela's posts on their doors during hunting season, or else something warning citizens that they are entering into a free-fire zone.

The warning sign could say something like:

Attention terrorists, criminals, and crazies. The citizens in this area have been disarmed for your convenience.

Come on, gents, get real! As they say, when seconds count, the police are minutes away.

Very truly yours,



Cal Lamoreaux

Amanda J. Kaatz

From: Rich MacKeigan <RMackeigan@smggr.com>
Sent: Tuesday, March 29, 2016 11:22 AM
To: Richard A. Wendt
Subject: FW: Google Alert - Rich MacKeigan

From: Steve.Heacock@spectrumhealth.org [<mailto:Steve.Heacock@spectrumhealth.org>]
Sent: Tuesday, March 15, 2016 1:12 PM
To: Rich MacKeigan
Subject: Re: Google Alert - Rich MacKeigan

I agree Rich. I'm home sick - will miss tonight - sorry.

Sent from my iPhone

On Mar 15, 2016, at 7:32 AM, Rich MacKeigan <RMackeigan@smggr.com> wrote:

This is the item I was looking to get some guidance/direction on...
I have a meeting today at 3 with GRPD and City Attorney to discuss...they want to support whatever our position is.

As it sits right now, our position is that if there is a way for weapons (and any other banned items) to not be allowed into our venues, that is what we want to happen...I haven't talked with other board members about this, but this could get some attention from the open carry lobby/group/lawyers...want you to be aware firstly, then secondly, are you ok with this position provided it is legal?

[REDACTED]

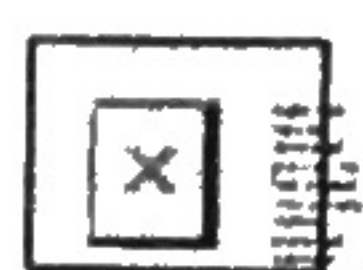
Have a few meetings today, can likely break away from any of them...or if above position is ok, can fill you in tonight at Chop House

Rich MAc

Sent from my iPad

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: March 14, 2016 at 10:32:31 PM EDT
To: Rich MacKeigan <RMackeigan@smggr.com>
Subject: Google Alert - Rich MacKeigan



Rich MacKeigan

As-it-happens update · March 15, 2016

NEWS

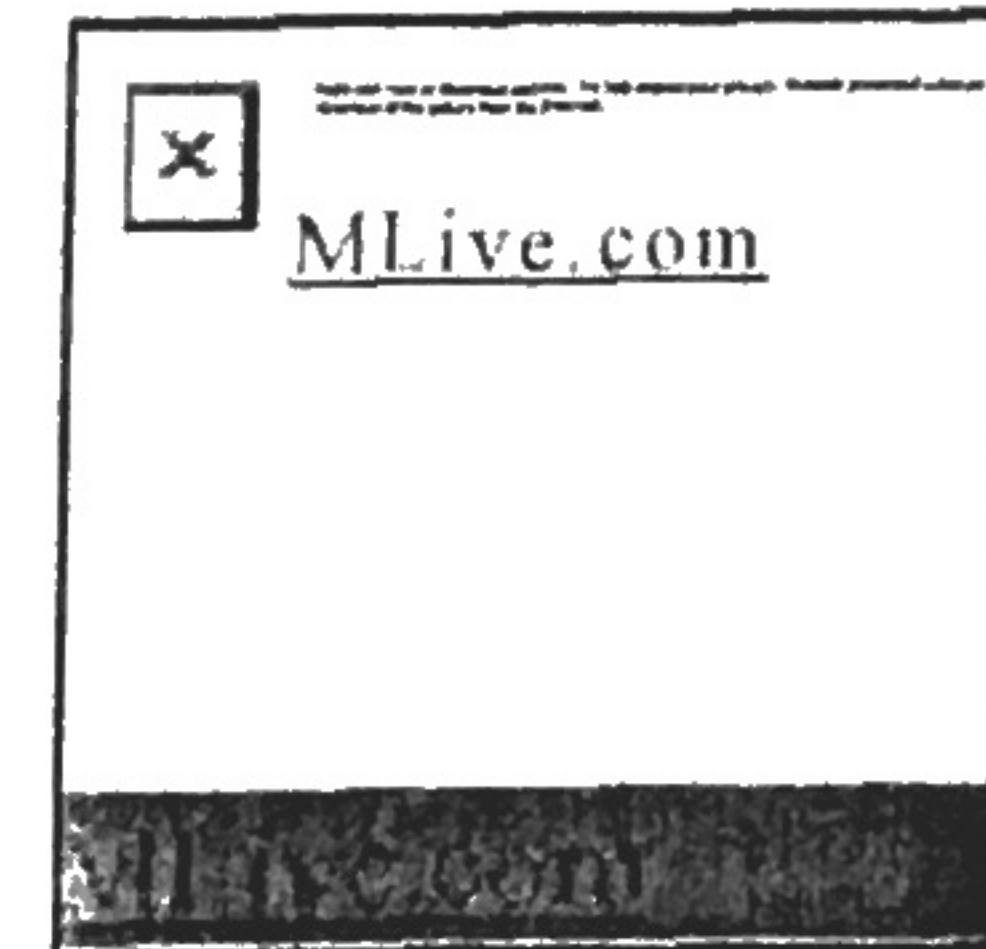
New signs will spell out weapon bans at DeVos Place and Performance Hall

[MLive.com](#)

The signs will be similar to the notices posted on the door of Van Andel Arena, said **Rich MacKeigan**, regional general manager of SMG, which ...



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Amanda J. Kaatz

From: Workflow@dickinson-wright.com
Sent: Tuesday, March 15, 2016 3:03 PM
To: Amanda J. Kaatz; Emily A. Rysberg
Subject: Conflict Check for CHAD MOORE is ready for your review

The conflict check for **CHAD MOORE** with Request ID **1174320** has been completed. The batch number(s) is/are 102199. For details, see Request History below or click [here](#) to review.

Request History

Activity	Assigned To	Approved By	Result	Comments	Date/Time
Conflict Review	New Case Conflicts Specialist	Justin K. Kwolek	Completed	No comments provided	03/15/2016 @ 15:02:57
New Request	Amanda J. Kaatz	Amanda J. Kaatz	Completed	No comments provided	03/15/2016 @ 14:52:21