

BEIER HOWLETT

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

200 EAST LONG LAKE ROAD, SUITE 110
BLOOMFIELD HILLS, MICHIGAN 48304-2361

TELEPHONE (248) 645-9400

jstaran@beierhowlett.com

May 12, 2004

DANIEL C. DEVINE, SR.
LAWRENCE R. TERNAN
STEPHEN W. JONES
FRANK S. GALGAN
KENNETH J. SORENSEN
JEFFREY K. HAYNES
MARK W. HAFELI
TIMOTHY J. CURRIER
MARY T. SCHMITT SMITH
THOMAS V. TRAINER
JOSEPH F. YAMIN
JOHN D. STARAN
LAURA M. HALLAHAN
PHYLLIS AIUTO ZIMMERMAN
P. DANIEL CHRIST
PATRICIA E. KEFALAS DUDEK
MICHAEL C. GIBBONS
MICHAEL P. SALHANEY
C. LYNN GATES
MARY M. KUCHARAK
L. RIDER BRICE, III
ELIZABETH LUCKENBACH BROWN
JEFFREY S. KRAGT
TIMOTHY P. BERGLUND
KEITH C. JABLONSKI
VICTOR A. VEPRASKAS, IV
ROXANNE J. CHANG

DEAN G. BEIER
(1917-2003)
OF COUNSEL
JAMES L. HOWLETT
ROBERT G. WADDELL
ROBERT R. SHUMAN
KATHERINE B. ALBRECHT
SPECIAL COUNSEL
DONALD H. GILLIS
PONTIAC TELEPHONE
(248) 338-9903
FACSIMILE
(248) 645-9344
beierhowlett.com

Robert M. Carson, Esq.
Carson Fischer PLC
300 E. Maple Road, 3rd Floor
Birmingham, Michigan 48009

Re: *Finsilver/Friedman Venture I, LLC v City of Rochester Hills ZBA*
Case No. 04-058042-AA

Dear Mr. Carson:

Following up on our conversation, last week, concerning this new appeal, please be advised of two things:

- The City does not oppose Appellant's Motion to Waive Requirements of MCR 7.101(C)(2)(b). If you prefer, you may prepare and send to my attention a proposed stipulated order.
- Also, in regard to your request for a transcript of the February 23, 2004 Zoning Board of Appeals proceeding, please be advised that the City does not have a transcript, nor does the City intend to prepare one. The meeting was audio taped, and you may get a copy of the tape if you want one.

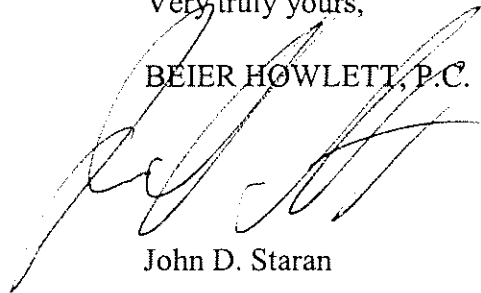
I am in the process of asking the City to gather and provide to me the file and records pertaining to this matter so that I may assemble the record for filing in this case. Typically, what I prefer to do is assemble the proposed record and forward it to the appellant to confirm its completeness before I file it. If this approach is satisfactory to you, perhaps we can also enter into a stipulated order setting forth a deadline for filing

Robert M. Carson, Esq.
Carson Fischer PLC
May 12, 2004
Page 2

the record and a briefing schedule. I find that tends to move these local administrative appeals through the court system better than waiting for the Court to schedule dates.

Very truly yours,

BEIER HOWLETT, P.C.

A handwritten signature in black ink, appearing to read "John D. Staran", is written over the typed name. The signature is fluid and cursive.

John D. Staran

JDS/lh

cc: Client