

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE
THIRD JUDICIAL CIRCUIT

ROBERT DAVIS,
Plaintiff,

Case No. 26-
Hon.

-CZ

v.

HENRY FORD COLLEGE BOARD OF TRUSTEES,
and
HENRY FORD COLLEGE PRESIDENTIAL SEARCH COMMITTEE,
Defendants.

ANDREW A. PATERSON (P18690)
Attorney for Plaintiff
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There is no other cause of action between the same or similar parties arising out of the same transaction or occurrence.

COMPLAINT

NOW COMES, Plaintiff, ROBERT DAVIS (“Plaintiff” or “Plaintiff Davis”), by and through his legal counsel, ANDREW A. PATERSON (P18690), and for his Complaint, states the following:

I. PARTIES

1. Plaintiff, Robert Davis (“Plaintiff” or “Plaintiff Davis”), is a resident and registered voter of the city of Highland Park, County of Wayne, State of Michigan. Plaintiff Davis is also a proud alumnus of The University of

Michigan-Dearborn. Plaintiff is also a “person” that has standing to initiate civil litigation under the Open Meetings Act (“OMA”).

2. Defendant, Henry Ford College Board of Trustees (“**Defendant Board of Trustees**”), is the governing and legislative body of Henry Ford College that consists of seven members elected at large in the city of Dearborn to six-year terms. Defendant Board of Trustees is also a “public body” as that term is defined under MCL 15.262(a) of Michigan’s Open Meetings Act (“OMA”).
3. Defendant, Henry Ford College Presidential Search Committee (“**Defendant Presidential Search Committee**”), is the committee established and created by the Defendant Board of Trustees at its October 20, 2025 regular meeting to review all applicants for the position of president of Henry Ford College, as well as interview candidates and reduce the number of candidates to be considered as finalists to be presented to the Defendant Board of Trustees. The Defendant Presidential Search Committee consists of 24 members, which includes three elected members of the Defendant Board of Trustees.
4. Defendant Presidential Search Committee is also a “public body” as that term is defined under MCL 15.262(a) of Michigan’s Open Meetings Act (“OMA”). See *Pinebrook Warren, LLC v City of Warren*, 515 Mich. 438; 29 NW3d 403 (2024).
5. An actual controversy exists between Plaintiff and the named Defendants.

II. JURISDICTION

6. Pursuant to MCL 15.270 and MCL 15.271 of the OMA, the Wayne County (Third) Circuit Court has jurisdiction over Plaintiff's OMA claims against the Defendants because the Defendants, as "public bodies," serve and exercise their governmental powers and duties in the city of Dearborn, which is geographically located within the County of Wayne.
7. Pursuant to MCR 2.605, this Court has jurisdiction to issue a declaratory judgment with respect to Plaintiff's OMA claims because an actual controversy exists between the parties named herein.
8. Pursuant to MCL 15.270(4) and MCL 15.271(2) of the OMA, venue is proper in the Wayne County Circuit (Third) Court because the Defendants, as "public bodies," serve and exercise their governmental powers and duties in the city of Dearborn, which is geographically located within the County of Wayne.
9. An actual controversy exists between the named parties.

III. CAUSES OF ACTION

COUNT I

Declaratory and Injunctive Relief Under MCL 15.271- Defendants Henry Ford College Board of Trustees and Presidential Search Committee Shall Be Enjoined From Proceeding With Selecting A New President Because The Defendants Violated The OMA By Conducting The Presidential Search Process In Secret.

10. Plaintiff incorporates, repeats and realleges the foregoing allegations as though they were fully set forth and stated herein.

11. This Count is brought against Defendants Henry Ford College Board of Trustees and its Presidential Search Committee pursuant to MCL 15.271 of the OMA seeking to enjoin Defendants' noncompliance with the provisions of the OMA.
12. This Count is also brought against Defendants Henry Ford College Board of Trustees and its Presidential Search Committee pursuant to MCR 2.605 for entry of declaratory judgment declaring that the Defendants Henry Ford College Board of Trustees and its Presidential Search Committee violated various provisions of the OMA by conducting meetings, deliberations, and interviews of presidential candidates in secret.
13. On April 23, 2025, former Henry Ford College President Russ Kavalhuna, J.D. announced he was resigning effective June 30, 2025 to become the President of Western Michigan University in Kalamazoo, MI. See <https://www.hfcc.edu/news/kavalhuna-departure>.
14. Upon President Russ Kavalhuna's departure, in July 2025, Defendant Board of Trustees appointed Dr. Lori Gonko to serve as Interim President until such time as the Defendant Board of Trustees selected a new President.
15. At its October 20, 2025 regular meeting, the Defendant Board of Trustees established and created the 24-member Defendant Presidential Search Committee, which was comprised of at least three (3) elected members of the Defendant Board of Trustees that were appointed by the Chair of the Defendant Board of Trustees in accordance with the Bylaws of the Defendant

Board of Trustees. (See **Approved Minutes of Defendant Board of Trustees October 20, 2025 Meeting attached**).

16. The Defendant Board of Trustees delegated authority to the Defendant Presidential Search Committee the authority and power to review presidential candidates' resumes, interview presidential candidates, reduce the number of candidates to be considered by the Defendant Board of Trustees, and select finalists to be considered and publicly interviewed by the Defendant Board of Trustees.
17. Since December 2025, the Defendant Presidential Search Committee held multiple meetings; ALL of which were held in private and in secret in violation of the OMA.
18. According to a February 27, 2026 article published in The Arab American News, the Defendant Presidential Search Committee conducted and held at least four (4) private/secret meetings that were **not** properly noticed or open or available to members of the general public. *See* <https://arabamericannews.com/2026/02/27/suspicious-backroom-maneuvering-and-administrative-violations-threaten-to-delay-henry-ford-colleges-presidential-search/>.
19. According to The Arab American News, the Defendant Presidential Search Committee held a private/secret meeting on December 9, 2025, which allegedly served as an orientation for the 24 members, schedules were organized and expectations were set. Members of the Defendant Presidential

Search Committee were also asked to consider a code of conduct. *See* <https://arabamericannews.com/2026/02/27/suspicious-backroom-maneuvering-and-administrative-violations-threaten-to-delay-henry-ford-colleges-presidential-search/>.

20. According to The Arab American News, on January 13, 2026, the Defendant Presidential Search Committee held a private/secret meeting that was allegedly dedicated to providing members with electronic secret access instructions to review candidate applications to verify their compliance with submission requirements established by the Defendant Presidential Search Committee. *See* <https://arabamericannews.com/2026/02/27/suspicious-backroom-maneuvering-and-administrative-violations-threaten-to-delay-henry-ford-colleges-presidential-search/>.

21. According to The Arab American News, on February 4, 2026, the Defendant Presidential Search Committee met in private/secret to reduce the presidential candidate pool from 120 candidates to 10 semifinalists. At this private/secret meeting, the Defendant Presidential Search Committee conducted votes via a “secret” ballot to reduce the presidential candidate pool from 120 candidates to 10 semifinalists. *See* <https://arabamericannews.com/2026/02/27/suspicious-backroom-maneuvering-and-administrative-violations-threaten-to-delay-henry-ford-colleges-presidential-search/>.

22. According to The Arab American News, on February 20th and 21st, 2026, the Defendant Presidential Search Committee met in private/secret to secretly interview the five (5) candidate finalists the Defendant Presidential Search Committee had deliberated to select in secret. The five (5) finalists that were allegedly interviewed in private/secret by the Defendant Presidential Search Committee were as follows:

- Interim HFC President Dr. Lori Gonko
- Wayne County Commissioner David Knezek
- Henry Ford College Professor Anthony Perry
- Henry Ford College President of Institutional Advancement A. Reginald Best
- Johnson County Community College Executive Vice President/Provost Mickey McLeod.

23. After reading the February 27, 2026 article in The Arab American News, Plaintiff became enraged because Plaintiff believes that the Defendants conducted this search and subsequent interviews in secret/private for nefarious reasons. Particularly, Plaintiff believes the Defendants were attempting to rig the process for a particular political candidate that has no experience in higher education.

24. Specifically, Plaintiff believes that Defendants are attempting to rig this selection process in favor of Wayne County Commissioner David Knezek, who is also currently serving as a paid governmental appointee of current Michigan Governor Gretchen Whitmer.

25. After reading the February 27, 2026 article in *The Arab American News*, Plaintiff searched the Defendant Board of Trustees' public website to see if there were any approved and/or draft minutes from any meetings held by the Defendant Presidential Search Committee.
26. That Plaintiff could not find any published approved and/or draft minutes from any meetings held by the Defendant Presidential Search Committee on the Henry Ford College's public website.
27. Additionally, Plaintiff could not find any notices of meetings that were published or posted informing the public of any meetings held by the Defendant Presidential Search Committee.
28. On or about March 23, 2026, Plaintiff submitted a request under Michigan's Freedom of Information Act ("FOIA") and OMA to Henry Ford College and Defendant Board of Trustees requesting copies of meeting minutes, public notices and other public documents pertaining to the meetings and activities of the Defendant Presidential Search Committee.
29. As of the date of the filing of this complaint/lawsuit, Plaintiff has not received a formal written response from the Defendants to Plaintiff's requests submitted under the FOIA and OMA.
30. Pursuant to the recent Michigan Supreme Court's holding in *Pinebrook Warren, LLC v City of Warren*, 515 Mich. 438; 29 NW3d 403 (2024), the Defendant Presidential Search Committee is a "public body" that is subject to the OMA.

31. Pursuant to MCL 15.263 of the OMA, all meetings, deliberations and decisions made by a “public body” must take place in an open meeting available to the public.
32. Pursuant to MCL 15.256(1) of the OMA prohibits a “public body” from holding and/or conducting a meeting “unless public notice is given as provided in this section by a person designated by the public body.”
33. NONE of the private/secret meetings held by the Defendant Presidential Search Committee were held in compliance with the OMA.
34. Plaintiff had a desire to attend the meetings of the Defendant Presidential Search Committee, but was prohibited from doing so because the meetings of the Defendant Presidential Search Committee were **NOT** properly noticed and posted in accordance with the OMA.
35. Plaintiff has been irreparably harmed because Defendant Presidential Search Committee was allowed to deliberate and make decisions with respect to presidential candidates in secret in violation of the OMA.
36. Defendant Presidential Search Committee’s unethical and unlawful actions were sanctioned and approved by the Defendant Board of Trustees.
37. The Defendant Board of Trustees were fully aware that the Defendant Presidential Search Committee was meeting, deliberating and making decisions in secret/private in violation of the OMA.
38. As a result of Defendants’ unlawful and unethical conduct, an injunction is necessary to enjoin the Defendants from proceeding with the selection of a

new president for Henry Ford College until such time as the selection process is properly conducted in accordance with the OMA.

WHEREFORE, Plaintiff, Robert Davis, requests and prays that this Honorable Court enters judgment and grants the following relief against the Defendants Henry Ford College Board of Trustees and Presidential Search Committee, as follows:

- a. Enter a declaratory judgment declaring that the Defendants Henry Ford College Board of Trustees and its Presidential Search Committee are both “public bodies” that are subject to the provisions of Michigan’s Open Meetings Act.
- b. Enter a declaratory judgment declaring that the Defendant Presidential Search Committee violated MCL 15.263 and MCL 15.265 of the Open Meetings Act by meeting, deliberating and making decisions in secret/private concerning presidential candidates for Henry Ford College.
- c. Enter a declaratory judgment declaring that the Defendant Presidential Search Committee violated MCL 15.265(1) of the Open Meetings Act by failing to properly post public notices of its meetings.
- d. Enter a declaratory judgment declaring that the Defendant Presidential Search Committee violated MCL 15.269 of the Open Meetings Act by failing to maintain and prepare minutes from all of the meetings it has held.
- e. Enter an injunction pursuant to MCL 15.271 enjoining the Defendant Presidential Search Committee from further noncompliance with the provisions of the Open Meetings Act and enjoining the Defendant Henry Ford College Board of Trustees from proceeding with the selection of a new president of Henry Ford College because the presidential search process administered and executed by the

Defendant Presidential Search Committee violated the Open Meetings Act.

- f. Award Plaintiff his court costs and attorney's fees pursuant to MCL 15.271(4) of the Open Meetings Act.
- g. Enter an order awarding whatever other equitable relief appears appropriate to the Court at the time of final judgment.

COUNT II

Declaratory Relief and Invalidation of Decisions Under MCL 15.270- The Decisions Defendants Henry Ford College Board of Trustees and Presidential Search Committee Made With Respect To The Presidential Search Shall Be Invalidated Under MCL 15.270 of The OMA.

39. Plaintiff incorporates, repeats and realleges the foregoing allegations as though they were fully set forth and stated herein.

40. This Count is brought against Defendants Henry Ford College Board of Trustees and its Presidential Search Committee pursuant to MCL 15.270(1) and (2) of the Open Meetings Act ("OMA").

41. This Count is also brought against Defendants Henry Ford College Board of Trustees and its Presidential Search Committee pursuant to MCR 2.605 for entry of declaratory judgment declaring that the Defendants Henry Ford College Board of Trustees and its Presidential Search Committee violated various provisions of the OMA by conducting meetings, deliberations, and interviews of presidential candidates in secret.

42. MCL 15.270(1) and (2) of the OMA state:

(1) Decisions of a public body shall be presumed to have been adopted in compliance with the requirements of this act. The attorney general, the prosecuting attorney of the county in which the public body serves, or any person may commence a civil action in the circuit court to

challenge the validity of a decision of a public body made in violation of this act.

(2) A decision made by a public body may be invalidated if the public body has not complied with the requirements of section 3(1), (2), and (3) in making the decision or if failure to give notice in accordance with section 5 has interfered with substantial compliance with section 3(1), (2), and (3) and the court finds that the noncompliance or failure has impaired the rights of the public under this act.

43. All of the decisions made by the Defendants Board of Trustees and its

Presidential Search Committee with respect to the finalists selected for the college presidency position shall be invalidated under MCL 15.270 of the OMA because the Defendants' presidential selection process was not conducted in accordance with the OMA.

44. As noted, all meetings, deliberations and decisions made by the Defendant

Presidential Search Committee were conducted and made in private/secret in violation of the OMA.

45. Moreover, the decisions of the Defendant Board of Trustees were simply a

"fait accompli" as the Defendant Board of Trustees simply "rubber stamped" the recommendation of the list of finalists submitted by the Defendant Presidential Search Committee.

46. Accordingly, because the Defendants' decisions with respect to the finalists

for the college presidency position violated the OMA, the Defendants' decisions must be invalidated under MCL 15.270.

47. The decisions Plaintiff seeks to have this Honorable Court invalidate are all

decisions pertaining and/or relating to the list of finalists submitted to the Defendant Board of Trustees for consideration by the Defendant Presidential

Search Committee and any interviews of candidates conducted by *either* of the Defendants.

WHEREFORE, Plaintiff, Robert Davis, requests and prays that this Honorable Court enters judgment and grants the following relief against the Defendants Henry Ford College Board of Trustees and Presidential Search Committee, as follows:

- a. Enter a declaratory judgment declaring that the Defendants Henry Ford College Board of Trustees and its Presidential Search Committee are both “public bodies” that are subject to the provisions of Michigan’s Open Meetings Act.
- b. Enter a declaratory judgment declaring that the Defendant Presidential Search Committee violated MCL 15.263 and MCL 15.265 of the Open Meetings Act by meeting, deliberating and making decisions in secret/private concerning presidential candidates for Henry Ford College.
- c. Enter a declaratory judgment declaring that the Defendant Presidential Search Committee violated MCL 15.265(1) of the Open Meetings Act by failing to properly post public notices of its meetings.
- d. Enter a declaratory judgment declaring that the Defendant Presidential Search Committee violated MCL 15.269 of the Open Meetings Act by failing to maintain and prepare minutes from all of the meetings it has held.
- e. Enter a declaratory judgment declaring that pursuant to MCL 15.270 of the OMA, all decisions of the Defendants Henry Ford Board of Trustees pertaining and/or relating to the selection of a new college president for Henry Ford College are INVALIDATED and VOID, including but not limited to any presidential candidate interviews conducted or any recommendations of the Defendant Presidential

Search Committee the Defendant Henry Ford College Board of Trustees may have adopted or approved.

- f. Enter a declaratory judgment declaring that pursuant to MCL 15.270 of the OMA, all decisions of the Defendant Presidential Search Committee pertaining and/or relating to the selection of a new college president for Henry Ford College are INVALIDATE and VOID, including but not limited to any presidential candidate interviews conducted or any recommendations made to the Defendant Henry Ford College Board of Trustees.
- g. Award Plaintiff his court costs and attorney's fees pursuant to MCL 15.271(4) of the Open Meetings Act.
- h. Enter an order awarding whatever other equitable relief appears appropriate to the Court at the time of final judgment.

Dated: March 26, 2026

Respectfully submitted,
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