

STATEMENT OF QUESTIONS RAISED ON APPEAL AND PRESENTED

RE: Circuit Court Case No. 11-031332-AV

County of Monroe v the Buster Foundation and Monroe SPCA

I. Should Intervening Parties-Appellants' witnesses Joanie Wazney and Trina Stillwagon have been qualified as expert witnesses pursuant to MRE 702 based on their specialized knowledge and experience?

Intervening Parties-Appellants say "yes."

Petitioner-Appellee says "no."

The trial court said "no."

II. Did the trial court give undue weight to the testimony of Appellee's expert witness and commit error with regard to its findings of facts based on this testimony?

Intervening Parties-Appellants say "yes."

Petitioner-Appellee says "no."

The trial court said "no."

III. Did the trial court err in its interpretation of the terms "lack a useful purpose" and "pose a threat to public safety" as set forth in MCL 750.49?

Intervening Parties-Appellants say "yes."

Petitioner-Appellee says "no."

The trial court said "no."

IV. Do the facts support a finding that Dusty has a useful purpose and/or does not pose a threat to public safety, and thus should not be euthanized pursuant to MCL 750.49?

Intervening Parties-Appellants say "yes."

Petitioner-Appellee says "no."

The trial court said "no."

V. Do the facts support a finding that Monroe has a useful purpose and/or does not pose a threat to public safety, and thus should not be euthanized pursuant to MCL 750.49?

Intervening Parties-Appellants say "yes."

Petitioner-Appellee says "no."

The trial court said "no."

VI. Do the facts support a finding that Reilly has a useful purpose and/or does not pose a threat to public safety, and thus should not be euthanized pursuant to MCL 750.49?

Intervening Parties-Appellants say "yes."

Petitioner-Appellee says "no."

The trial court said "no."