



LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRIBAL COURT
7500 Odawa Circle ~ Harbor Springs, MI 49740 ~ (231) 242-1462

TBA Credit Union
Plaintiff

v

Brandon Scott Giem,
Defendant

FC-132-0508
Honorable Jenny Lee Kronk

Michael J. Long, P#49469
Attorney for Plaintiff
412 South Union Street
Traverse City, MI 49684

Brandon Scott Giem
In pro per
05795 US 131
Boyne Falls, MI 49713

OPINION

On May 2, 2008, Plaintiff's attorney filed a Request for Recognition of a Foreign Judgment and a Request and Writ for Garnishment with the requisite filing fees. Included with the filings was a December 19, 2006 order signed by the Honorable Richard W. May, Charlevoix County 90th District Court, granting judgment of \$10,400.61 against the Defendant. On May 27, 2008, the Defendant filed an objection to recognition of the foreign judgment, alleging that the debt was the responsibility of his ex-wife, Susan Giem, as a result of a divorce decree. A hearing was held in this matter on June 24, 2008, Little Traverse Bay Bands of Odawa Indians Associate Judge, Jenny Lee Kronk presiding.

Findings of Fact

Brandon Scott Giem and Susan Elizabeth Giem were granted a divorce on January 11, 2007, by the Honorable Richard M. Pajtas, Charlevoix County Circuit Court Judge. As a part of the divorce decree's division of property settlement, Susan Giem was "responsible for and must hold harmless" Brandon Giem for "Debt associated with the deficiency on repossession of the automobile by TBA Credit Union; and debt associated with vehicle (approximately \$10,000.00)". See, Exhibit #1.

Conclusions of Law

The initial December 19, 2006 judgment against the Defendant appears to have been modified by the subsequent January 11, 2007 order in the divorce decree. It would be repugnant to the public policy of the LTBB Tribe to enforce the first-in-time order filed with the court.

Therefore, it is **ORDERED** that the Little Traverse Bay Bands of Odawa Indians will not give full faith and credit to the December 19, 2006 order unless the Charlevoix County Circuit Court amends the divorce decree to indicate that the TBA loan is the responsibility of the Defendant.

June 26, 2008
Date

Honorable Jenny Lee Kronk, LTBB Associate Judge