

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Chambry v. Livonia Public Schools, et al.

Chambry · No. 23-12540 · Decided March 13, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied without prejudice Plaintiff Tiairra Chambry’s motions to appoint a next friend, reaffirm a minor settlement, request rehearing, reopen the case, and obtain relief from judgment under Federal Rule of Civil Procedure 60(b)(1). The court held that Plaintiff had not shown mistake, inadvertence, surprise, or excusable neglect, and explained that a parent may bring suit for a minor under Rule 17(c)(1)(A) without a separate appointment as next friend.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Judith E. Levy
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	March 13, 2026
DOCKET	23-12540
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b)(1) for relief from judgment and to reopen the case, appointment of a next friend for her minor daughter, reaffirmation of a minor settlement, and a rehearing. The district court denied both motions without prejudice.
STANDARD OF REVIEW	Relief under Federal Rule of Civil Procedure 60(b) is committed to the district court's discretion. The party seeking relief bears the burden of establishing the grounds for relief by clear and convincing evidence.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- motion for reconsideration
- guardianship procedure
- civil procedure
- remedies

PRACTICE AREAS

civil procedure

minor settlement procedure

relief from judgment

QUESTIONS PRESENTED

1. Whether Plaintiff established mistake, inadvertence, surprise, or excusable neglect under Federal Rule of Civil Procedure 60(b)(1) sufficient to reopen the case or reconsider the settlement.
2. Whether the court needed to appoint Plaintiff as G.G.'s next friend when Plaintiff, as the minor's parent, was already permitted to bring suit under Federal Rule of Civil Procedure 17(c)(1)(A).
3. Whether the minor's father's disagreement with the settlement amount justified reconsideration of the settlement or reopening of the case.

HOLDINGS

1. Relief under Federal Rule of Civil Procedure 60(b)(1) was not warranted because Plaintiff failed to demonstrate mistake, inadvertence, surprise, or excusable neglect.
2. A formal court appointment of Plaintiff as G.G.'s next friend was unnecessary for purposes of the suit because Federal Rule of Civil Procedure 17(c)(1)(A) permits a general guardian to bring an action on behalf of a minor, and a parent qualifies as a general guardian.
3. The minor's father's disagreement with the settlement amount, standing alone, did not justify reconsideration of the settlement or reopening of the case.

KEY QUOTATIONS

“Plaintiff’s motions are denied without prejudice because Plaintiff has not demonstrated “mistake, inadvertence, surprise, or excusable neglect” as is required by Rule 60(b)(1).”

“As such, it is not necessary for the Court to appoint Ms. Chambry as G.G.’s next friend for purposes of this suit because Rule 17(c)(1)(A) already permits Ms. Chambry to bring suit on behalf of her minor child.”

“However this, on its own, does not justify the Court’s reconsideration of the settlement or the reopening of this case.”

FACTUAL BACKGROUND

Tiairra Chambry sought to reopen the case involving her minor daughter, G.G., to obtain an order appointing Chambry as G.G.'s next friend and to reaffirm the minor settlement and amended distribution. Chambry reported that G.G.'s father, Jordan Grubbs, disagreed with the settlement amount and expected a higher amount. The court concluded that these circumstances did not establish mistake, inadvertence, surprise, or excusable neglect warranting relief under Rule 60(b)(1).

PROCEDURAL HISTORY

Plaintiff filed two motions after resolution of the case and settlement involving her minor daughter. She sought reopening to appoint herself as the minor's next friend, reaffirm the settlement and amended distribution, and

permit the minor's father to be heard regarding the settlement amount. The court construed the request for relief from judgment as arising under Rule 60(b)(1) and denied both motions without prejudice.

DISPOSITION

other

CASES CITED

- Jinks v. AlliedSignal, Inc., 250 F.3d 381, 385 (6th Cir. 2001)
- Bank of Montreal v. Olafsson, 648 F.2d 1078, 1079 (6th Cir. 1981)
- Info-Hold, Inc. v. Sound Merch., Inc., 538 F.3d 448, 454 (6th Cir. 2008)
- In re Brooks, 583 B.R. 443, 444 (Bankr. W.D. Mich. 2018)
- Cmtys. for Equity v. Mich. High Sch. Athletic Ass'n, 26 F. Supp. 2d 1001, 1006 (W.D. Mich. 1998)
- Russick v. Hicks, 85 F. Supp. 281 (W.D. Mich. 1949)
- Doe v. Shea, No. 23-12797, 2023 WL 7993436, at *1 (E.D. Mich. Nov. 17, 2023)

OPINION

Chambry

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN

SOUTHERN DIVISION

Tiairra Chambry, Natural Mother and Legal Representative of G.G., a minor, Case No. 23-12540 Plaintiff, Judith E. Levy United States District Judge v. Mag. Judge Anthony P. Patti Livonia Public Schools, et al., Defendant. _____/

ORDER DENYING WITHOUT PREJUDICE

PLAINTIFF'S MOTIONS [42, 43]

Before the Court are two motions filed by Plaintiff Tiairra Chambry, who appears on behalf of her minor daughter, G.G.: her motion "to Appoint Next of Friend, Petition to Reaffirm Approval of Minor Settlement Petition Pursuant to MCR 2.420, and Request for Rehearing" (ECF No. 42), and her "motion for relief from judgment and to reopen case." (ECF No. 43.) For the reasons set forth below, Plaintiff's motions are denied without prejudice.¹ Plaintiff requests that her case be reopened "for [the] purpose of appointing a next of friend and reaffirming the settlement amount and the amended distribution." (ECF No. 43, PageID.523.) Plaintiff states that the "Court never entered a formal order appointing [Plaintiff's] mother Tiairra Chambry as next of friend." (Id.) Additionally, Plaintiff sets forth that G.G.'s father, Jordan Grubbs, contacted counsel and "stated that he does not agree with the amount of the settlement and expected a higher amount." (Id. at PageID.522.) As such, Plaintiff's counsel "feels that it is best to have a rehearing to give the father an opportunity to be heard on the matter." (Id.) Plaintiff seeks reopening of the case under Federal

Rule of Civil Procedure 60 “due to mistake or surprise or neglect.” (Id. at PageID.523.) The Court construes this request as arising under Rule 60(b)(1). 1 The Court notes that Plaintiff’s motions violate Eastern District of Michigan Local Rule 5.1, which requires page numbers and double-spaced formatting. L.R. 5.1(a)(2). The Court also notes that Plaintiff’s motions, which were filed within a single hour, are repetitive and should have been consolidated into one, single motion. The Court encourages Plaintiff to take care in the future to follow the Local Rules and avoid piecemeal litigation. Whether to grant relief under Rule 60(b) is in the Court’s discretion. See *Jinks v. AlliedSignal, Inc.*, 250 F.3d 381, 385 (6th Cir. 2001); *Bank of Montreal v. Olafsson*, 648 F.2d 1078, 1079 (6th Cir. 1981) (“The grant of motions made under rule 60(b) is a matter of discretion for the district court.”). “[T]he party seeking relief under Rule 60(b) bears the burden of establishing the grounds for such relief by clear and convincing evidence.” *Info-Hold, Inc. v. Sound Merch., Inc.*, 538 F.3d 448, 454 (6th Cir. 2008). Plaintiff’s motions are denied without prejudice because Plaintiff has not demonstrated “mistake, inadvertence, surprise, or excusable neglect” as is required by Rule 60(b)(1). With regard to appointment of Tiairra Chambry as G.G.’s next friend, Plaintiff has not demonstrated “mistake, inadvertence, surprise, or excusable neglect.” Federal Rule of Civil Procedure 17(c)(1)(A) provides that a “general guardian” may bring suit on behalf of a minor. Parents of minor children fall under the category of “general guardians.” In re *Brooks*, 583 B.R. 443, 444 (Bankr. W.D. Mich. 2018) (citing *Cmtys. for Equity v. Mich. High Sch. Athletic Ass’n*, 26 F. Supp. 2d 1001, 1006 (W.D. Mich. 1998); *Russick v. Hicks*, 85 F. Supp. 281 (W.D. Mich. 1949)); see also *Doe v. Shea*, No. 23-12797, 2023 WL 7993436, at *1 (E.D. Mich. Nov. 17, 2023). As such, it is not necessary for the Court to appoint Ms. Chambry as G.G.’s next friend for purposes of this suit because Rule 17(c)(1)(A) already permits Ms. Chambry to bring suit on behalf of her minor child. With regard to Mr. Grubbs, the Court understands that he has certain concerns about the resolution of this case. However this, on its own, does not justify the Court’s reconsideration of the settlement or the reopening of this case. For the reasons set forth above, Plaintiff’s motions are DENIED

WITHOUT PREJUDICE. (ECF Nos. 42, 43.)

IT IS SO ORDERED. Dated: March 13, 2026 s/Judith E. Levy Ann Arbor, Michigan JUDITH E. LEVY United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 13, 2026. s/William Barkholz
WILLIAM BARKHOLZ

Case Manager