

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COURT**

3031 Domres Road · Manistee, MI 49660  
(231) 398-3406

SHANNON PAUL CRAMPTON,  
Plaintiff

Case No. 22-060-GC

Honorable Angela Sherigan

v.

OGEMA LARRY ROMANELLI,  
in his official capacity,  
Defendant

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SHANNON PAUL CRAMPTON  
*Plaintiff, In Pro Per*  
6735 E. M-72  
Williamsburg, MI 49690

DENNIS SWAIN (P29866)  
*Attorney for Defendant*  
2608 Government Center Drive  
Manistee, MI 49660

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**ORDER AFTER HEARING ON DEFENDANT’S  
MOTION FOR SUMMARY DISPOSITION**

A hearing was held on May 26, 2022, on Defendant’s Motion for Summary Disposition, in which all parties and/or their attorneys were present.

The Motion was made under LRCR 4.116(c)(8). LRCR 4.116(c)(8) is for failure to state a claim upon which relief can be granted. Motions brought under LRCR 4.116(c)(8) are decided on the pleadings. The Defendant Ogema’s argument is that he has absolute immunity in this matter. The Plaintiff argued that the Protection Against Defamation Act of 2006 waives immunity.

Looking at the language of the Act, specifically at Article IV, Section 4.01 (a) and (b), while not a specific waiver, it is clear that public officials<sup>1</sup> are subject to this act.

4.01. Libel and Slander.

- a. Both libel and slander must be published or made in the presence of third parties who the ability to rely or act upon the information received and understand the information provided as diminishing the reputation of the person to whom they are referring. *Both libel and slander can be addressed to private individuals and to public officials.*
- b. *Libel and slander of a public official must be made with malice*

Emphasis added.

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<sup>1</sup> Public official is defined in the Act.  
Article III. Definitions


3.01. *General.* As used in this Ordinance, except where otherwise specifically provided or the context otherwise requires, the following terms and expressions shall have the following meanings.

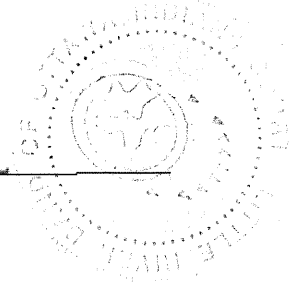
3.02. *Public official* means an individual who is elected to Tribal Council, Tribal Court, Ogema, Election Board, or an official sitting on a board, committee or commission of the Tribe, or a representative of the Tribe selected or appointed to act in that manner; an individual who has been elected or appointed. Public official also includes employees of the Tribe who perform supervisory functions,

The Court finds that the Ogema is subject to the Protection Against Defamation Act of 2006.

THEREFORE, the Defendant's Motion for Summary Disposition based on immunity is DENIED.

Dated: June 6, 2022

  
Hon. Angela Sherigan



CERTIFICATION OF SERVICE

I certify a copy of this document was served via USPS mail and via email for service to the parties and/or their attorneys of record on this day.

6-6-22  
Date

Spring Medacco  
Court Clerk/Court Administrator