

# Transfer case appeal planned

By JUDITH BERNE  
WEST BLOOMFIELD. Plaintiffs in the middle school transfer case will seek an emergency appeal of the Oakland County Circuit Court decision which allows their children to be moved from Orchard

Lake Middle School to Abbott Middle School. They will ask an appellate court judgment on their suit to block their children's transfer from nearby Orchard Lake to Abbott, three miles away.

The appeal to be filed this week, will ask that a ruling be made before school resumes in September, according to John Katsoulos, attorney for the 31 plaintiff families who reside in West Bloomfield Lake Estates subdivision.

OAKLAND COUNTY Circuit Court Judge James S. Thorburn Friday upheld the West Bloomfield school board's order to transfer the students.

In a written opinion, Thorburn ruled that a school board has the statutory right to set school boundaries arbitrarily without offering any reason for its determination.

He added that the plaintiffs must show that the quality of education for the children being transferred or for other children in the district would be adversely affected by the change of boundaries.

KATSIOULOS said he will base his appeal on the premise that it is the school board, not those being transferred, which must show ample reason for its action.

"I went into court on the theory that the education at both schools is approximately the same," Katsoulos said.

"If all factors are substantially equal and remain that way, then they (the school board) can't do this."

"We say Thorburn is wrong on the points he thought we had to make," he added.

ACCORDING to Katsoulos, there are a number of routes the appellate court can go: It could issue a temporary injunction, or a permanent one; it could return the case to Thorburn for further proceedings or it could read the records and make a decision.

John Shantz, attorney for the defendant school district, declared he was not surprised at the decision to go for an appeal.

Thus far, the court suit has involved a hearing, two half-days of trial, the preparation and filing of legal briefs and consultation by the attorneys with their clients.

Lawyers fees for the defendant school district, which come out of the annual budget, generally run \$50 per hour, according to James Rossmann, assistant superintendent for business.

"Just think about my clients," Katsoulos responded. "They're paying for both sides."

## OBITUARIES

WALTER B. GROVES JR., 49, of Birmingham, died July 27, 1974, at William Beaumont Hospital, Royal Oak.

He was chairman of the board of Groves Manufacturing Co. and was a Navy officer in World War II.

He also was active in Catholic organizations and charities. He is survived by his wife, Nancy of Birmingham; four sons, Walter III, Anthony, John Kelley and Daniel; mother, Mrs. Walter B. Groves; two sisters and one brother.

Funeral arrangements were handled by Haley Funeral Home, Southfield.

MRS. RUTH K. DANIELS, 79, of Royal Oak, died July 26, 1974 at Sherwood Hall.

A 32-year Birmingham resident, she was a retired registered nurse.

She was a graduate of the University of Massachusetts General Hospital as a registered nurse. She also was active in the American Red Cross during World War II.

Mrs. Daniels was a member of Planned Parenthood, American Association of University Women, and a member of Christ Church Cranbrook.

She is survived by two daughters, Mrs. Ferdinand Reiff of Berkeley and Mrs. William Beane of Denver, Colo.; a son, Thomas P. of Port Huron; three sisters and seven grandchildren.

Funeral arrangements were handled by Bell Chapel of The William R. Hamilton Co.

ADAM ANTHONY MELONE, 44, of Beverly Hills, died July 28, 1974, at William Beaumont Hospital, Royal Oak.

Born in Detroit, he was an instructor with the Dearborn Public Schools. He was a professional violinist with the Detroit Symphony orchestra from 1952-55 and was concert master of the Mt. Clemens Symphony.

He received his bachelor's degree from Wayne State University in 1952 and his master's degree from Eastern Michigan University in 1961.

Mr. Melone was a member of the Kiwanis Club of Dearborn, former president of Huntley Subdivision in Beverly Hills, manager and coach of Beverly Hills Little League, and officer in Cub Troop 1024.

He is survived by his wife, Monique of Beverly Hills; son, Craig Adam of Beverly Hills; daughter Marsha Lewisley of Lake Orion; parents, Mr. and Mrs. Adam D. Melone of Lathrup Village.

Funeral arrangements were handled by A. J. Desmond & Sons Funeral home in Troy.

FRANKLIN NICHOLAS LEACH, 60, of Troy, died July 28, 1974, at Bi-County Community Hospital, Warren.

Born in Flint, he was a retired water meter repairman for the City of Troy.

He was a member of Troy Chapter Local Union #574 of the American Federation of State, County and Municipal Employees, AFL-CIO Council #22.

He is survived by his wife, Jane E. of Troy; daughter, Mrs. Darrell (Delores) Bufkin of Troy; sons, William R. of Troy and Thomas F. of Austin, Tex.; sister, Mrs. Isabell Kakoska of Alger; brother, Warren R. Leach of Alger; and one grandchild.

Funeral arrangements were handled by Price Funeral Home, Troy. The family suggests memorials to the Michigan Heart Association.

MRS. LUCY M. TANGNEY, 76, of Birmingham, died July 24, 1974, at St. Joseph Mercy Hospital, Pontiac.

Born in Chicago, Ill., she was a member of the Church of St. Owen.

She is survived by two daughters, Mrs. Francis E. (Mary) Pratt of Birmingham and Mrs. Jeanne N. Nielsen of St. Petersburg, Fla.; two sons, Robert and Thomas F., both of Chicago; two sisters, Mrs. Theresa Nyhan and Mrs. Sara Mannion, both of Chicago.

Funeral arrangements were handled by Bell Chapel of The William R. Hamilton Co. Memorial tributes may be sent to Lourdes Nursing Home, 2300 Watkins Lake Road, Pontiac 48064.

BERT B. BAKER, 90, of Birmingham, died July 30, 1974. A native of Plymouth, he was a retired used car dealer and owner of Bert Baker Used Cars, known as the largest used car lot in the world. Started in 1917 at Woodward and

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