IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **SCO Group Inc v DaimlerChrysler Corp**
Docket No. **260036**
L.C. No. **2004-056587-CK**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal from the December 21, 2004 order of voluntary dismissal is DISMISSED for lack of jurisdiction since this type of order is not a final order that is appealable as a matter of right in view of the fact that ". . . it does not resolve the merits of the remaining claims and, as such, those claims are 'not barred from being resurrected on that docket at some future date.'" *City of Detroit v State of Michigan*, 262 Mich App 542, 545; 686 NW2d 514 (2004), citing *Wickings v Arctic Enterprises, Inc,* 244 Mich App 125, 134-136; 624 NW2d 197 (2000).

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 21 2005
Date

Sandra Schultz Mengel
Chief Clerk