Court of Appeals, State of Michigan

ORDER

David Slaggert v Michigan Cardiovascular Institute PC

Docket No. 260776

LC No. 04-052690-NH

Bill Schuette
Presiding Judge

William C. Whitbeck
Chief Judge

Stephen L. Borrello
Judge

The Court orders that the motion for reconsideration is GRANTED for the limited purpose of addressing defendants' remaining Issues I and II in their application for leave to appeal.

As to Issues I and II only, the Court orders that the application for leave to appeal is GRANTED. In addition, the parties are directed to address the applicability of footnote 5 in *Halloran v Bhan*, 470 Mich 572, 577 n 5; 683 NW2d 129 (2004), to the present facts. MCR 7.205(D)(4).

This matter is placed on the SUMMARY DISPOSITION TRACK. Administrative Order 2004-5. A motion to remove from the summary disposition track must be filed within seven days of the certification of this order. Administrative Order 2004-5, ¶ 7(A). Appellant's brief shall be filed 28 days from the certification of this order. Administrative Order 2004-5, ¶ 9(B)(1).

In all other respects, the August 16, 2005 order remains unchanged.

Borrello, J. would deny the application for leave to appeal based on the trial court's correct reliance on *Grossman v Brown*, 470 Mich 593 (2004) and also because he is not persuaded of the need for immediate appellate review.

Chief Judge

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

OCT 25 2005
Date

Sandra Schultz Mengel
Chief Clerk