

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Delano Parker v Johnson Kennedy III**

Docket No. **296821**

L.C. No. **09-091181-NO**

Mark J. Cavanagh, Judge, acting under MCR 7.211(E)(2), orders:

The motion to vacate costs is GRANTED only to the extent that this Court's April 20, 2010, order assessing costs of \$250 against attorney Howard Weingarden (P51914) is VACATED. The further request that the \$100 motion fee for this motion be reimbursed is DENIED. Attorney Weingarden's failure to follow up with this Court, rather than the court reporter, caused the situation that led to the imposition of costs and the filing of the instant motion.



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

MAY 11 2010

Date

Sandra Schultz Mengel
Chief Clerk