

**Court of Appeals, State of Michigan**

**ORDER**

Andrew Davis v David E Szymanski MD

Docket No. 299581

LC No. 09-027324-NH

Kirsten Frank Kelly  
Presiding Judge

Christopher M. Murray

Karen Fort Hood  
Judges

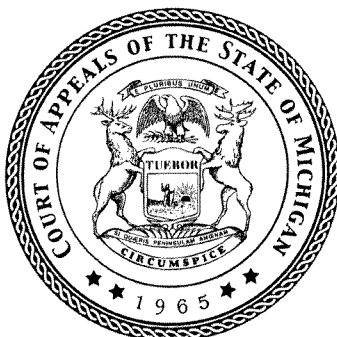
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The Court orders that the motion for immediate consideration is GRANTED.

The application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

The motion for stay is DENIED.

MURRAY, J.: I would grant leave to appeal because the decision in *Ykimoff v Foote Memorial Hosp*, 285 Mich App 80; 746 NW2d 114 (2009), controls the proper outcome of this case.



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

SEP 24 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk