

# Court of Appeals, State of Michigan

## ORDER

Patrick McCarthy v Edward Sosnick

Kathleen Jansen  
Presiding Judge

Docket Nos. 293482; 293483; 294383; 294385; 295782; 295784

Kirsten Frank Kelly

LC No. 2008-089426-N●

Pat M. Donofrio  
Judges

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The Court orders that appellees/cross-appellants' motion for sanctions for vexatious proceedings is GRANTED. MCR 7.211(C)(8); MCR 7.216(C)(1). The Court finds that the appeal filed by plaintiff in these consolidated cases was vexatious. See *Meagher v Wayne State Univ*, 222 Mich App 700, 730-731; 565 NW2d 401 (1997). Pursuant to MCR 7.216(C)(2), this matter is remanded to the trial court for a determination of the amount of actual damages, including reasonable attorney fees, incurred by appellees/cross-appellants as a result of the vexatious appeal filed by plaintiff. In its discretion, the trial court may also assess punitive damages in an amount not to exceed the actual damages. MCR 7.216(C)(2).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT 25 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.  
Chief Clerk