

# Court of Appeals, State of Michigan

## ORDER

In re Subpoena of Howard Willson

Docket No. 301236

LC No. 10-000925-CZ

Jane E. Markey  
Presiding Judge

William B. Murphy, C.J.

Douglas B. Shapiro  
Judges

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The motion for immediate consideration is GRANTED.

The motion for leave to file a reply to the answer is GRANTED, and the reply brief received on January 14, 2011 is accepted for filing.

The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED. The circuit court's decision to quash the deposition subpoena and enter a protective order permitting Renee Howard to serve non-party interrogatories upon Howard Willson is PEREMPTORILY REVERSED, and its November 3, 2010 order effectuating that decision is VACATED. This matter is REMANDED to the circuit court for entry of an order directing Howard Willson to appear for a videotaped examination *de bene esse* in the matter of *Howard v Lilliston Enterprise, Inc*, Superior Court of New Jersey, Law Division, Docket No. L-5973-07, and establishing the location, time and length of the deposition, as well as the number and length of any breaks necessary to accommodate the needs of the witness. MCL 600.1852. This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



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

JAN 28 2011

Date

*Sandra Schultz Mengel*  
Chief Clerk