Court of Appeals, State of Michigan

ORDER

Patrick A. Rugiero v Antonietta M Dinardo

Docket No. 301829; 302192; 302228; 302936; 302963; 303259;303707; 307630

LC No. 07-730628-DC

Kirsten Frank Kelly
Presiding Judge

David H. Sawyer

Amy Ronayne Krause
Judges

The Court orders that the motion for damages for vexatious proceedings is DENIED without prejudice to defendant filing a motion in the circuit court pursuant to the fee-shifting procedure for domestic relations cases. Whether attorneys fees incurred on appeal shall be awarded pursuant to MCR 3.206(C)(2)(a) is left to the discretion of the trial court. See, *Kosch v Kosch*, 233 Mich App 346, 354; 592 NW2d 434 (1999) ("[a] party in a domestic relations matter who is unable to bear the expense of attorney fees may recover reasonable attorney fees if the other party is able to pay").

The Court retains no further jurisdiction.

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

JUL 27 2012
Date

Chief Clerk