

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Barbara Russell v Dan's Excavating Inc**

Docket No. **304514**

L.C. No. **2009-003751-NI**

William B. Murphy, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike a portion of Appellee's brief is DENIED. Defendant-Appellee-Cross Appellant has not demonstrated that Appellee's brief does not substantially comply with MCR 7.212. Therefore, there are no grounds for striking any portion of the brief. MCR 7.212(I). Argument concerning the proper scope of the appeal may be addressed in the reply briefs filed by Cross Appellant and Appellant.

Appellant's motion to extend time to file a reply brief is GRANTED. Appellant's reply brief is due 21 days from the Clerk's certification of this order.



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

FEB - 2 2012

Date


Chief Clerk