

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Mercantile Bank of Michigan v CLMIA LLC**  
Docket No. **307899**  
L.C. No. **09-001639-CZ**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction. MCR 7.203(A)(1). The December 20, 2011 order is not a final order as defined in MCR 7.202(6)(a)(i) because it leaves the question of plaintiff-appellee's damages undecided. See *Children's Hospital of Michigan v Auto Club Ins Ass'n*, 450 Mich 670, 675; 545 NW2d 592 (1996). Specifically, the December 20, 2011 order does not determine the amount of swap liabilities, but rather provides for further proceedings as to that matter.



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

**JAN 25 2012**

Date

A handwritten signature in dark ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk