

Court of Appeals, State of Michigan

ORDER

Hospitalists of Northwest Michigan PLC v Ernest G Fischer III MD

Peter D. O'Connell
Presiding Judge

Docket Nos. 301962; 302126

William C. Whitbeck

LC No. 2009-027718-CK

Patrick M. Meter
Judges

The Court orders that the motion for entry of a stipulated order of dismissal of the claims of Hospitalists of Northwest Michigan, PLC (Hospitalists) against Sondee, Racine, & Doren, PLC and Maurice A. Borden is GRANTED to the extent that Hospitalists' appeal in Docket No. 302126 is DISMISSED as to Sondee, Racine, & Doren, PLC and Maurice A. Borden only.

We note that, as the Clerk's Office of this Court advised the parties in correspondence sent on January 19, 2011, the pleading filed by Hospitalists that was captioned as a cross appeal as to this case was treated as a new claim of appeal initiating the appeal in Docket No. 302126. Further, no party filed a motion challenging that decision by the Clerk's Office. Thus, Hospitalists is neither an appellant nor cross-appellant in Docket No. 301962, and Sondee, Racine, & Doren, PLC and Maurice A. Borden are not parties to the appeal in Docket No. 301962 in which there is no cross appeal.

Accordingly, on the Court's own motion, Hospitalists' purported combined appellee's and cross-appellant's brief on appeal filed on August 2, 2011 in Docket No. 301962 is STRICKEN IN PART to the extent that it presents arguments as a purported cross-appellant. Further, the purported cross-appellees' brief on appeal filed by Sondee, Racine, & Doren, PLC and Maurice A. Borden on September 2, 2011 in Docket No. 301962 is STRICKEN in its entirety.



A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on

JUN 10 2013

Date

Angela P. DiSessa
Acting Chief Clerk