

Court of Appeals, State of Michigan

ORDER

Kamol Bello v Ford Motor Company

Docket No. 310283

LC No. 10-010867-CD

Cynthia Diane Stephens
Presiding Judge

Kurtis T. Wilder

Karen M. Fort Hood
Judges

The Court orders that the motion for immediate consideration is GRANTED and the motion to strike appellee's brief and motion for damages under MCR 7.216(C) are DENIED. The Court declines to strike appellee's brief at this point because the exhibits to the brief as filed are not copied sideways as indicated in the motion to strike and the body of the brief as filed is the same as the version appended to appellant's motion.

However, the Court orders that costs are assessed against counsel for plaintiff-appellee pursuant to MCR 7.219(I) for counsel's violation of the court rules, counsel having served a brief on opposing counsel that is significantly different than the brief that was filed with the Court. The Court orders attorney Ivie J. Shelton (P44411) to pay costs in the amount of \$1000 to appellant's counsel within 14 days after this order is entered. The costs are personal to the attorney and shall not be charged back to the client.

The Court further orders that appellee's right to oral argument is FORFEITED subject only to the case call panel's discretion to grant oral argument on motion filed after the case has been scheduled for submission on the case call under MCR 7.213(D).


The time for filing appellant's reply brief under MCR 7.212(G) shall be calculated from the date this order is entered.

Stephens, J., would retain appellee's right to oral argument.



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

January 24, 2013
Date


Chief Clerk