

**Court of Appeals, State of Michigan**

**ORDER**

Cristina McCarthy Foster v Scott James Foster

Docket No. 318693

LC No. 2008-748211-DM

Mark J. Cavanagh  
Presiding Judge

Kathleen Jansen

Deborah A. Servitto  
Judges

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The Court orders that the motion to waive fees is GRANTED and fees are WAIVED for this case only.

The motion for immediate consideration is GRANTED.

The application for leave to appeal is GRANTED, limited to the issue of whether the trial court erred by abating plaintiff's child support payments in order to force defendant to comply with the court's orders requiring defendant to pay money to plaintiff. The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(D)(3). This appeal is limited to the issues raised in the application and supporting brief. MCR 7.205(D)(4).

The motion for stay pending appeal is GRANTED. The effects of the trial court's September 26, 2013 order abating plaintiff's child support payments to defendant is STAYED pending resolution of this appeal or further order of this Court.

The motion for costs and fees as sanctions under MCR 7.211(C)(8) and MCR 7.216(C) is DENIED.

Jansen, J. would deny the application for leave to appeal, deny the motion to waive fees, grant the motion for sanctions for vexatious proceedings, and deny the motion for stay.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

**JAN 21 2014**

Date

Chief Clerk