

Court of Appeals, State of Michigan

ORDER

Elmo Lee v Dr. Christopher Loewe

Docket No. 322355

LC No. 13-014168-NH

Michael J. Riordan
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion for peremptory reversal is GRANTED IN PART. In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the June 4, 2014, order of the Wayne Circuit Court regarding ex parte interviews of plaintiff's medical providers hereby is VACATED IN PART. Plaintiff simply has not shown why "justice requires" the condition set forth by the circuit court that defendants must provide plaintiff with 48 hours of notice before meeting with plaintiff's treating health care providers. *Szpak v Inyang*, 290 Mich App 711; 803 NW2d 904 (2010). Accordingly, that condition is STRICKEN from the order. The case is remanded to the circuit court for further proceedings consistent with this order.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



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

AUG 11 2014

Date

Chief Clerk