Court of Appeals, State of Michigan

ORDER

William Bristol MD v Hisham Dado MD

Docket No. 318628

LC No. 2011-004245-NH

Jane M. Beckering
Presiding Judge

Kathleen Jansen

Mark T. Boonstra
Judges

Pursuant to the parties' mutual agreement, as well as MCR 7.216(A)(4) and (9), the Court orders that defendant-appellee Davita, Inc., d/b/a Davita Macomb Kidney Center, shall file with the Clerk of this Court, for transmission to the case call panel, four copies of its employment or independent contractor agreement with defendant Hisham Dado, M.D., also referred to as the "Agreement for Medical Director." Defendant-appellee Davita shall file the copies of the contract under seal as the Court finds good cause to seal the contract in light of the proprietary information contained in the contract and determines that there are no less restrictive means to adequately and effectively protect the interest asserted. MCR 7.211(C)(9)(c). The sealed copies shall be filed within 14 days of the Clerk's certification of this order. Defendant-appellee Davita shall also serve upon counsel for plaintiff-appellant a copy of the contract under seal and marked for "counsel's viewing only."

The Court further orders that plaintiff-appellant and defendant-appellee Davita shall file with this Court, within 21 days of plaintiff-appellant's receipt of the contract, supplemental briefs addressing whether defendant Dado was acting as defendant-appellee Davita's agent during his treatment of plaintiff based on the contents of the contract.

The Clerk shall disclose or provide copies of any order or opinion entered in this appeal, MCR 8.119(I)(5); MCR 7.211(C)(9)(c), but documents under seal shall not be disclosed or made available for public viewing. The Clerk is directed to forward a copy of this order to the Clerk of the Supreme Court and to the State Court Administrative Office. MCR 8.119(I)(7); MCR 7.211(C)(9)(c).

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

JAN 1 5 2015
Date

Chief Clerk