

Court of Appeals, State of Michigan

ORDER

ROBERT SFIRE V JOHN DAWOOD DALALY

Docket No. 331328

LC No. 2015-147596-CB

Kathleen Jansen
Presiding Judge

Deborah A. Servitto

Elizabeth L. Gleicher
Judges

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

Pursuant to MCR 7.205(E)(2), the Court orders that the Oakland Circuit Court's January 7, 2016 order denying plaintiff's motion to compel discovery is VACATED and the matter REMANDED to the circuit court to determine whether production and disclosure of the materials sought by plaintiff should be compelled under the rules governing discovery. The circuit court erred by concluding that the materials and information in question were protected from disclosure by accountant-client privilege. Section 2.4 of the February 18, 2015 Agreement for Purchase and Sale of Membership Interest gave the accountants their clients' written permission to disclose and divulge those materials and information to plaintiffs, so neither defendants nor the accountants can assert that privilege to bar disclosure. MCL 339.732(1)

This Court retains no further jurisdiction.



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

MAR 16 2016

Date


Chief Clerk