

Court of Appeals, State of Michigan

ORDER

MIC General Insurance Corp v MI Municipal Risk Mgt Authority

Amy Ronayne Krause
Presiding Judge

Docket No. 341766

Michael J. Kelly

LC No. 17-024112-NF

Michael F. Gadola
Judges

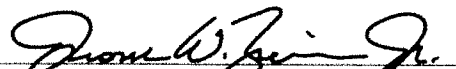
The Court orders that the motion to dismiss the claim of appeal as untimely is DENIED. Contrary to the assertion in the motion the trial court's December 7, 2017 opinion and order is not a final order under MCR 7.202(6)(a)(i) because it only granted summary disposition in favor of appellee Michigan Municipal Risk Management Authority and, thus, did not dispose of the claims in this case as to the other defendant, appellee Elizabeth Kehn. This is true regardless of the rationale expressed by the trial court in the December 7, 2017 opinion and order. Accordingly, the December 12, 2017 order appealed from is the final order in this case under MCR 7.202(6)(a)(i) as the first order actually disposing of all claims and adjudicating the rights and liabilities of all parties with its dismissal of this case in its entirety. Thus, the December 12, 2017 order is appealable of right. MCR 7.203(A)(1). Further, the claim of appeal was timely filed within 21 days after entry of the December 12, 2017 final order. MCR 7.204(A)(1)(a).



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

MAR 20 2018

Date


Chief Clerk