

Court of Appeals, State of Michigan

ORDER

Sylvia Rogalski v F. Matthew Smith, M.D.

Docket No. 350120

LC No. 2017-032053-NH

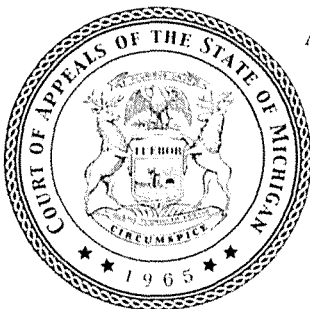
Michael J. Kelly
Presiding Judge

Stephen L. Borrello

Amy Ronayne Krause
Judges

The Court orders that the application for leave to appeal is GRANTED. The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(E)(3). This appeal is limited to the issues raised in the application and supporting brief. MCR 7.205(E)(4).

Ronayne Krause, J., respectfully dissents, and in lieu of granting leave to appeal would VACATE the circuit court's summary disposition order of July 18, 2019, on the ground that the circuit court erred in its application of the res judicata doctrine. Judge Ronayne Krause would REMAND for further proceedings, with instructions that the res judicata doctrine does not bar the circuit court from reconsidering its initial order of July 10, 2018 regarding expert testimony.



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

DEC 13 2019

Date

Chief Clerk