

Order

Michigan Supreme Court
Lansing, Michigan

November 4, 2016

Robert P. Young, Jr.,
Chief Justice

152889

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

BETTINA WINKLER, by her next friends
HELGA DAHM WINKLER and MARVIN
WINKLER,

Plaintiff-Appellant,

v

SC: 152889
COA: 323511
Oakland CC: 2014-141112-CZ

MARIST FATHERS OF DETROIT, INC., d/b/a
NOTRE DAME PREPARATORY HIGH
SCHOOL AND MARIST ACADEMY,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the November 12, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether the doctrine of ecclesiastical abstention involves a question of a court's subject matter jurisdiction over a claim, compare *Lamont Community Church v Lamont Christian Reformed Church*, 285 Mich App 602, 616 (2009), with *Dlaikan v Roodbeen*, 206 Mich App 591, 594 (1994); (2) whether the Court of Appeals correctly concluded that consideration of plaintiff's challenge to defendant's admission decision would have impermissibly entangled the trial court "in questions of religious doctrine or ecclesiastical polity," *Dlaikan*, 206 Mich App at 594; and (3) whether this Court should overrule *Dlaikan*, and if so, on what basis. The parties should not submit mere restatements of their application papers.

Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 4, 2016


Clerk