

# Order

Michigan Supreme Court  
Lansing, Michigan

July 29, 2016

Robert P. Young, Jr.,  
Chief Justice

152723

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

MICHAEL A. RAY and JACQUELINE M. RAY,  
as Co-Conservators for KERSCH RAY, a Minor,  
Plaintiffs-Appellants,

v

SC: 152723  
COA: 322766  
Washtenaw CC: 12-001337-NI

ERIC SWAGER,  
Defendant-Appellee,  
and

SCOTT ALLEN PLATT, HEATHER MARIE  
PLATT, and LIBERTY MUTUAL INSURANCE  
COMPANY,  
Defendants.

---

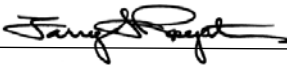
On order of the Court, the application for leave to appeal the October 15, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing whether a reasonable jury could determine that the defendant's conduct was "the proximate cause" of plaintiff Kersch Ray's injuries where the defendant's actions placed the plaintiff in the dangerous situation that resulted in the plaintiff's injuries. MCL 691.1407(2)(c); *Robinson v City of Detroit*, 462 Mich 439, 462 (2000); *Bears v Michigan*, 497 Mich 363 (2015). The parties should not submit mere restatements of their application papers.



t0726

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.

July 29, 2016

  
Clerk