

# Order

Michigan Supreme Court  
Lansing, Michigan

September 6, 2016

Robert P. Young, Jr.,  
Chief Justice

153281

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

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,  
Plaintiff-Appellant,

v

SC: 153281  
COA: 327360  
Court of Claims: 12-000102-MT

DEPARTMENT OF TREASURY,  
Defendant-Appellee.

---

On order of the Court, the application for leave to appeal the January 21, 2016 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. I would grant leave to appeal for the reasons set forth in my dissenting statement in *Gillette Commercial Operations North America v Dep't of Treasury*, 499 Mich 960, 961-962 (2016).

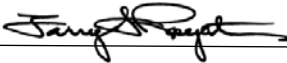
VIVIANO, J., joins the statement of MARKMAN, J.



a0829

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.

September 6, 2016

  
Clerk