

Order

Michigan Supreme Court
Lansing, Michigan

July 7, 2017

Stephen J. Markman,
Chief Justice

154159

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

TAMMY McNEILL-MARKS,
Plaintiff-Appellee,

v

SC: 154159
COA: 326606
Gratiot CC: 14-011876-NZ

MIDMICHIGAN MEDICAL CENTER-
GRATIOT,
Defendant-Appellant.

On April 12, 2017, the Court heard oral argument on the application for leave to appeal the June 16, 2016 judgment of the Court of Appeals. On order of the Court, the application is again considered. We DIRECT the parties to file additional supplemental briefs within 42 days of the date of this order addressing whether the communication from the plaintiff to her attorney regarding Marcia Fields' presence at MidMichigan Medical Center-Gratiot amounted to a "report," as that word is used in Section 2 of the Whistleblowers Protection Act (WPA), MCL 15.362. In answering this question, the parties shall, at a minimum, address whether: (1) the plaintiff's communication must be to an individual with the authority to address the alleged violation of law; (2) the WPA requires that a plaintiff employee specifically intend to make a charge of a violation or suspected violation of law against another; and (3) privileged communications between a client and his or her attorney can constitute a report under the WPA.

The application for leave to appeal remains pending.

WILDER, J., did not participate because he was on the Court of Appeals panel.



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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.

July 7, 2017

Clerk