

Order

Michigan Supreme Court
Lansing, Michigan

May 10, 2017

Stephen J. Markman,
Chief Justice

154489

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

TERI WALTERS and KIM WALTERS,
Plaintiffs-Appellees,

v

SC: 154489
COA: 319016
Eaton CC: 12-000658-NH

DONALD S. FALIK, D.D.S., d/b/a FALIK
FAMILY DENTISTRY, ROBERT C.
FALIK, D.D.S., and JANE DOE,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the August 16, 2016 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 Court of Appeals erred in its interpretation of MCL 600.2955(1) and MRE 702; and (2) whether the trial court erred in its application of those evidentiary standards or abused its discretion in granting the defendants' motions to exclude the plaintiff's experts' testimony and for summary disposition. The parties should not submit mere restatements of their application papers.

The Michigan Association for Justice, Michigan Defense Trial Counsel, Inc., and the Negligence Section of the State Bar of Michigan are invited to file briefs amicus curiae. Other 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.

WILDER, J., took no part in this decision.



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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.

May 10, 2017

Clerk