

Order

Michigan Supreme Court
Lansing, Michigan

April 5, 2019

Bridget M. McCormack,
Chief Justice

154808

David F. Viviano,
Chief Justice Pro Tem

SOUTHEAST MICHIGAN SURGICAL
HOSPITAL, LLC, d/b/a SOUTHEAST
MICHIGAN SURGICAL HOSPITAL
and JAMIE LETKEMANN,
Plaintiffs-Appellants,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 154808
COA: 323425
Wayne CC: 11-015300-NF

ALLSTATE INSURANCE COMPANY,
Defendant-Appellee.

By order of May 17, 2017, the application for leave to appeal the August 9, 2016 judgment of the Court of Appeals was held in abeyance pending the decision in *Bazzi v Sentinel Ins Co* (Docket No. 154442). On order of the Court, the case having been decided on July 18, 2018, 502 Mich 390 (2018), the application is again considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals to address: (1) whether the published opinion in this case is consistent with the published opinion in *Baker v Marshall*, 323 Mich App 590 (2018), lv den 503 Mich 861 (2018), and, if not, (2) the impact of MCR 7.215(J)(1) on the two opinions and, if necessary, (3) for reconsideration in light of *Bazzi*. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.



a0329

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.

April 5, 2019

Clerk