

Order

Michigan Supreme Court
Lansing, Michigan

September 22, 2017

Stephen J. Markman,
Chief Justice

155266

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

KENNETH BERTIN,
Plaintiff-Appellee,

v

SC: 155266
COA: 328885
Oakland CC: 2014-139901-NO

DOUGLAS MANN,
Defendant-Appellant.

On the order of the Court, the application for leave to appeal the December 27, 2016 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or to take other action. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing whether the reckless misconduct standard of care or the ordinary negligence standard of care applies to an injury resulting from the operation of a golf cart while playing golf recreationally. *Ritchie-Gamester v City of Berkley*, 461 Mich 73, 87-89 (1999). In addition to the brief, the appellant shall electronically file an appendix containing the items listed at MCR 7.312(D)(2). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

The Golf Association of Michigan and Negligence Law Section of the State Bar of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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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.

September 22, 2017

Handwritten signature of Larry S. Royster in black ink.

Clerk