

Order

Michigan Supreme Court
Lansing, Michigan

October 27, 2017

Stephen J. Markman,
Chief Justice

155413

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

SUSAN BLACKWELL,
Plaintiff-Appellee,

v

SC: 155413
COA: 328929
Oakland CC: 2014-141562-NI

DEAN FRANCHI and DEBRA FRANCHI,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the January 31, 2017 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 appellants shall file a supplemental brief within 42 days of the date of this order addressing whether the appellants owed a duty to warn the appellee of the condition on the land at issue, given the general rule that “[a] landowner owes a licensee a duty only to warn the licensee of any hidden dangers the owner knows or has reason to know of, if the licensee does not know or have reason to know of the dangers involved,” *Stitt v Holland Abundant Life Fellowship*, 462 Mich 591, 596 (2000). In addition to the brief, the appellants 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 appellants’ brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellants. A reply, if any, must be filed by the appellants within 14 days of being served with the appellee’s brief. The parties should not submit mere restatements of their application papers.



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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.

October 27, 2017

Clerk