

Order

Michigan Supreme Court
Lansing, Michigan

December 20, 2017

Stephen J. Markman,
Chief Justice

155785

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder
Elizabeth T. Clement,
Justices

ALI A. EL-KHALIL,
Plaintiff-Appellant,

v

SC: 155785
COA: 329986
Wayne CC: 15-008259-CK

OAKWOOD HEALTH CARE, INC.,
OAKWOOD HOSPITAL SOUTHSORE,
OAKWOOD HOSPITAL DEARBORN,
DR. RODERICK BOYES, M.D., and
DR. IQBAL NASIR, M.D.,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the April 4, 2017 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration under the correct standard. The Court of Appeals erred in reviewing this case under MCR 2.116(C)(10), when the defendants filed a summary disposition motion under MCR 2.116(C)(7) and (8).



d1213

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.

December 20, 2017

Clerk