

Order

Michigan Supreme Court
Lansing, Michigan

October 19, 2005

Clifford W. Taylor,
Chief Justice

127089

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

LINDA NOYCE, Personal Representative of the
Estate of TONY LEE WENTWORTH, Deceased,
and HENRY NOYCE,
Plaintiffs-Appellants,

v

SC: 127089
COA: 247927
Genesee CC: 00-068909-NI

THOMPSON-MCCULLY COMPANY,
Defendant/Third-Party Plaintiff,

and

DEPARTMENT OF TRANSPORTATION,
Defendant/Third-Party Plaintiff-
Appellee,

and

PK CONTRACTING, INC., and DENRON
CONTRACTING, INC.,
Third-Party Defendants.

On order of the Court, the application for leave to appeal the August 17, 2004 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

CAVANAGH and KELLY, JJ., would grant leave to appeal.



s1012

I, Corbin R. Davis, 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 19, 2005

Corbin R. Davis

Clerk