

# Order

Michigan Supreme Court  
Lansing, Michigan

March 29, 2006

129940

WAYLON E. GEE,  
Plaintiff-Appellee,

v

ARTHUR B. MYR INDUSTRIES, INC.,  
Defendant-Appellant.

Clifford W. Taylor,  
Chief Justice

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

SC: 129940  
COA: 262691  
WCAC: 03-000402

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On order of the Court, the application for leave to appeal the August 29, 2005 order of the Court of Appeals is considered, and pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of whether the current claim for attendant care benefits under MCL 418.315(1) is barred by the doctrine of res judicata. 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.



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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.

March 29, 2006

*Corbin R. Davis*

Clerk