

Order

**Michigan Supreme Court
Lansing, Michigan**

July 31, 2006

Clifford W. Taylor,
Chief Justice

128901(91)
128907(91)
128909(91)

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

WILLIAM Q. TINGLEY, III, WILLIAM Q.
TINGLEY, and DANIEL R. BRADLEY,
Plaintiffs-Appellees,

and

PROTO-CAM, INC., BEND TOOLING,
INC., and TENNINE CORPORATION,
Plaintiffs,

v

SC: 128901
COA: 243171
Kent CC: 02-003723-NZ

ROBERT F. WARDROP, II, WILLIAM J.
FISHER III, TODD R. DICKINSON, WARDROP
& WARDROP, P.C., DICKINSON WRIGHT,
PLLC, FISHER & DICKINSON, P.C., 900
MONROE LLC, 940 MONROE LLC, PIONEER
INCORPORATED, DYKEMA EXCAVATORS,
INC., and FIFTH THIRD BANCORP,
Defendants,

and

CITY OF GRAND RAPIDS and JOHN H. LOGIE,
Defendants-Appellants.

WILLIAM Q. TINGLEY, III, WILLIAM Q.
TINGLEY, and DANIEL R. BRADLEY,
Plaintiffs-Appellees,

and

PROTO-CAM, INC., BEND TOOLING,
INC., and TENNINE CORPORATION,
Plaintiffs,

v

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FISHER III, TODD R. DICKINSON, WARDROP
& WARDROP, P.C., DICKINSON WRIGHT,

PLLC, FISHER & DICKINSON, P.C., DYKEMA
EXCAVATORS, INC., FIFTH THIRD BANCORP,
CITY OF GRAND RAPIDS, and JOHN H. LOGIE
Defendants,

and

900 MONROE LLC, 940 MONROE LLC, and
PIONEER INCORPORATED,
Defendants-Appellants.

WILLIAM Q. TINGLEY, III, WILLIAM Q.
TINGLEY, and DANIEL R. BRADLEY,
Plaintiffs-Appellees,

and

PROTO-CAM, INC., BEND TOOLING,
INC., and TENNINE CORPORATION,
Plaintiffs,

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PLLC, FISHER & DICKINSON, P.C., 900
MONROE LLC, 940 MONROE LLC, PIONEER
INCORPORATED, CITY OF GRAND RAPIDS,
JOHN H. LOGIE, and FIFTH THIRD BANCORP,
Defendants,

and

DYKEMA EXCAVATORS, INC.,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's order of April 7, 2006 is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

CAVANAGH and KELLY, JJ., would grant the motion for reconsideration.

WEAVER, J., dissents and states as follows:

For the reasons stated in my dissent to the order in this matter which issued April 7, 2006, I would grant reconsideration and deny leave to appeal. 474 Mich 1104 (2006) (Weaver, J., dissenting).



d0724

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.

July 31, 2006

Corbin R. Davis

Clerk