

# Order

Michigan Supreme Court  
Lansing, Michigan

September 14, 2007

133762

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: 133762  
COA: 269351  
WCAC: 03-000402

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On order of the Court, the application for leave to appeal the March 15, 2007 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 preemptory action. MCR 7.302(G)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether the WCAC's April 19, 2002 opinion and order denying plaintiff's claim for attendant care services under MCL 418.315(1) was a final decision; (2) whether plaintiff's second claim for attendant care services alleged a change in condition as a justification for an award of attendant care services; (3) whether the WCAC's April 12, 2005 opinion and order awarding attendant care services was based on a change in the plaintiff's condition; and (4) whether the WCAC's April 12, 2005 opinion and order awarded attendant care services based on the plaintiff's application or on the applications filed by the attendant care providers. The parties should not submit mere restatements of their application papers.



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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.

September 14, 2007

*Corbin R. Davis*

Clerk