

Order

Michigan Supreme Court
Lansing, Michigan

May 27, 2008

Clifford W. Taylor,
Chief Justice

131958-131960

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

TINA LUPI SMITH, Successor
Personal Representative of the
Estate of Barbara Lupi,
Plaintiff-Appellee,

v

SC: 131958-131960
COA: 266635, 266636, 266701
Washtenaw CC: 02-000013-NM
05-000143-NH

TRINITY HEALTH-MICHIGAN,
d/b/a ST. JOSEPH MERCY
HOSPITAL,
Defendant-Appellant,

and

THOMAS O'KEEFE, M.D.,
Defendant.

By order of November 29, 2007, the application for leave to appeal the July 18, 2006 judgment of the Court of Appeals was held in abeyance pending the decision in *Braverman v Garden City Hospital* (Docket Nos. 134445-6). On order of the Court, the case having been decided on April 9, 2008, 480 Mich 1159 (2008), the application is again considered, and in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration of the other issues raised in the defendant's application to that court. In all other respects, leave to appeal is DENIED, because we are not persuaded that the 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.

May 27, 2008

Corbin R. Davis

Clerk