

Order

Michigan Supreme Court
Lansing, Michigan

May 30, 2008

Clifford W. Taylor,
Chief Justice

135340

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

AMMEX, INC.,
Plaintiff-Appellee,

v

SC: 135340
COA: 269237
Court of Claims: 98-016996-MT

DEPARTMENT OF TREASURY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 16, 2007 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.

MARKMAN, J., dissents and states as follows:

I would grant leave to appeal to consider whether Michigan motor-fuel taxes imposed on fuel sold by plaintiff at its duty-free facility are preempted by the federal regulatory scheme that governs the operation of that facility.



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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 30, 2008

Corbin R. Davis

Clerk