

# Order

Michigan Supreme Court  
Lansing, Michigan

April 3, 2009

Marilyn Kelly,  
Chief Justice

136336

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

BRIAN POTTER,  
Plaintiff-Appellant,

v

SC: 136336  
COA: 262529  
Washtenaw CC: 03-001226-NH

KRISTYN H. MURRY, M.D. and  
HURON VALLEY RADIOLOGY,  
P.C.,  
Defendants-Appellees,

and

ST. JOSEPH MERCY HOSPITAL  
ANN ARBOR, d/b/a TRINITY HEALTH-  
MICHIGAN, RICHARD C. McLEARY,  
M.D., GARY AUGUSTYN, M.D.,  
ROBERT DOMEIER, D.O., and  
EMERGENCY PHYSICIANS MEDICAL  
GROUP, P.C.,  
Defendants.

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On order of the Court, oral argument having been heard on March 4, 2009, the parties are DIRECTED to submit supplemental briefs addressing the issue whether, if a defendant professional corporation is not an entity to whom notice is required to be provided under MCL 600.2912b, the applicable statute of limitations, MCL 600.5805(6), was nonetheless subject to statutory tolling provided in former MCL 600.5856(d). Plaintiff's supplemental brief is due April 17, 2009. The defense brief is due April 24, 2009.



0331

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.

April 3, 2009

*Corbin R. Davis*

Clerk