

Order

Michigan Supreme Court
Lansing, Michigan

September 16, 2009

Marilyn Kelly,
Chief Justice

138456-8

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

DERITH SMITH,
Plaintiff-Appellant,

v

SC: 138456-8
COA: 275297, 275316, 275463
Leelanau CC: 05-006952-CZ

ANONYMOUS JOINT ENTERPRISE,
GEORGE PRESTON, MARY BARROWS,
VILLAGE OF SUTTONS BAY, and
CHARLES STEWART,
Defendants,

and

DONALD BARROWS, JOHN STANEK, and
NOEL FLOHE,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the February 3, 2009 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed whether the Court of Appeals erred in determining that the plaintiff presented insufficient evidence to support a finding of actual malice for purposes of her defamation claim.



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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 16, 2009

Corbin R. Davis

Clerk