

# Order

Michigan Supreme Court  
Lansing, Michigan

November 20, 2009

Marilyn Kelly,  
Chief Justice

138314-5(51)

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

WOLVERINE COMMERCE, L.L.C.,  
Plaintiff-Appellant,

v

SC: 138314-5  
COA: 278417, 282532  
Washtenaw CC: 05-000321-CH

PITTSFIELD CHARTER TOWNSHIP,  
Defendant-Appellee.

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On order of the Court, the motion for reconsideration of this Court's May 29, 2009 order is considered, and it is GRANTED to the extent provided in this order. On reconsideration, we further order that this case is REMANDED to the Court of Appeals for consideration of the defendant's claim of appeal in Court of Appeals No. 282532. In all other respects, the motion for reconsideration is DENIED and this Court's order of May 29, 2009, continues in full force and effect.

MARKMAN, J. (*concurring*).

In light of this Court's order of May 29, 2009, I concur in the instant order. However, I continue to believe that this Court should grant leave to appeal to consider the Court of Appeals' application of the "self-created hardship" doctrine.



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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.

November 20, 2009

*Corbin R. Davis*

Clerk