

Order

Michigan Supreme Court
Lansing, Michigan

April 2, 2010

Marilyn Kelly,
Chief Justice

139860

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

RAQUEL ROBELIN, Conservator, for
TEIJA McCALL,
Plaintiff-Appellee,

v

SC: 139860
COA: 279780
Kent CC: 04-010444-NH

SPECTRUM HEALTH HOSPITALS, d/b/a
SPECTRUM HEALTH-EAST CAMPUS,
JOHN HARTMANN, M.D., and
ADVANTAGE HEALTH PHYSICIANS, P.C.,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the September 10, 2009 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(H)(1). At oral argument, the parties shall address whether the trial court abused its discretion when it denied the defendants' motion to strike the testimony of Ronald Gabriel, M.D. In particular, the parties are directed to address whether Dr. Gabriel's proposed testimony meets the criteria of MCL 600.2955 and MRE 702. See *Craig v Oakwood Hospital*, 471 Mich 67 (2004), and *Gilbert v DaimlerChrysler Corp*, 470 Mich 749 (2004). The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.

The Michigan Association for Justice, the Michigan Defense Trial Counsel, and the Michigan State Medical Society are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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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.

April 2, 2010

Clerk