

# Order

Michigan Supreme Court  
Lansing, Michigan

May 28, 2010

Marilyn Kelly,  
Chief Justice

139319-21(82)

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

BARBARA LYNN SALT, Personal  
Representative of the Estate of ALYSHA LYNN  
SALT, Deceased,  
Plaintiff-Appellee,

v

SC: 139319  
COA: 277391  
Ingham CC: 05-000060-NS

ANDREW C. GILLESPIE, GERALDINE LYNN  
IRVINE, PIXIE, INC., d/b/a BENNIGAN'S, and  
MASON JAR PUB & GRUB,  
Defendants-Appellees,

and

QUALITY DAIRY COMPANY,  
Defendant-Appellant.

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JOSEPH BOLANOWSKI, Personal  
Representative of the Estate of ROBERT M.  
BOLANOWSKI, Deceased, BRENDA J.  
BOLANOWSKI, and TERRANCE D. HALL,  
Plaintiffs-Appellees,

v

SC: 139320  
COA: 277392  
Ingham CC: 05-000161-NI

ANDREW C. GILLESPIE, GERALDINE LYNN  
IRVINE, f/k/a GERALDINE LYNN GATHMAN,  
RONALD SHEELE ENTERPRISES, L.L.C., d/b/a  
MASON JAR PUB & GRUB, and SWEET  
ONION, INC., d/b/a BENNIGAN'S,  
Defendants-Appellees,

and

QUALITY DAIRY COMPANY,  
Defendant-Appellant.

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STEPHEN ANCONA,  
Plaintiff-Appellee,

v

SC: 139321  
COA: 277393  
Ingham CC: 05-000297-NI

ANDREW C. GILLESPIE, GERALDINE LYNN  
IRVINE, f/k/a GERALDINE LYNN GATHMAN,  
RONALD SHEELE ENTERPRISES, L.L.C., d/b/a  
MASON JAR PUB & GRUB, and SWEET  
ONION, INC., d/b/a BENNIGAN'S,  
Defendants-Appellees,

and

QUALITY DAIRY COMPANY,  
Defendant-Appellant.

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On order of the Court, the motion for reconsideration of this Court's February 2, 2010 order is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

MARKMAN, J., (*dissenting*).

I would grant Bennigan's motion for reconsideration and, on reconsideration, would vacate this Court's order of February 2, 2010, which reinstated plaintiffs' claim against Bennigan's, for the reasons set forth in my dissenting statement in this case, 485 Mich 1090 (2010).

CORRIGAN, J., joins the statement of MARKMAN, J.



d0525

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 28, 2010

*Corbin R. Davis*

Clerk