

# Order

Michigan Supreme Court  
Lansing, Michigan

June 3, 2010

Marilyn Kelly,  
Chief Justice

140385 & (52)

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

IRENE M. BROWN and GARY N. BROWN,  
Plaintiffs-Appellees,

v

SC: 140385  
COA: 283521  
Oakland CC: 2006-076956-NO

TAUBMAN COMPANY, L.L.C.,  
SOUTHEAST SERVICE CORPORATION,  
d/b/a SSC SERVICE SOLUTIONS, and IPC  
INTERNATIONAL CORPORATION,  
Defendants-Appellants.

---

On order of the Court, the motion for miscellaneous relief is GRANTED. The application for leave to appeal the September 24, 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 (1) whether indicia of a potentially slippery condition are sufficient to make so-called “black ice” open and obvious, as explained in *Slaughter v Blarney Castle Oil Co*, 281 Mich App 474 (2008); and (2) if so, whether the Court of Appeals erred by concluding that these indicia could be counteracted by the plaintiff’s own representations about weather conditions on the date of her fall, thereby creating a question of fact about whether the alleged hazard was open and obvious. 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.



0526

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.

June 3, 2010

*Corbin R. Davis*

Clerk