

Order

Michigan Supreme Court
Lansing, Michigan

September 25, 2013

Robert P. Young, Jr.,
Chief Justice

147024

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

LEO TONDREAU, as Personal Representative
of the Estate of Sandra Peetz,
Plaintiff-Appellee,

v

SC: 147024
COA: 300026
Macomb CC: 2009-002913-NH

SACHINDER S. HANS, M.D., P.C., and
SACHINDER S. HANS, M.D.,
Defendants-Appellants,

and

HENRY FORD MACOMB HOSPITAL, a/k/a
HENRY FORD MACOMB HOSPITAL-
CLINTON TOWNSHIP CAMPUS, LI ZHANG,
M.D., and MACOMB ANESTHESIA, P.C.,
Defendants.

On order of the Court, the application for leave to appeal the March 14, 2013 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals. The plaintiff's experts Wayne Flye, M.D., and Donald C. Austin, M.D., are of the opinion that the chronic subdural hematoma suffered by Sandra Peetz was caused by the carotid endarterectomy performed by the defendants. While peer-reviewed, published literature is not always necessary to meet the requirements of MRE 702, in this case the lack of supporting literature, combined with the lack of any other form of support for these opinions render the opinions unreliable and inadmissible under MRE 702. *Edry v Adelman*, 486 Mich 634, 641 (2010). We REMAND this case to the Macomb Circuit Court for further proceedings not inconsistent with this order.

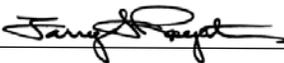
We do not retain jurisdiction.



h0918

I, Larry S. Royster, 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 25, 2013


Clerk