

# Order

Michigan Supreme Court  
Lansing, Michigan

April 1, 2016

Robert P. Young, Jr.,  
Chief Justice

151428 & (70)

Stephen J. Markman  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen,  
Justices

ALEXANDER FIGURSKI, Minor, by his  
Conservator, HOWARD LINDEN,  
Plaintiff-Appellee,

v

SC: 151428  
COA: 318115  
Livingston CC: 11-026466-NH

TRINITY HEALTH-MICHIGAN, d/b/a SAINT  
JOSEPH MERCY LIVINGSTON HOSPITAL,  
WILLIAM BRADFIELD, M.D., and  
CATHERINE McAULEY HEALTH  
SERVICES CORPORATION, a/k/a SAINT  
JOSEPH MEDICINE FACULTY ASSOCIATES,  
a/k/a SAINT JOSEPH MERCY PRIMARY  
CARE,

Defendants-Appellants.

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On order of the Court, the motion to strike is DENIED. The application for leave to appeal the March 5, 2015 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE Sections II., III., IV.D., and the first paragraph of Section VI. of the Court of Appeals judgment and we REMAND this case to the Court of Appeals for reconsideration in light of this Court's opinion in *Elher v Misra*, \_\_\_ Mich \_\_\_ (SC 150824, decided 2/08/2016).

We do not retain jurisdiction.



d0329

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.

April 1, 2016

  
Clerk