

Court of Appeals, State of Michigan

ORDER

James E Pease v Mary Jane Pease

Docket No. 293305

LC No. 97-731630-DO

Brian K. Zahra
Presiding Judge

Michael J. Talbot

Karen M. Fort Hood
Judges

The Court orders that the application for leave to appeal is GRANTED, limited to Issues I, II and III raised in the application. MCR 7.205(D)(4). While Issue IV states that the trial court erred and abused its discretion in awarding defendant attorney fees and in failing to award plaintiff attorney fees, the July 9, 2009, order from which plaintiff seeks leave did not incorporate an attorney fee award and plaintiff did not otherwise seek leave to appeal from an order granting defendant attorney fees. Plaintiff may also not challenge the trial court's ruling regarding his lump-sum retirement payout, since this ruling was subject to an earlier order, October 9, 2007, from which plaintiff did not seek leave to appeal and cannot now seek leave to appeal. See MCR 7.205(F)(3).

The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(D)(3).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 08 2009

Date

Sandra Schultz Mengel
Chief Clerk