

Court of Appeals, State of Michigan

ORDER

Lighthouse Sportswear Inc v Michigan High School Athletic
Association Inc

Docket No. 310777

LC No. 11-000854-CK

Patrick M. Meter
Presiding Judge

Stephen L. Borrello

Amy Ronayne Krause
Judges

The Court orders that the motion to dismiss the claim of appeal is DENIED. A party claiming an appeal of right from a final order under MCR 7.202(6)(a)(i) is free to raise issues on appeal regarding prior orders. *Green v Ziegelman*, 282 Mich App 292, 301 n 6; 767 NW2d 660 (2009). Accordingly, appellant is an aggrieved party that may appeal from the May 31, 2012 stipulated order under MCR 7.203(A) to challenge the March 9, 2012 summary disposition order. In context, the language in *Dora v Lesinski*, 351 Mich 579, 582; 88 NW2d 592 (1958), about a party not being able to appeal from a consent order means that a party cannot challenge such an order on appeal. Thus, *Dora* is inapposite to whether an appellant is an aggrieved party under MCR 7.203(A) in the present context. We decline to follow the contrary holding in *Schwendener v Midwest Bank & Trust Co*, unpublished opinion per curiam of the Court of Appeals, issued November 8, 2011 (Docket No. 295756). MCR 7.215(C)(1). Further, MCR 7.204(C)(1) only required appellant to provide a copy of the May 31, 2012 order appealed from with its claim of appeal, not a copy of the March 9, 2012 order.

The motion to seal is GRANTED. This Court finds good cause to seal the document entitled "Proof of Transcript – MCR 7.204(C)(2)" filed with the claim of appeal, appellant's answer to the motion to dismiss and supporting brief, and the exhibits to the supporting brief based on the confidential information discussed therein, and determines that there are no less restrictive means to adequately and effectively protect the interested asserted. MCR 7.211(C)(9)(e).

The Clerk shall disclose or provide copies of any order or opinion entered in this appeal, MCR 8.119(F)(5); MCR 7.211(C)(9)(c), but sealed pleadings or other contents of the file shall not be disclosed or made available for public viewing. The case docket shall not be blocked on the Court's website. The clerk is directed to forward a copy of this order to the Clerk of the Supreme Court and to the State Court Administrative Office. MCR 8.119(F)(7); MCR 7.211(C)(9)(c).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT 03 2012

Date


Chief Clerk