

Court of Appeals, State of Michigan

ORDER

Gordon Joseph Bredow v Land & Co.

Amy Ronayne Krause
Presiding Judge

Docket No. 315219

Joel P. Hoekstra

LC No. 11-011291-NO

William C. Whitbeck
Judges

The Court orders that the motion for reconsideration is DENIED.

Whitbeck, J., not participating, having retired from the Court of Appeals on November 21, 2014.

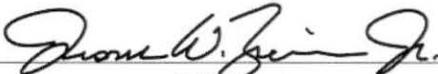
Ronayne Krause, J., concurs. I concur in denying reconsideration in this matter not because I believe that the majority opinion arrives at the right result, but because in light of the truncated makeup of the instant panel of this Court, the effect of voting to grant leave would be nothing more than sending this matter to another panel, giving plaintiff an unfair "second bite at the apple" and putting defendant through unfair additional inconvenience and expense. One party should not be permitted to force the other into such a re-enactment in this manner. While I believe that the reasoning in my dissenting opinion is correct, if the remaining judge who signed the majority opinion feels that his opinion does not warrant reconsideration, this Court has addressed this matter. Both opinions in this case have laid out both sides of the issues presented and consequently, plaintiff's proper recourse is seeking leave to appeal to our Supreme Court.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

DEC 12 2014

Date


Chief Clerk