

Order

Michigan Supreme Court
Lansing, Michigan

December 5, 2012

Robert P. Young, Jr.,
Chief Justice

145557 & (39)(40)(46)

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

ANDRIE, INC.,
Plaintiff-Appellee,

v

SC: 145557
COA: 301615
Court of Claims: 08-000095-MT

DEPARTMENT OF TREASURY,
Defendant-Appellant.

On order of the Court, the motions for immediate consideration and the motion to stay the precedential effect of the published Court of Appeals opinion are GRANTED. The application for leave to appeal the April 26, 2012 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether the Court of Appeals correctly determined that a retail transaction in Michigan subject to the sales tax, MCL 205.51 *et seq.*, is not subject to the use tax, MCL 205.91 *et seq.*; (2) whether a retail purchaser is entitled to a presumption that sales tax is paid on retail transactions in Michigan; and (3) whether the exemption in MCL 205.94(1)(a) applies in this case.



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I, Corbin R. Davis, 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.

December 5, 2012

Corbin R. Davis

Clerk