IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Grand Trunk Western Railroad, Inc. v 37th Circuit Judge**
Docket No. **273411**
L.C. No. **04-4370-NO**

Richard A. Bandstra, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike appellee's brief is DENIED. The only penalty for an untimely brief is the loss of oral argument. See Internal Operating Procedure 7.212(A)(4)-2.

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

JAN 24 2008
Date

Sandra Schultz Mengel
Chief Clerk