Court of Appeals, State of Michigan

ORDER

Donna A Turscan v Health Care & Retirement Corp of America

Docket No. 261980

LC No. 03-325934-NH

Karen M. Fort Hood
Presiding Judge

Helene N. White

Peter D. O'Connell
Judges

By order of August 28, 2007, the motion for reconsideration of the opinions issued by this Court on January 11, 2007, was held in abeyance pending the Supreme Court's decision in *Mullins* v *St Joseph Mercy Hosp,* 269 Mich App 801 (2006), lv gtd 477 Mich 1066(2007). On order of the Court, *Mullins* having been decided by the Supreme Court on November 28, 2007, ___ Mich ___(Docket No. 131879, 2007), the motion for reconsideration is again considered and GRANTED. We VACATE this Court's prior opinions issued on January 11, 2007, we VACATE the Wayne Circuit Court order granting defendants' motion for summary disposition, and we REMAND this case to the Wayne Circuit Court for further proceedings not inconsistent with this order and the order in *Mullins.*

We do not retain jurisdiction.

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

JAN 10 2008
Date

Sandra Schultz Mengel
Chief Clerk