

Court of Appeals, State of Michigan

ORDER

Sally Y. S. Wegher v Blue Cross Blue Shield Of Michigan

Docket No. 279831

LC No. 06-613799-CZ

Christopher M. Murray
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly
Judges

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the July 19, 2007, order of the Wayne Circuit Court is REVERSED to the extent that it denied partial summary disposition to defendant on plaintiff's claims of tortious interference. On the record before this Court, plaintiff simply has not shown the requisite elements of tortious interference with a contract, *Derderian v Genesys Health Systems*, 263 Mich App 364, 382; 689 NW2d 145 (2004). Even taking the facts most favorably to plaintiff, she has not demonstrated that her contract with Sirco was breached or that defendant committed an unjustified instigation of the breach. Similarly, plaintiff has not shown that defendant intentionally interfered with plaintiff's business expectancies with other contracting firms, thereby inducing a breach, *Winiemko v Valenti*, 203 Mich App 411, 416; 513 NW2d 181 (1994). The case is REMANDED to the circuit court for further proceedings consistent with this order.

This order is to have immediate effect, MCR 7.215(F)(2). The Court retains no further jurisdiction.



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

JAN 18 2008

Date

Sandra Schultz Mengel
Chief Clerk