

Court of Appeals, State of Michigan

ORDER

Edward Waldron II v Republic Services of Michigan I LLC

Karen M. Fort Hood
Presiding Judge

Docket No. 284253

Helene N. White

LC No. 06-615173-NZ

Christopher M. Murray
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion for leave to file a reply to the response to the motion for immediate consideration is GRANTED.

In lieu of granting leave, pursuant to MCR 7.205(D)(2), the Court further orders that the February 22, 2008, order of the Wayne County Circuit Court is VACATED and the matter is REMANDED to the circuit court to conduct a rigorous analysis on the record and to articulate the necessary findings regarding the factors under MCR 3.501(A) as is required before certifying a proposed class. See *Gen Tel Co of the Southwest v Falcon*, 457 US 147, 161; 102 S Ct 2364; 72 L Ed 2d 740 (1982); *Salesin v State Farm Fire & Casualty Company*, 229 Mich App 346, 370-373; 581 NW2d 781 (1998); *Adair v City of Detroit*, 198 Mich App 506, 511; 498 NW2d 924 (1993). The trial court shall articulate its findings under MCR 3.501(A) and resolve the competing arguments presented by the parties, particularly with respect to commonality, typicality and superiority.

The Court retains no further jurisdiction.



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

APR 22 2008

Date

Sandra Schultz Mengel
Chief Clerk