

Court of Appeals, State of Michigan

ORDER

Karl Gipp v Richard Frueh

Docket No. 284653

LC No. 07-013777-CZ

Alton T. Davis
Presiding Judge

Patrick M. Meter

Stephen L. Borrello
Judges

The Court orders that the motions to dismiss pursuant to MCR 7.211(C)(2) are GRANTED and the claim of appeal filed on April 4, 2008, is DISMISSED for lack of jurisdiction because the March 26, 2008 order is not a final order as it did not dispose of Dr. Dawn Wulf. See MCR 7.202(6)(a)(i). The fact that the trial court erroneously stated that the order resolved the last pending claim is not binding on the Court of Appeals. See *McCarthy & Associates v Washburn*, 194 Mich App 676 (1992).



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

AUG 13 2008

Date

Sandra Schultz Mengel
Chief Clerk