

IN THE MICHIGAN COURT OF APPEALS
ORDER

Re: **Rainbow USA Inc v Seven Grand Assoc LLC**
Docket No. **285380**
L.C. No. **07-706968-CZ**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction. The April 18, 2008 order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Because that order provides that “all monies paid by [appellee] to [appellant], monthly or otherwise, over and above 4% of gross sales since November 2005 shall be immediately refunded to [appellee] by [appellant]” without determining the actual sum of money to be refunded it does not dispose of all the claims and adjudicate the rights and liabilities of all the parties. MCR 7.202(6)(a)(i). At this time appellant may seek to appeal from the April 18, 2008 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



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

AUG 13 2008

Date

Sandra Schultz Mengel
Chief Clerk