

# Court of Appeals, State of Michigan

## ORDER

Todd Barcey v CVS Pharmacy Inc

E. Thomas Fitzgerald  
Presiding Judge

Docket No. 317825

Pat M. Donofrio

LC No. 13-009846-AV

Elizabeth L. Gleicher  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, we reverse the July 16, 2013, order of the Oakland Circuit Court and remand this case to the 51<sup>st</sup> District Court for reinstatement of plaintiff's claims. The plain, unambiguous language of the 2009 release bars plaintiff from asserting claims related to "the Transactions," which occurred on various dates in 2009. Because plaintiff's claims do not involve transactions that occurred in 2009, the release is inapplicable in this case. See *Adair v Michigan*, 470 Mich 105, 127; 680 NW2d 386 (2004); *Mich Head & Spine Institute, PC v State Farm Mut Auto Ins Co*, 299 Mich App 442, 448; 830 NW2d 781 (2013).

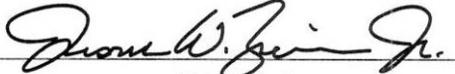
This Court retains no further jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

**MAR 24 2014**

Date

  
Chief Clerk