

**Court of Appeals, State of Michigan**

**ORDER**

Total Foundations LLC v Department of Treasury

Docket No. 322983

LC No. 13-000022-MT

Michael F. Gadola  
Presiding Judge

Peter D. O'Connell

Michael J. Kelly  
Judges

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

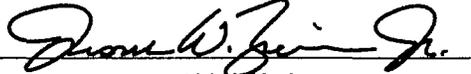
The motion to remand is DENIED because MCR 7.211(C)(1)(a) only allows for an *appellant* to file a motion to remand. Thus, to grant a motion to remand brought by an appellee would improperly render nugatory the restriction of this court rule provision only allowing an appellant to bring a motion to remand. See *Decker v Trux R Us, Inc*, 307 Mich App 472, 480; 861 NW2d 59 (2014) (construction of a court rule that renders part of the rule nugatory should be avoided).



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

SEP 04 2015

\_\_\_\_\_  
Date

  
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Chief Clerk