Order

Michigan Supreme Court Lansing, Michigan

Stephen J. Markman,

Bridget M. McCormack David F. Viviano

Richard H. Bernstein

Elizabeth T. Clement,

Kurtis T. Wilder

Justices

Chief Justice

Brian K. Zahra

January 26, 2018

155863

JONES FAMILY TRUST, Plaintiff-Appellant,

and

SYLVIA JONES and BOBBY JONES, Plaintiffs,

V

SC: 155863 COA: 329442

Saginaw CC: 13-019698-NZ

SAGINAW COUNTY LAND BANK AUTHORITY and ROHDE BROTHERS EXCAVATING, INC., Defendants-Appellees,

and

CITY OF SAGINAW and HARDHAT DOE, Defendants.

Defendants.

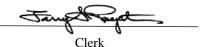
On order of the Court, the application for leave to appeal the April 20, 2017 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the trial court erred in granting summary disposition in favor of defendant Saginaw County Land Bank Authority on the appellant's inverse condemnation claim; and (2) whether the measure of damages on the appellant's breach of third-party contract claim is the same as the measure of damages on a tort claim for the In addition to the brief, the appellant shall negligent destruction of property. electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to provide appendix numbers record must the page as required MCR 7.312(B)(1). The appellees shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellees shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellees' brief. The parties should not submit mere restatements of their application papers.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 26, 2018



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