

Order

Michigan Supreme Court
Lansing, Michigan

May 12, 2006

Clifford W. Taylor,
Chief Justice

128864

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PATRICIA A. PAPPAS, Personal
Representative of the Estate of
Florinda C. Pappas, Deceased,
Plaintiff-Appellee,

v

SC: 128864
COA: 251144
Macomb CC: 2003-002446-NH

BORTZ HEALTH CARE FACILITIES,
INC., and WARREN GERIATRIC
VILLAGE, INC., d/b/a BORTZ HEALTH
CARE OF WARREN,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the March 3, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should now be reviewed by this Court.

CAVANAGH and KELLY, JJ., would grant leave to appeal.

MARKMAN, J., dissents and states as follows:

For the reasons set forth in my statement in *Vega v Lakeland Hosps at Niles & St Joseph, Inc* (Docket No. 129436), ___ Mich ___ (2006), I would grant leave to appeal in this case along with *Vega* to consider whether MCL 600.5851(1) applies to medical malpractice actions.



10509

I, Corbin R. Davis, 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.

May 12, 2006

Corbin R. Davis

Clerk