

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2007

Clifford W. Taylor,
Chief Justice

128882(127)

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

46TH CIRCUIT TRIAL COURT,
Plaintiff, Counter-Defendant,
Third-Party Plaintiff-Appellee,

v

SC: 128882
COA: 254181
Crawford CC: 02-005951-CZ

COUNTY OF CRAWFORD and CRAWFORD
COUNTY BOARD OF COMMISSIONERS,
Defendants, Counter-Plaintiffs,
Third-Party Plaintiffs,

and

COUNTY OF KALKASKA,
Third-Party Plaintiff,
Counter-Defendant,

and

COUNTY OF OTSEGO,
Third-Party Defendant-Appellee,

and

COHL STOKER TOSKEY & MCGLINCHEY PC,
Appellant.

On order of the Court, the motion for reconsideration of this Court's November 1, 2006 order is considered, and it is GRANTED. In light of the fact that the circuit court did not impose sanctions on Kalkaska or Crawford Counties in this case, but only imposed sanctions on Cohl, Stoker, Toskey & McGlinchey, P.C., and the parties concede that if sanctions are paid by Cohl, Stoker, Toskey & McGlinchey, P.C., the 46th Circuit Trial Court will not receive a double recovery of its attorney fees, we VACATE that part of our November 1, 2006 order that vacated the Court of Appeals opinion in part and remanded this case to the Court of Appeals. On reconsideration, the application for leave to appeal the May 3, 2005 judgment of the Court of Appeals is again considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



d0122

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.

January 29, 2007

Corbin R. Davis

Clerk