

Order

Michigan Supreme Court
Lansing, Michigan

May 30, 2007

Clifford W. Taylor,
Chief Justice

133150

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

ACE AMERICAN INSURANCE COMPANY
and ALLIANZ INSURANCE COMPANY,
Plaintiffs,

v

SC: 133150
COA: 268138
Macomb CC: 2004-000651-CK

EMMET COATING SERVICES, INC.,
Defendant/Cross-Defendant/Cross-
Plaintiff/Third-Party Plaintiff-Appellee,

and

NACCO MATERIALS HANDLING GROUP,
INC., a/k/a HYSTER GROUP, and AMERIGAS
PROPANE, INC.,

Defendants/Cross-Defendants,

and

WORTHINGTON INDUSTRIES, INC., d/b/a
WORTHINGTON CYLINDERS CORPORATION,
Defendant/Cross-Plaintiffs/
Cross-Defendant,

and

SELECTIVE INSURANCE COMPANY,
ELLISON, NEILSON, ZEHE & ANTAS, P.C.,
GREAT LAKES POWER PRODUCTS, INC.,
CARDELLI, HEBERT, LANFEAR & BUIKEMA,
MICHIGAN INDUSTRIAL FORKLIFTS, INC.,
and FORKLIFT TIRE OF MICHIGAN,

Third-Party Defendants,

and

HERNDON & ASSOCIATES,
Third-Party Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 28, 2006 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



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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 30, 2007

Corbin R. Davis

Clerk