

# Order

Michigan Supreme Court  
Lansing, Michigan

September 21, 2007

133575

CHRISTOPHER DAWAYNE LAMAR,  
Plaintiff-Appellee,

v

RAMADA FRANCHISE SYSTEMS, INC., SAM  
SALMAN YONO, GANDHI DAVID YONO,  
SAYO, INC., d/b/a RAMADA INN SOUTHFIELD,  
d/b/a YESTERDAYS,  
Defendants-Appellants.

Clifford W. Taylor,  
Chief Justice

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

SC: 133575  
COA: 272966  
Oakland CC: 2005-066668-NO

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On order of the Court, the application for leave to appeal the February 22, 2007 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and we REINSTATE the order of the Oakland Circuit Court granting summary disposition to the defendants. The Court of Appeals erred in concluding that any questions about when a fight started and how long it had been going on before the defendants' employees contacted the police created a genuine issue of material fact as to whether the defendants took reasonable measures to respond to that fight. *MacDonald v PKT, Inc*, 464 Mich 322, 336 (2001).

KELLY, J., would deny leave to appeal.



10914

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.

September 21, 2007

*Corbin R. Davis*

Clerk