

Order

Michigan Supreme Court
Lansing, Michigan

December 5, 2007

134227 & (36)

ERIC C. FROHRIEP, and all others
similarly situated,
Plaintiffs-Appellants,

v

MICHAEL P. FLANAGAN, JEREMY M.
HUGHES, and FRANK P. CILOSKI,
Defendants-Appellees.

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: 134227
COA: 273426
Ingham CC: 06-000430-NZ

On order of the Court, the application for leave to appeal the May 10, 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 in part the judgment of the Court of Appeals only with regard to defendants Jeremy Hughes and Frank Ciloski. MCL 691.1407(2) does not apply to these defendants because they are individual government employees who are not provided immunity under MCL 691.1407(5), and because the plaintiffs alleged intentional torts for which liability was imposed before July 7, 1986. MCL 691.1407(3) and *Sudul v Hamtramck*, 221 Mich App 455, 458 (Corrigan, J.); 480-481 (Murphy, J.) (1997). We REMAND this case to the Court of Appeals for consideration of these defendants' remaining arguments. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court. The motion for oral argument is DENIED.



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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.

December 5, 2007

Corbin R. Davis

Clerk