

# Order

Michigan Supreme Court  
Lansing, Michigan

September 8, 2008

Clifford W. Taylor,  
Chief Justice

137173(64)(65)

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

CHRISTOPHER P. MARTIN, ANNA  
McCOY, RICHARD M. HARRIS, and  
J. RICHARD ERNST,  
Plaintiffs-Appellees,

v

SC: 137173  
COA: 286015  
Ingham CC: 08-000752-PZ

SECRETARY OF STATE, DIRECTOR  
OF ELECTIONS, and BOARD OF  
STATE CANVASSERS,  
Defendants,

and

WILLIAM F. MYLES,  
Proposed Intervenor,

and

RONALD M. BERGERON,  
Proposed Intervenor-Appellant.

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On order of the Court, the motion for immediate consideration is GRANTED. The motion for reconsideration of this Court's September 4, 2008 order is considered, and it is DENIED, because it does not appear that the order was entered erroneously. While under ordinary circumstances, this Court might have ordered the trial court to allow the proposed intervenor-appellant to intervene and then remanded for further proceedings, after which the intervenor-appellant would have been able to appeal an adverse trial court ruling on the merits, under the instant emergency circumstances, we believe that it was necessary to address both of these matters in the same order.

CAVANAGH and WEAVER, JJ., would grant reconsideration for the reasons set forth in Justice Cavanagh's September 4, 2008 concurring and dissenting statement in this case.

KELLY, J., would grant reconsideration for the reasons set forth in her September 4, 2008 dissenting statement in this case.



d0908

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 8, 2008

A handwritten signature in cursive script that reads "Corbin R. Davis".

Clerk