

Order

Michigan Supreme Court
Lansing, Michigan

January 25, 2012

Robert P. Young, Jr.,
Chief Justice

143443

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

FREDERICK PRICE and STELLA PRICE,
Plaintiffs-Appellees,

v

SC: 143443
COA: 296483
Oakland CC: 2009-100119-NO

CITY OF ROYAL OAK and GM & SONS, INC.,
Defendants,

and

PAMAR ENTERPRISES, INC.,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 9, 2011 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to that court for reconsideration of the issue of defendant Pamar Enterprises, Inc.'s duty to the plaintiffs in light of *Loweke v Ann Arbor Ceiling & Partition Co, LLC*, 489 Mich 157 (2011).

We do not retain jurisdiction.



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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.

January 25, 2012

Corbin R. Davis

Clerk