

Order

Michigan Supreme Court
Lansing, Michigan

September 16, 2015

Robert P. Young, Jr.,
Chief Justice

151196

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

JAMES WADE,
Plaintiff-Appellee,

v

SC: 151196
COA: 317531
Iosco CC: 13-007515-NH

WILLIAM MCCADIE, D.O. and ST. JOSEPH
HEALTH SYSTEM, INC. d/b/a HALE ST.
JOSEPH MEDICAL CLINIC,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the January 29, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether the 91-day extension provided in MCL 600.2912d(3) for filing an affidavit of merit applies where the plaintiff claims that the defendants did not produce all medical records within 56 days after receipt of the notice of intent as required by MCL 600.2912b(5); (2) whether the defendants were obligated, under MCL 600.2912b(5), to explain to the plaintiff that certain records could not be produced because they had been destroyed; and (3) whether billing records are medical records for purposes of MCL 600.2912b(5). The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, 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 16, 2015


Clerk