

Order

Michigan Supreme Court
Lansing, Michigan

November 4, 2015

Robert P. Young, Jr.,
Chief Justice

150819

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

LAWRENCE FINGERLE,
Plaintiff-Appellant,

v

SC: 150819
COA: 310352
Washtenaw CC: 11-000228-CZ

CITY OF ANN ARBOR,
Defendant-Appellee,
and

AMERICAN FIRE AND CASUALTY
COMPANY,
Defendant.

On order of the Court, the application for leave to appeal the December 2, 2014 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the majority opinion and AFFIRM the judgment of the Court of Appeals for the reasons stated in the concurring opinion, *to wit*, that the plaintiff cannot make the requisite showing of “substantial proximate cause.” MCL 691.1416(l).



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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.

November 4, 2015


Clerk