

# Order

Michigan Supreme Court  
Lansing, Michigan

April 25, 2016

Robert P. Young, Jr.,  
Chief Justice

151790

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

MARK A. ROSEMAN and LUZATER  
ROSEMAN,  
Plaintiffs-Appellees,

v

SC: 151790  
COA: 314650  
Wayne CC: 11-011214-NO

CITY OF DETROIT,  
Defendant,  
and

MUKASH PATEL, DENNIS STOKES, and  
WILLIAM McPHERSON  
Defendants-Appellants.

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By order of February 5, 2016, the parties were directed to file supplemental briefs addressing whether the plaintiffs' claims are barred by the exclusive remedy provision of the Worker's Disability Compensation Act (WDCA). On order of the Court, the supplemental briefs having been received, the application for leave to appeal the May 7, 2015 judgment of the Court of Appeals is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to the Wayne Circuit Court for the court to consider whether it has subject matter jurisdiction to hear the plaintiffs' claims pursuant to MCL 418.131(1) and MCL 418.827(1).



s0414

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.

April 25, 2016

  
Clerk