Order

Michigan Supreme Court
Lansing, Michigan

September 21, 2005

Clifford W. Taylor
Chief Justice

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

126581
126582
126583
126584
126585
126586
126587
126588
126589
126590

DOROTHY CREECH,
Plaintiff-Appellee,

v

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

SC: 126581
COA: 237437
Jackson CC: 00-005650-NH

JAY C. PORTER,
Plaintiff-Appellee,

v

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

SC: 126582
COA: 237438
Jackson CC: 00-005711-NO

SARAH E. WILLIAMS, JOHN WALLACE, and
SHARON WALLACE,
Plaintiffs-Appellees,

v

SC: 126583
COA: 237439

Jackson CC: 00-005740-NH

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and
STERIS CORPORATION,
Defendant.

JERRY RICHARD MOORE, SHEREE MOORE, DENISE REYNOLDS, and GLEN REYNOLDS,
Plaintiffs-Appellees,

v

SC: 126584
COA: 237440
Jackson CC: 00-005752-NH

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

JAY ANSON, DOUGLAS AYLESWORTH, JANET BEILFUSS, CHARLES BELTZ, THEODORE BREZINSKI, REBECCA BURT, RENE CHAPA, DAVID CLAUCHERTY, MAURINE CORYELL, MARY CRANDALL, DIANE EMERY, LINDA FARLEY, JOLA FARRELL, LESTER FIDLER, MARK E. GORZEN, MARY GREEN, RUTH HALE, SHAWN HAMLIN, BARBARA JEAN HARDEN, HERBERT ISAACS, MARY JACOBSON, PAUL KOZLOWICZ, RAY LEWIS, TERESA MAY, DAVID CLYDE MEISTER, LUCILLE MEYER, KEVIN MILLER, NICHOLAS MILLER, DONALD MOON, RUBY MONTGOMERY, CAROLINE MYERS, ARTHUR NASTALLY, SUSAN PERRY, TERRY PHALEN, RONALD RACER, ROBERT REESE, ROBERT RICHARDSON, VALERIE RODERICK, LUCILLE SEPTA, DANNY SMITH, FRED STEWART, ROBERT THOMAS, ROY LEE THOMASSON, JANET TODD, PATRICIA

TREFRY, TONE TRUSTY, KIMBERLY TUCKER, CHARLES WALKER, STEPHANIE WALSH, KATHLEEN WILSON, BERNARD YAGER, SUSAN AYLESWORTH, LINDA BREZINSKI, MRS. CLAUCHERTY, STEVEN D. EMERY, WILLIAM A. FARLEY, JR., SHIRLEY FIDLER, SUE GORZEN, EUGENE GREEN, JOYCE ISAACS, LAWRENCE O. JACOBSON, JOAN KOZLOWICZ, JAMES P. MAY, PHYLLIS A. MEISTER, JAMES MEYER, DEE MOON, EMILY NASTALLY, MARY PHALEN, MARY E. RICHARDSON, JEAN STEWART, PHYLLIS J. THOMAS, SANDRA F. THOMASSON, MARIA TRUSTY, GENE T. TUCKER, KIMBERLY WALKER, JASON WALSH, JACK WHEELER, JOY YAGER, and ALL OTHERS SIMILARLY SITUATED,
Plaintiffs-Appellees,

v

SC: 126585
COA: 237441
Jackson CC: 01-000755-NO

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS COPORATION,
Defendant.

JERRY RICHARD MOORE, SHEREE L. MOORE, DENISE REYNOLDS, GLEN REYNOLDS, and ALL OTHERS SIMILARLY SITUATED,
Plaintiffs-Appellees,

v

SC: 126586
COA: 237442
Jackson CC: 00-005752-NH

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

DOROTHY CREECH and ALL OTHERS SIMILARLY SITUATED,
Plaintiffs-Appellees,

v

SC: 126587
COA: 237443
Jackson CC: 00-005650-NH

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

SARAH E. WILLIAMS, JOHN WALLACE, SHARON WALLACE, and ALL OTHERS SIMILARLY SITUATED,
Plaintiffs-Appellees,

v

SC: 126588
COA: 237444
Jackson CC: 00-005740-NH

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

JAY C. PORTER and ALL OTHERS SIMILARLY SITUATED,
Plaintiffs-Appellees,

v

SC: 126589
COA: 237445
Jackson CC: 005711-NH

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

JAY ANSON, DOUGLAS AYLESWORTH, JANET BEILFUSS, CHARLES BELTZ, THEODORE BREZINSKI, REBECCA BURT, RENE CHAPA, DAVID CLAUCHERTY, MAURINE CORYELL, MARY CRANDALL, DIANE EMERY, LINDA FARLEY, JOLA FARRELL, LESTER FIDLER, MARK E. GORZEN, MARY GREEN, RUTH HALE, SHAWN HAMLIN, BARBARA JEAN HARDEN, HERBERT ISAACS, MARY JACOBSON, PAUL KOZLOWICZ, RAY LEWIS, TERESA MAY, DAVID CLYDE MEISTER, LUCILLE MEYER, KEVIN MILLER, NICHOLAS MILLER, DONALD MOON, RUBY MONTGOMERY, CAROLINE MYERS, ARTHUR NASTALLY, SUSAN PERRY, TERRY PHALEN, RONALD RACER, ROBERT REESE, ROBERT RICHARDSON, VALERIE RODERICK, LUCILLE SEPTA, DANNY SMITH, FRED STEWART, ROBERT THOMAS, ROY LEE THOMASSON, JANET TODD, PATRICIA TREFRY, TONE TRUSTY, KIMBERLY TUCKER, CHARLES WALKER, STEPHANIE WALSH, KATHLEEN WILSON, BERNARD YAGER, SUSAN AYLESWORTH, LINDA BREZINSKI, MRS. CLAUCHERTY, STEVEN D. EMERY, WILLIAM A. FARLEY, JR., SHIRLEY FIDLER, SUE GORZEN, EUGENE GREEN, JOYCE ISAACS, LAWRENCE O. JACOBSON, JOAN KOZLOWICZ, JAMES P. MAY, PHYLLIS A. MEISTER, JAMES MEYER, DEE MOON, EMILY NASTALLY, MARY PHALEN, MARY E. RICHARDSON, JEAN STEWART,

PHYLLIS J. THOMAS, SANDRA F. THOMASSON, MARIA TRUSTY, GENE T. TUCKER, KIMBERLY WALKER, JASON WALSH, JACK WHEELER, JOY YAGER, and ALL OTHERS SIMILARLY SITUATED,
Plaintiffs-Appellees,

v

SC: 126590
COA: 237446
Jackson CC: 01-000755-NO

W.A. FOOTE MEMORIAL HOSPITAL, INC.,
Defendant-Appellant,

and

STERIS CORPORATION,
Defendant.

_____/

By order of April 14, 2005, the application for leave to appeal was held in abeyance pending the decision in *Henry v Dow Chemical Co* (Docket No. 125205). On order of the Court, the opinion having been issued on July 13, 2005, 473 Mich 63 (2005), the application is again considered, and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for reconsideration in light of *Henry*, and the cases cited therein, on the issue of whether plaintiffs have presented valid tort claims.

CAVANAGH and KELLY, JJ., would deny leave to appeal.

/0914

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 21, 2005 Corbin R. Davis

Clerk