

Order

Michigan Supreme Court
Lansing, Michigan

November 3, 2005

Clifford W. Taylor,
Chief Justice

126609

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

GRAND TRUNK WESTERN RAILROAD, INC.,
Plaintiff-Appellee,

v

SC: 126609
COA: 244246
Wayne CC: 00-017068-CK

AUTO WAREHOUSING COMPANY,
Defendant-Appellant.

On October 18, 2005, the Court heard oral argument on the application for leave to appeal the June 10, 2004 judgment of the Court of Appeals. On order of the Court, the application for leave to appeal is again considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

CORRIGAN and MARKMAN, JJ., would reverse in part the judgment of the Court of Appeals and remand this case to the Wayne Circuit Court for further proceedings consistent with Court of Appeals Judge Wilder's dissent.



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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.

November 3, 2005

Corbin R. Davis

Clerk