

# Order

Michigan Supreme Court  
Lansing, Michigan

September 27, 2006

Clifford W. Taylor,  
Chief Justice

131247

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

RICK PETERSEN,  
Plaintiff-Appellee,

v

SC: 131247  
COA: 266177  
WCAC: 03-000260

MAGNA CORPORATION and MIDWEST  
EMPLOYERS CASUALTY COMPANY,  
KOLEASECO and CITIZENS INSURANCE  
COMPANY, BCN TRANSPORTATION  
SERVICES,

Defendants-Appellants.

and

KOLEASECO and THE ACCIDENT FUND  
COMPANY, MAGNA CORPORATION and TIG  
INSURANCE COMPANY, BCN  
TRANSPORTATION SERVICES and TIG  
INSURANCE COMPANY, SERTA  
RESTOKRAFT MATTRESS COMPANY and  
HARLEYSVILLE LAKE STATES INSURANCE  
COMPANY,

Defendants-Appellees.

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On order of the Court, the application for leave to appeal the April 11, 2006 order of the Court of Appeals is 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 consideration as on leave granted, limited to the issues regarding insurance coverage and division of liability for payment of the worker's compensation benefits awarded to plaintiff, and the issue of awarding attorney fees on unpaid medical expenses. In all other

respects, leave to appeal is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

We do not retain jurisdiction.

CORRIGAN, J., concurs and states as follows:

I concur in the order of remand, but I continue to adhere to the views that I expressed in my concurring statement in *Donoho v Wal-Mart Stores, Inc*, 474 Mich 1057 (2006).



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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.

September 27, 2006

*Corbin R. Davis*

Clerk