

Order

Michigan Supreme Court
Lansing, Michigan

July 27, 2007

Clifford W. Taylor,
Chief Justice

131655

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

PAMELA PEREZ,
Plaintiff-Appellee,
v

SC: 131655
COA: 249737
Wayne CC: 01-134649-CL

FORD MOTOR COMPANY and DANIEL P.
BENNETT,
Defendants-Appellants.

On April 11, 2007, the Court heard oral argument on the application for leave to appeal the June 6, 2006 judgment of the Court of Appeals. On order of the Court, the application is again considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court prior to the completion of the proceedings ordered by the Court of Appeals. We do, however, clarify that only the events of which Ford had notice before Daniel Bennett allegedly sexually harassed the plaintiff are relevant to whether Ford had notice of a hostile work environment. Defendant Ford's motion for leave to file supplemental brief is DENIED as moot.

CAVANAGH, J., concurs and states as follows:

I concur with this Court's decision to deny leave to appeal. However, I disagree with this Court's offering instruction to the trial court because no instruction has been shown to be needed. This Court's standard denial order leaves to the proper discretion of the trial court the determination of what evidence is relevant and admissible in light of the applicable claims and defenses. Other than the number of times this Court has heard cases involving different sexual harassment claims against the same employee of defendant's, there is nothing confusing or exceptional about this case that necessitates the majority's interjecting its viewpoint about admissible evidence at this stage of the proceedings.

WEAVER and KELLY, JJ., join the statement of CAVANAGH, J.



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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.

July 27, 2007

Corbin R. Davis

Clerk