

Order

Michigan Supreme Court
Lansing, Michigan

November 6, 2009

Marilyn Kelly,
Chief Justice

139223

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

JUDITH D. DADD,
Plaintiff-Appellant,

v

SC: 139223
COA: 278861
Eaton CC: 05-000878-NO

MOUNT HOPE CHURCH AND
INTERNATIONAL OUTREACH
MINISTRIES and DAVID R. WILLIAMS,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the April 9, 2009 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(H)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing: (1) whether, in light of *Van Vliet v Vander Naald*, 290 Mich 365 (1939), *Westerhouse v De Witt*, 215 Mich 295 (1921), and *Howard v Dickie*, 120 Mich 238 (1899), the reciprocal duty or interest giving rise to the qualified privilege at issue in this case applies to all church members generally, or only to members who are decision-makers engaged in the conduct of church business; (2) when and under what conditions does the qualified privilege cease to apply with regard to persons who are no longer church members; and (3) if an instruction on qualified privilege was required, whether the failure to give this instruction was harmless error in light of the jury's findings on the jury verdict form. The parties should not submit mere restatements of their application papers.



d1103

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 6, 2009

Corbin R. Davis

Clerk