

Order

Michigan Supreme Court
Lansing, Michigan

December 5, 2012

145339 & (36)

MARVIN MARSHALL and
CHRISTINE MARSHALL,
Plaintiffs-Appellants/
Cross-Appellees,

v

BOYNE USA, INC.,
Defendant-Appellee/
Cross-Appellant.

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

SC: 145339
COA: 301725
Charlevoix CC: 10-091822-NF

On order of the Court, the application for leave to appeal the May 15, 2012 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The application for leave to appeal as cross-appellant is therefore moot and is DENIED.

CAVANAGH, MARILYN KELLY, and HATHAWAY, JJ., would reverse the judgment of the Court of Appeals and reinstate the trial court's order denying defendant's motion for summary disposition.



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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.

December 5, 2012

Corbin R. Davis

Clerk