

# Order

Michigan Supreme Court  
Lansing, Michigan

September 27, 2013

Robert P. Young, Jr.,  
Chief Justice

146763

Michael F. Cavanagh  
Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano,  
Justices

HEATHER LYNN HANNAY,  
Plaintiff-Appellee,

v

SC: 146763  
COA: 307616  
Court of Claims: 09-000116-MZ

DEPARTMENT OF TRANSPORTATION,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the January 17, 2013 judgment of the Court of Appeals is considered, and it is GRANTED, limited to the issues: (1) whether economic loss in the form of wage loss may qualify as a “bodily injury” that permits a plaintiff to avoid the application of governmental immunity from tort liability under the motor vehicle exception to governmental immunity, MCL 691.1405 (see *Wesche v Mecosta Co Rd Comm*, 480 Mich 75 (2008)); and (2) whether the evidence in this case establishes that the plaintiff incurred a loss of income from work that she would have performed as opposed to a loss of earning capacity.

The Michigan Association for Justice, the Michigan Defense Trial Counsel, Inc., and the Insurance Institute of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, 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, 2013

  
Clerk