

Order

Michigan Supreme Court
Lansing, Michigan

November 26, 2014

Robert P. Young, Jr.,
Chief Justice

149344 & (68)

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

SUSAN FURR and WILLIAM FURR,
Plaintiffs-Appellees/
Cross-Appellants,

v

SC: 149344
COA: 310652
Kalamazoo CC: 2010-000551-NH

MICHAEL McLEOD, M.D., TARA B. MANCL,
M.D., MICHIGAN STATE UNIVERSITY
KALAMAZOO CENTER FOR MEDICAL
STUDIES, INC., and BORGESS MEDICAL
CENTER,
Defendants-Appellants/
Cross-Appellees.

On order of the Court, the application for leave to appeal the April 10, 2014 judgment of the Court of Appeals and the application for leave to appeal as cross-appellants are considered. We direct the Clerk to schedule oral argument on whether to grant the application for leave to appeal or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address whether *Zwiers v Grownney*, 286 Mich App 38 (2009), was overruled by this Court's decision in *Driver v Naini*, 490 Mich 239 (2011). The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.

We direct the Clerk to schedule the oral argument in this case for the same future session of the Court when it will hear oral argument in *Tyra v Organ Procurement Agency of Michigan* (Docket Nos. 148079, 148087).

The application for leave to appeal as cross-appellants is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.



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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.

November 26, 2014


Clerk