

Court of Appeals, State of Michigan

ORDER

Mercantile Bank of Michigan v CLMIA LLC

Docket No. 315143

LC No. 09-001639-CZ

Mark T. Boonstra -
Presiding Judge

David H. Sawyer

Douglas B. Shapiro
Judges

The Court orders that the motion to dismiss this appeal as of right is GRANTED because the February 15, 2013 judgment and order appealed from is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That judgment and order is not a final judgment or order under MCR 7.202(6)(a)(i) because it does not dispose of all the claims or fully adjudicate the rights and liabilities of the parties in this case where it leaves the matter of attorney fees to be awarded as an aspect of appellee's contractual damages undisposed. See also *Children's Hosp of Michigan v Auto Club Ins Ass'n*, 450 Mich 670; 545 NW2d 592 (1996) (holding circuit court orders that only partially resolved claims in a case not final orders).

A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on



MAY 24 2013

Date

Angela P. DiSessa

Acting Chief Clerk